



**January 2019 ARRC agenda  
Administrative Rules Review Committee  
Tuesday, January 8, 2019  
9 a.m.  
Room 116, State Capitol, Des Moines, Iowa**

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**MEMBERS**

Mark Chelgren, Chair  
Jim Carlin  
Mark Costello  
Robert E. Dvorsky  
Pam Jochum

Megan Jones, Vice Chair  
Steven Holt  
Amy Nielsen  
Rick Olson  
John H. Wills

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**BULLETINS NEEDED FOR THIS MEETING: 12/5/18, 12/19/18, 1/2/19**

**NOTICE**

**Times listed for review are approximate. If you will be attending a particular review, please arrive 30 minutes before the scheduled time. The progress of the meeting can be tracked in real time through the ARRC’s Twitter feed, which is embedded here: <https://www.legis.iowa.gov/law/administrativeRules/arrc>.**

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Bulletin      Page

**9:00      Procedural Business**

- Approve minutes
- Friday, February 8th meeting: 9am?
- Rule tracking update
- Miscellaneous

**9:05      Fiscal Overview - Christin Mechler 515.281.6561**

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

Bulletin Page

<b>9:10</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b>		
	Nancy Freudenberg, 515.281.8438		
	Medical assistance provider eligibility—behavioral health services providers, psychologists, 77.22, 77.26		
	<u>Filed ARC 4165C</u> .....	12/5/18	1315
	Subsidized adoptions, amendments to ch 201		
	<u>Filed ARC 4166C</u> .....	12/5/18	1319
	Subsidized guardianship program, amendments to ch 204		
	<u>Filed ARC 4167C</u> .....	12/5/18	1324
	Retroactive Medicaid coverage benefit—residents of nursing facilities, 75.25, 76.13(3)		
	<u>Filed ARC 4208C</u> .....	1/2/19	1556
	Medicaid—health and disability waiver, 83.2		
	<u>Filed ARC 4209C</u> .....	1/2/19	1558
	State supplementary assistance—assistance standards definition, cost-of-living adjustments, 51.4(1), 51.7, 52.1		
	<u>Notice ARC 4219C</u> , also		
	<u>Filed Emergency ARC 4220C</u> .....	1/2/19	1520
	Mental health and disability services regions, amendments to ch 25		
	<u>Filed ARC 4207C</u> .....	1/2/19	1532
<b>9:35</b>	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b>		
	Tami Wiencek, 515.725.2017		
	Applicants for executive branch positions—disclosure requirements, 50.1, 54.2, 54.8		
	<u>Filed ARC 4180C</u> .....	12/19/18	1399
	Capitol complex operations, 100.3, 100.4(12)		
	<u>Filed ARC 4181C</u> .....	12/19/18	1401
	Procurement policies and procedures, amendments to chs 103, 117, 118		
	<u>Filed ARC 4182C</u> .....	12/19/18	1403
<b>9:40</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b>		
	Bernardo Granwehr, 515.725.1036		
	Meat and poultry regulations, 76.1 to 76.4		
	<u>Notice ARC 4150C</u> .....	12/5/18	1252
	Noxious weeds, amendments to ch 58		
	<u>Notice ARC 4151C</u> .....	12/5/18	1251
<b>9:45</b>	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b>		
	PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella"		
	Robert Lampe, 515.725.9024		
	Review of rules—administration, licensure, professional development, discipline, peer review, surveying, amendments to chs 1, 3 to 5, 7 to 12		
	<u>Filed ARC 4206C</u> .....	1/2/19	1524

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

	Bulletin	Page
<b>9:50 REAL ESTATE APPRAISER EXAMINING BOARD[193F]</b> PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Brandy March, 515.725.9025 Real estate appraiser qualification criteria, amendments to chs 1, 3 to 6, 15 <u>Filed ARC 4169C</u> .....	12/5/18	1332
<b>10:00 UTILITIES DIVISION[199]</b> COMMERCE DEPARTMENT[181]"umbrella" Matthew Oetker, 515.725.7349 Electric utility services, amendments to ch 20 <u>Filed ARC 4171C</u> .....	12/5/18	1342
Natural gas safety standards, 10.12(1), 19.2(5), 19.5(2), 19.8(3) <u>Notice ARC 4173C</u> .....	12/19/18	1395
<b>10:05 CORRECTIONS DEPARTMENT[201]</b> Cord Overton, 515.725.5707 Areas of responsibility; risk assessments, 1.2, 1.7, 1.8, 38.2(3), 42.1(4), 43.1(18), 44.1 (5)"c," 45.1(2)"b" <u>Notice ARC 4153C</u> , also <u>Filed Emergency ARC 4152C</u> .....	12/5/18	1306
<b>10:10 ARTS DIVISION[222]</b> CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Chris Kramer, 515.281.3223 Artsafe and art in state buildings programs, rescind chs 12, 13 <u>Notice ARC 4197C</u> .....	1/2/19	1469
<b>10:15 ECONOMIC DEVELOPMENT AUTHORITY[261]</b> Jennifer Klein, 515.348.6144 Alternate energy revolving loan program, ch 405 <u>Notice ARC 4148C</u> .....	12/5/18	1260
Iowa energy center grant program, ch 404 <u>Notice ARC 4149C</u> .....	12/5/18	1256
Iowa export trade assistance program, amendments to ch 72 <u>Notice ARC 4203C</u> .....	1/2/19	1470
<b>10:20 IOWA FINANCE AUTHORITY[265]</b> Mark Thompson, 515.725.4937 Manufactured housing program fund, ch 45 <u>Filed ARC 4168C</u> .....	12/5/18	1328
Changes to address of authority, amendments to chs 1, 7, 9, 13, 15 to 18, 22, 30, 31, 37, 44 <u>Notice ARC 4196C</u> .....	1/2/19	1478
Private activity bond allocation, amendments to ch 8 <u>Filed ARC 4210C</u> .....	1/2/19	1560
Wastewater and drinking water treatment financial assistance program, amendments to ch 28 <u>Filed ARC 4211C</u> .....	1/2/19	1566

