

# JUNE 2009 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, June 9, 2009, at 10 a.m. in the **Supreme Court Chambers**, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

## BULLETINS NEEDED FOR THIS MEETING: 5/6/09, 5/20/09, 6/3/09

		Bulletin	Page
<b>10:00</b>	<b>Fiscal Update Sue Lerdal</b>		
<b>10:05</b>	<b>EDUCATION DEPARTMENT[281]</b>		
	Physical activity and cardiopulmonary resuscitation course requirements, 12.2, 12.5(6), 12.5(19), 12.5(20) <u>Filed ARC 7783B</u> .....	5/20/09	2614
	Statewide voluntary preschool program, 16.1 to 16.15 <u>Filed ARC 7787B</u> .....	5/20/09	2616
	Certified school to career program, rescind ch 48 <u>Filed ARC 7786B</u> .....	5/20/09	2617
	School breakfast and lunch program—nutritional content standards, 58.1, 58.2, 58.9 to 58.11 <u>Filed ARC 7782B</u> .....	5/20/09	2618
	Practitioner and administrator preparation programs, 79.1 to 79.17, 79.19 to 79.21 <u>Notice ARC 7780B</u> .....	5/20/09	2493
	Definition of “teacher” updated; evaluator approval training, 83.2, 83.5 <u>Filed ARC 7785B</u> .....	5/20/09	2620
	Phase III, educational excellence program, rescind ch 91 <u>Filed ARC 7784B</u> .....	5/20/09	2621
	Financial management of categorical funding, ch 98 <u>Notice ARC 7781B</u> .....	5/20/09	2504
<b>10:30</b>	<b>EDUCATIONAL EXAMINERS BOARD[282]</b>		
	<small>EDUCATION DEPARTMENT[281]“umbrella”</small>		
	Teacher licenses and endorsements—classes of licenses, 13.10(5), 13.11 to 13.14 <u>Notice ARC 7751B</u> .....	5/6/09	2402
	Class B license—uniform expiration date, 13.11(5) <u>Notice ARC 7778B</u> .....	5/20/09	2492
	Licenses, endorsements and authorizations, rescind 13.28(26), 13.28(27), 15.7(1) to 15.7(5), 15.8 <u>Notice ARC 7744B</u> .....	5/6/09	2404
	Renewal of substitute license, 20.7 <u>Notice ARC 7748B</u> .....	5/6/09	2404
	Substitute authorization, 22.2 <u>Filed ARC 7745B</u> .....	5/6/09	2449
	Definition of “practitioner,” 25.2 <u>Notice ARC 7747B</u> .....	5/6/09	2406
	Issuance of professional service licenses, ch 27 <u>Notice ARC 7743B</u> .....	5/6/09	2407
<b>10:50</b>	<b>ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]</b>		
	Community microenterprise development organization grant program, ch 113 <u>Notice ARC 7765B</u> , also <u>Filed Emergency ARC 7764B</u> .....	5/6/09	2440
	Renewable fuel infrastructure program, 314.5(2)“e” <u>Notice ARC 7763B</u> .....	5/6/09	2401
<b>11:10</b>	<b>EMPOWERMENT BOARD, IOWA[349]</b>		
	Community empowerment, amendments to ch 1 <u>Filed ARC 7831B</u> .....	6/3/09	2401
<b>11:20</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b>		
	<small>NATURAL RESOURCES DEPARTMENT[561]“umbrella”</small>		
	E. coli effluent limits; nutrient monitoring, 62.8(2), ch 63 Table II <u>Notice ARC 7813B</u> .....	6/3/09	2401
<b>11:30</b>	<b>NATURAL RESOURCES DEPARTMENT[561]</b>		
	Special nonresident deer and turkey licenses, ch 12 <u>Filed ARC 7814B</u> .....	6/3/09	2401

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<b>11:45</b>	<b>INSURANCE DIVISION[191]</b> COMMERCE DEPARTMENT[181]"umbrella"		
	Medicare supplement insurance minimum standards, 15.3(4), 37.2, 37.3, 37.5 to 37.26, 37.50 to 37.59 <u>Notice ARC 7795B</u> .....	5/20/09	2535
	Business of insurance—genetic information, 15.11(5) <u>Notice ARC 7797B</u> , also <u>Filed</u> <u>Emergency ARC 7796B</u> .....	5/20/09	2604
	Licensing of insurance producers, 10.2, 10.8, 10.15, 10.16, 10.18(4) <u>Filed ARC 7836B</u> .....	6/3/09	2604
 <b>12:00---1:15 LUNCH</b> 			
<b>1:15</b>	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b>		
	“Electronic format” or “electronic filing” defined, 4.1(6), 4.8(4) <u>Notice ARC 7806B</u> .....	6/3/09	2604
	Form DR-SFA—filing requirements for subsequent elections, 4.11(3) <u>Notice ARC</u> <u>7807B</u> .....	6/3/09	2604
	Prohibitions on use of campaign funds to pay candidate, spouse and children, 4.25(1) <u>Filed Without Notice ARC 7801B</u> .....	6/3/09	2604
	Registration of subsequent candidate’s committee, 4.26(2) <u>Notice ARC 7809B</u> .....	6/3/09	2604
	Federal and out-of-state campaign committees—exemption from filing of independent expenditure statement, 4.27 <u>Filed Without Notice ARC 7800B</u> .....	6/3/09	2604
	Forwarding of committee records, 4.37(3) <u>Notice ARC 7803B</u> .....	6/3/09	2604
	Petition for waiver of civil penalty, 4.60, 7.6, 8.12, 15.2 <u>Notice ARC 7805B</u> .....	6/3/09	2604
	Filing requirements for statewide candidates, 7.3(3), 7.3(4) <u>Filed Without Notice ARC</u> <u>7802B</u> .....	6/3/09	2604
	False communication, 8.18(2) <u>Notice ARC 7812B</u> .....	6/3/09	2604
	Remedial actions imposed after hearing, 9.4(1) <u>Notice ARC 7808B</u> .....	6/3/09	2604
	Civil penalty for violation, 9.4 <u>Notice ARC 7810B</u> .....	6/3/09	2604
	Time for service of notice of hearing, 11.5(3) <u>Notice ARC 7804B</u> .....	6/3/09	2604
<b>1:30</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>		
	Dependent adult abuse in facilities and programs, ch 52 <u>Notice ARC 7828B</u> .....	6/3/09	2604
<b>1:45</b>	<b>IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]</b>		
	Additional employer contributions from employer-mandated reduction in hours, 4.6(4), 4.8, 6.3, 6.4, 15.5(1) <u>Notice ARC 7760B</u> , also <u>Filed Emergency ARC 7759B</u> .....	5/6/09	2443
<b>2:00</b>	<b>REVENUE DEPARTMENT[701]</b>		
	Petition for rule making, 7.61 <u>Notice ARC 7793B</u> .....	5/20/09	2599
	Clarifications and updates, amendments to chs 10, 38, 40, 41, 43, 46, 48, 50, 52, 54, 59, 86, 88, 89, 104 <u>Filed ARC 7761B</u> .....	5/6/09	2473
	Responsibility of assessor, 71.1(1), 71.2(1) <u>Notice ARC 7788B</u> .....	5/20/09	2601
	Taxation of communication services, payments made by a third party, 18.20(7), 212.8 <u>Notice ARC 7832B</u> .....	6/3/09	2601
<b>2:20</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>		
	Center for congenital and inherited disorders, 4.2, 4.3, 4.4, 4.6, 4.7 <u>Notice ARC 7791B</u> .....	5/20/09	2575
	Radiation, amendments to chs 39, 41 <u>Notice ARC 7792B</u> .....	5/20/09	2582
	WIC food package approval criteria, 73.9(3) <u>ARC 7798B</u> .....	5/20/09	2587
	Early childhood Iowa council, ch 83 <u>Notice ARC 7794B</u> .....	5/20/09	2590