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

	Bulletin	Page
<b>10:30 EDUCATION DEPARTMENT[281]</b>		
Nicole Proesch, 515.281.8661		
Summer college credit program, 22.33		
<u>Notice ARC 4155C</u> .....	12/5/18	1275
Supplementary weighting, amendments to ch 97		
<u>Notice ARC 4156C</u> .....	12/5/18	1278
Suicide prevention, identification of adverse childhood experiences, strategies to mitigate toxic stress response, amendments to ch 14		
<u>Notice ARC 4157C</u> .....	12/5/18	1267
Use of online learning and telecommunications for instruction by schools, amendments to ch 15		
<u>Notice ARC 4158C</u> .....	12/5/18	1269
Open enrollment—participation in cocurricular or extracurricular activities, amendments to ch 17		
<u>Notice ARC 4159C</u> .....	12/5/18	1273
Financial management of categorical funding, amendments to ch 98		
<u>Notice ARC 4160C</u> .....	12/5/18	1282
Career and technical education, 46.1, 46.6, 46.7, 46.9, 46.10, 46.11(4)		
<u>Filed ARC 4163C</u> .....	12/5/18	1311
Supplemental career information systems for use in career and academic planning, 49.6(4)		
<u>Filed ARC 4164C</u> .....	12/5/18	1314
<b>10:50 EDUCATIONAL EXAMINERS BOARD[282]</b>		
EDUCATION DEPARTMENT[281]"umbrella"		
Kimberly Cunningham, 515.281.5849		
Code of professional ethics and conduct—violations of contractual obligations, 25.3(5)		
<u>Notice ARC 4147C</u> .....	12/5/18	1265
<b>10:55 INSPECTIONS AND APPEALS DEPARTMENT[481]</b>		
Deborah Svec-Carstens, 515.725.5336		
Design and construction standards for nursing facilities, 61.2(3), 61.6, 61.9		
<u>Notice ARC 4162C</u> .....	12/5/18	1287
<b>11:00 RACING AND GAMING COMMISSION[491]</b>		
INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358		
Problem gambling; test sample; Iowa-foaled horse allowance, 5.4(12), 10.1, 10.2(7), 10.4 (5)“g,” 10.5(1)“a,” 10.7		
<u>Filed ARC 4194C</u> .....	12/19/18	1445
<b>11:10 ENVIRONMENTAL PROTECTION COMMISSION[567]</b>		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Christina Iiams, 515.725.8240		
Air quality, amendments to chs 20, 22, 23, 25		
<u>Notice ARC 4178C</u> .....	12/19/18	1376
Air quality, amendments to chs 20, 22, 23, 25		
<u>Amended Notice ARC 4221C</u> .....	1/2/19	1473

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

	Bulletin	Page
<b>11:15 PUBLIC HEALTH DEPARTMENT[641]</b>		
Susan Dixon, 515.725.2183		
Concussion or other brain injury return-to-play protocol, ch 54		
<u>Filed ARC 4193C</u> .....	12/19/18	1442
<b>11:20 MEDICINE BOARD[653]</b>		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Kent Nebel, 515.281.7088		
Training requirements for chronic pain management and end-of-life care for permanent or special license renewal; definition of "opioid," 11.1, 11.4(1)		
<u>Notice ARC 4204C</u> .....	1/2/19	1484
Supervision of physician assistants at remote medical sites, 21.4(6)		
<u>Filed ARC 4213C</u> .....	1/2/19	1571
<b>11:25 PHARMACY BOARD[657]</b>		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Sue Mears, 515.281.5944		
Universal practice standards—protection from exposure to hazardous drugs, 8.5		
<u>Amended Notice ARC 4172C</u> .....	12/19/18	1385
Board membership and responsibilities, amendments to ch 1		
<u>Filed ARC 4188C</u> .....	12/19/18	1417
Dispensing and electronic transfer of prescriptions by pharmacy technicians, 3.21, 3.22 (1), 3.23, 6.7, 6.9		
<u>Filed ARC 4189C</u> .....	12/19/18	1420
Iowa prescription monitoring program, ch 37		
<u>Notice ARC 4205C</u> .....	1/2/19	1487
Wholesale distributor licenses, ch 17		
<u>Filed ARC 4190C</u> .....	12/19/18	1424
Limited distributor licenses, ch 42		
<u>Filed ARC 4191C</u> .....	12/19/18	1431
Third-party logistics provider licenses, ch 43		
<u>Filed ARC 4192C</u> .....	12/19/18	1438
<b>11:45 TRANSPORTATION DEPARTMENT[761]</b>		
Tracy George, 515.239.1358		
Minors' school licenses; licensing information and forms; waiver of accompanying driver for intermediate licensee, amendments to ch 602		
<u>Notice ARC 4161C</u> .....	12/5/18	1301
<b>11:50 WORKFORCE DEVELOPMENT DEPARTMENT[871]</b>		
David Steen, 515.725.5492		
Eligibility requirements for vocational training programs, 24.39(2)		
<u>Notice ARC 4174C</u> .....	12/19/18	1397
Federal payment offset of covered unemployment compensation debt, 25.17		
<u>Notice ARC 4199C</u> .....	1/2/19	1517