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	Compliance with Virginia Graeme Baker Pool and Spa Safety Act, amendments to ch 15 <u>Filed ARC 7839B</u> .....	6/3/09	2590
	Standard for impact resistance and method of testing, rescind ch 121 <u>Filed Without Notice ARC 7838B</u> .....	6/3/09	2590
<b>2:45</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b>		
	Disability services management—"county of residence," 25.11, 25.13 to 25.17 <u>Filed ARC 7768B</u> .....	5/20/09	2622
	Applicant's/participant's responsibility to provide information or verification to department, 40.24(1), 40.27(4), 76.2, 76.7, 170.5 <u>Filed ARC 7740B</u> .....	5/6/09	2452
	Family investment program eligibility—assignment of support payments, 41.22(7) <u>Notice ARC 7776B</u> .....	5/20/09	2527
	Family-centered child welfare services; foster group care services, amend chs 75, 77, 83, 133, 150, 156; rescind chs 152, 157, 182, 183, 185; adopt ch 152 <u>Filed ARC 7741B</u> .....	5/6/09	2453
	Hearing aids, 78.14 <u>Notice ARC 7771B</u> .....	5/20/09	2528
	HAWK-I—increased income limits and monthly cost sharing, 86.1, 86.2(2), 86.8(1), 86.8(2) <u>Filed ARC 7770B</u> .....	5/20/09	2623
	Safety standards for children's centers, ch 106 <u>Notice ARC 7769B</u> .....	5/20/09	2530
	Notification of debt forms, 11.1, 11.2(2) <u>Filed ARC 7829B</u> .....	6/3/09	2530
	Ticket to hope program, 58.61 to 58.68, 153.8 <u>Filed ARC 7830B</u> .....	6/3/09	2530
	Premiums assessed for Medicaid for employed people with disabilities (MEPD), 75.1(39) <u>Filed ARC 7833B</u> .....	6/3/09	2530
	Annual updates—statewide average cost of nursing facility services to a private-pay resident and of institutional care, 75.23(3), 75.24(3)"b" <u>Filed ARC 7834B</u> .....	6/3/09	2530
	Medicaid—covered nonprescription drugs, 78.2(5) <u>Notice ARC 7816B</u> .....	6/3/09	2530
	Medicaid—coverage and fees for ambulatory surgical center services, 78.26, 79.1 <u>Notice ARC 7827B</u> .....	6/3/09	2530
	Update of CFR references relating to payment methodology for prescription drugs, 79.1(8) <u>Filed ARC 7835B</u> .....	6/3/09	2530
	Visual inspection for lead hazards, 110.5(1)"x" <u>Notice ARC 7815B</u> .....	6/3/09	2530
	Child care assistance—fee schedule 2009, 170.4(2)"a" <u>Filed Emergency ARC 7837B</u> .....	6/3/09	2530
	<b>SELECTIVE REVIEW</b>		
	Emergency medical assistance: Emergency rule making to comply with federal requirements	selective	
	Case management services, 78.27, 78.37, 78.43, 79.1, 79.3, 83.22(2), ch 90 title and preamble, 90.1 to 90.9 <u>Emergency after Notice</u> Held over from April		

**3:30 COMMITTEE BUSINESS: Approve May Minutes--July 2009 meeting--Miscellaneous**

## NO REPRESENTATIVE REQUESTED TO APPEAR

<b>XX:00</b>	<b>ARCHITECTURAL EXAMINING BOARD[193B]</b> <small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella"</small>		
	Application by reciprocity, 2.2 <u>Filed ARC 7737B</u> .....	5/6/09	2447
<b>XX:00</b>	<b>COLLEGE STUDENT AID COMMISSION[283]</b> <small>EDUCATION DEPARTMENT[281]"umbrella"</small>		
	All Iowa opportunity foster care grant program—definition of "Iowa resident," 9.2 <u>Filed ARC 7733B</u> .....	5/6/09	2448

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<b>XX:00 CULTURAL AFFAIRS DEPARTMENT[221]</b>		
Iowa community cultural grants program—applicant eligibility, 6.3 <u>Filed ARC 7734B</u> .....	5/6/09	2448
<b>XX:00 DENTAL BOARD[650]</b>		
<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
Public health supervision—interval for dental examination, 10.5(3)“a”(3) <u>Filed ARC 7767B</u> .....	5/20/09	2612
Dental and dental hygiene examinations, 11.5(2)“e,” 12.3, 12.4 <u>Filed ARC 7790B</u> .....	5/20/09	2612
Appeal procedure for denial of licensure and registration, 11.10, 20.8 <u>Filed ARC 7789B</u> .....	5/20/09	2614
<b>XX:00 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b>		
<small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella”</small>		
Application and renewal process, 3.2(3), 3.3 <u>Filed ARC 7754B</u> .....	5/6/09	2450
Engineering licensure requirements, 4.1(4), 4.2(1) <u>Filed ARC 7753B</u> .....	5/6/09	2450
<b>XX:00 HISTORICAL DIVISION[223]</b>		
<small>CULTURAL AFFAIRS DEPARTMENT[221]“umbrella”</small>		
State historical society award program, 21.3(2) <u>Filed ARC 7755B</u> .....	5/6/09	2451
Historic site preservation grant program—award limit, 50.3(8) <u>Notice ARC 7817B</u> .....	6/3/09	2451
<b>XX:00 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]</b>		
<small>PUBLIC DEFENSE DEPARTMENT[601]“umbrella”</small>		
Community disaster grants, ch 13 <u>Filed ARC 7752B</u> .....	5/6/09	2452
<b>XX:00 MEDICINE BOARD[653]</b>		
<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
Preliminary notice of denial—public record, 9.15(1) <u>Filed ARC 7756B</u> .....	5/6/09	2469
<b>XX:00 PAROLE BOARD[205]</b>		
<small>CORRECTIONS DEPARTMENT[201]“umbrella”</small>		
Certificates of employability, ch 9 <u>Filed ARC 7742B</u> .....	5/6/09	2469
<b>XX:00 PROFESSIONAL LICENSURE DIVISION[645]</b>		
<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
Continuing education for optometrists, 181.3(2)“c”(1) <u>Notice ARC 7762B</u> .....	5/6/09	2418
Licensure of podiatrists, 220.2 to 220.4, 220.6, 220.7 <u>Notice ARC 7779B</u> .....	5/20/09	2572
<b>XX:00 PUBLIC SAFETY DEPARTMENT[661]</b>		
Smoke detector requirements for single-family and multifamily residential buildings, 210.2 <u>Filed Emergency ARC 7735B</u> .....	5/6/09	2445
Motor fuel dispensing—B-blend, 221.4(2) <u>Notice ARC 7772B</u> .....	5/20/09	2595
Sustainable design standards, ch 310 <u>Filed ARC 7773B</u> .....	5/20/09	2625
Support and anchorage of manufactured homes—reinstallations, 322.11 <u>Notice ARC 7777B</u> , also <u>Filed Emergency ARC 7775B</u> .....	5/20/09	2604

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<b>XX:00 RACING AND GAMING COMMISSION[491]</b>		
<small>INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"</small>		
Organization; contested cases; licensure; gambling games; accounting and cash control, amend chs 1, 4 to 6, 11; adopt ch 12 <u>Notice ARC 7758B</u> .....	5/6/09	2418
Harness racing; thoroughbred and quarter horse racing; gambling games, 9.7(1)"d"(3), 10.5, 10.6(2), 10.7(1)"d"(3), 11.1, 11.12(8)"a" <u>Filed ARC 7757B</u> .....	5/6/09	2472
<b>XX:00 REAL ESTATE APPRAISER EXAMINING BOARD[193F]</b>		
<small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella"</small>		
Certification of residential and general real property appraisers, amend chs 1, 3, 4, 11, 12; adopt chs 5, 6; rescind chs 13, 14 <u>Filed ARC 7774B</u> .....	5/20/09	2629
<b>XX:00 REAL ESTATE COMMISSION[193E]</b>		
<small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella"</small>		
Definition of "moral turpitude," 2.1 <u>Filed ARC 7736B</u> .....	5/6/09	2472
Buyer(s) acknowledgment of receipt of radon fact sheet, 14.1(6) <u>Notice ARC 7799B</u> .....	6/3/09	2472
<b>XX:00 REGENTS BOARD[681]</b>		
Application fees to state universities, 1.7 <u>Notice ARC 7822B</u> .....	6/3/09	2472
<b>XX:00 STATUS OF WOMEN DIVISION[435]</b>		
<small>HUMAN RIGHTS DEPARTMENT[421]"umbrella"</small>		
Iowans in transition, rescind ch 5 <u>Notice ARC 7821B</u> .....	6/3/09	2472
<b>XX:00 TRANSPORTATION DEPARTMENT[761]</b>		
Motor carrier safety and hazardous materials regulations, 520.1(1) <u>Filed ARC 7750B</u> .....	5/6/09	2475
<b>XX:00 UTILITIES DIVISION[199]</b>		
<small>COMMERCE DEPARTMENT[181]"umbrella"</small>		
Updates and corrections to natural gas and electric technical standards, 10.12(1), 10.17, 19.2(5)"g," 19.5(2), 19.6(3)"d," 19.8(3), 20.5(2), 25.2(5)"a" <u>Notice ARC 7749B</u> .....	5/6/09	2436
Notification and reporting of electrical outages, 20.18(6), 20.19 <u>Notice ARC 7820B</u> .....	6/3/09	2436
Clarification of status of regulated, deregulated, and unregulated telecommunications services, amendments to ch 22 <u>Filed ARC 7826B</u> .....	6/3/09	2436
<b>XX:00 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]</b>		
Iowa Veterans Home—exempt income for incentive therapy or other programs, 10.19(2)"a"(9) <u>Notice ARC 7746B</u> .....	5/6/09	2438