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

Bulletin      Page

<b>11:55</b>	<b>LABOR SERVICES DIVISION[875]</b>		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Kathleen Uehling, 515.725.5615		
	ASME code cases for regulated objects—adoption by reference, 91.1(2)		
	<u>Notice</u> <u>ARC 4179C</u> .....	12/19/18	1383
	Federal occupational safety and health standards for crane operator training—adoption by reference, 26.1		
	<u>Notice</u> <u>ARC 4198C</u> .....	1/2/19	1483
	Hoistway lighting and conduit, 71.1, 72.10, 72.13(7), 73.8(8)		
	<u>Filed</u> <u>ARC 4212C</u> .....	1/2/19	1569
<b>12:00</b>	<b>BREAK</b>		
<b>12:30</b>	<b>REVENUE DEPARTMENT[701]</b>		
	Tim Reilly, 515.725.2294		
	Assessment/sales ratio study—supplementary tools, 71.12		
	<u>Filed</u> <u>ARC 4170C</u> .....	12/5/18	1340
	Flood mitigation program—use of moneys from a flood mitigation fund, 238.4		
	<u>Notice</u> <u>ARC 4175C</u> .....	12/19/18	1392
	Surcharge for enhanced 911 service—update of terminology, 18.20(1)“c,” 40.3, 40.39, 224.4(7), 224.8		
	<u>Notice</u> <u>ARC 4176C</u> .....	12/19/18	1387
	Deferred life estates and remainder interest, 86.14(9)		
	<u>Notice</u> <u>ARC 4177C</u> .....	12/19/18	1390
	State-imposed and locally imposed hotel and motel taxes, amend chs 103, 241; rescind chs 104, 105		
	<u>Filed</u> <u>ARC 4195C</u> .....	12/19/18	1447
	Delivery sales of alternative nicotine products or vapor products, amendments to ch 82		
	<u>Notice</u> <u>ARC 4201C</u> .....	1/2/19	1493
	Water service excise tax, ch 97		
	<u>Filed</u> <u>ARC 4217C</u> .....	1/2/19	1580
	Sourcing of taxable services, tangible personal property, and specified digital products, amendments to ch 223		
	<u>Notice</u> <u>ARC 4200C</u> .....	1/2/19	1510
	Local option sales and services tax, 107.1 to 107.17		
	<u>Notice</u> <u>ARC 4202C</u> .....	1/2/19	1495
	Personal transportation service, 26.80		
	<u>Filed</u> <u>ARC 4216C</u> .....	1/2/19	1577
	Exemptions primarily benefiting manufacturers and other persons engaged in processing, 211.1, 230.2(1), 230.15		
	<u>Filed</u> <u>ARC 4218C</u> .....	1/2/19	1585

**NO REPRESENTATIVE REQUESTED TO APPEAR**

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

Bulletin

Page

**XX:00 COLLEGE STUDENT AID COMMISSION[283]**

EDUCATION DEPARTMENT[281]"umbrella"

All Iowa opportunity scholarship program, 8.2, 8.4(2)

Filed ARC 4183C. . . . . 12/19/18 1407

Iowa national guard educational assistance program—application requirements, 20.1(2)

Filed ARC 4184C. . . . . 12/19/18 1409

Rural Iowa advanced registered nurse practitioner and physician assistant loan repayment program, amendments to ch 25

Filed ARC 4185C. . . . . 12/19/18 1410

Health care loan repayment program, ch 26

Filed ARC 4186C. . . . . 12/19/18 1412

**XX:00 PROFESSIONAL LICENSURE DIVISION[645]**

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Speech pathologists and audiologists—licensure by endorsement, 300.9

Filed ARC 4214C. . . . . 1/2/19 1573

Speech pathologists and audiologists—code of ethics, 304.2(31)

Filed ARC 4215C. . . . . 1/2/19 1575

**XX:00 DENTAL BOARD[650]**

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Review of applications for license, permit, or registration, 11.8, 20.7(5)

Filed ARC 4187C. . . . . 12/19/18 1415