



**August 2019 ARRC agenda
Administrative Rules Review Committee
Monday, August 12, 2019
9 a.m.
Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

Waylon Brown, Vice Chair
Pam Jochum
Mark Costello
Robert Hogg
Zach Whiting

Megan Jones, Chair
Steven Holt
Joe Mitchell
Amy Nielsen
Rick L. Olson

BULLETINS NEEDED FOR THIS MEETING: 7/17/19, 7/31/19

NOTICE

Times listed for review are approximate. If you will be attending a particular review, please arrive 45 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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- 9:00 Procedural Business**
- Approve minutes
 - Tuesday, September 10th meeting: 9am?
 - Miscellaneous
- 9:05 Fiscal Overview - Christin Mechler 515.281.6561**

AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE

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9:10 HUMAN SERVICES DEPARTMENT[441]

Nancy Freudenberg, 515.281.8438
 Medicaid eligibility—removal of statewide average costs and charges and maximum
 Medicaid rates from rule, 75.23(3), 75.24(3)“b”
Filed Emergency After Notice ARC 4572C..... 7/31/19 220
 Family investment program (FIP); electronic benefits transfer cards, 40.28, 65.4
Filed ARC 4573C..... 7/31/19 242
 Medicaid for employed people with disabilities program—premium amounts, 75.1(39)“b”
Filed ARC 4574C..... 7/31/19 244
 Child support recovery forms, 97.6(5), 98.121, 99.63(1)
Filed ARC 4576C..... 7/31/19 249
 Customized wheelchairs—definition for Medicaid members and providers, amendments
 to ch 78
Filed ARC 4575C..... 7/31/19 246

9:35 AGING, DEPARTMENT ON[17]

Angela Van Pelt, 515.210.2114
 Complaint and appeal procedures—inclusion of senior community service employment
 program (SCSEP) subgrantees, 2.9
Notice ARC 4542C..... 7/17/19 77
 Area agencies on aging—qualifications to serve, 4.4
Notice ARC 4543C..... 7/17/19 79
 Contracts and subgrants, 6.9(2)“c,” 6.10(4), 6.11
Notice ARC 4544C..... 7/17/19 80
 Definitions, 1.5
Notice ARC 4545C..... 7/17/19 76
 Older American community service employment program, rescind ch 10
Notice ARC 4546C..... 7/17/19 84
 Managed care ombudsman program, amendments to ch 8
Notice ARC 4547C..... 7/17/19 82
 Aging and disability resource center, ch 23
Notice ARC 4548C..... 7/17/19 93
 Office of substitute decision maker—change of name to office of public guardian, services
 provided, amendments to ch 22
Notice ARC 4550C..... 7/17/19 85

9:45 CIVIL RIGHTS COMMISSION[161]

Andrew Greenberg, 515.725.2979
 Assistance animal as reasonable accommodation in housing—form, ch 9 appendix A
Notice ARC 4551C, also
Filed Emergency ARC 4552C..... 7/17/19 151

9:55 INSURANCE DIVISION[191]

COMMERCE DEPARTMENT[181]“umbrella”
 Angela Burke Boston, 515.281.4119
 Pharmacy benefits manager annual report, amendments to ch 59
Filed ARC 4578C..... 7/31/19 253

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10:00	REAL ESTATE APPRAISER EXAMINING BOARD[193F] PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Brandy March, 515.725.9025 Prohibition of discipline for student loan nonrepayment; military service credit and reciprocity; impaired licensee review committee; social security numbers and proof of legal presence; vendor appeals, amend ch 21; adopt chs 25 to 29 <u>Notice ARC 4566C</u> 7/31/19	205
	Certification—qualifying experience, demonstration appraisals, supervision of associates or trainees, 1.20(2), 5.6(2), 6.6(2) 15.3(1) <u>Notice ARC 4567C</u> 7/31/19	202
10:05	UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Matthew Oetker, 515.725.7349 Water, sanitary sewage, and storm water drainage utilities, amendments to ch 21 <u>Notice ARC 4536C</u> 7/17/19	125
	Practice and procedure before the board, amendments to ch 7 <u>Notice ARC 4537C</u> 7/17/19	112
10:15	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Darcy Hathaway, 515.242.6506 Timeline for required reporting of misconduct to the board, 11.37 <u>Notice ARC 4560C</u> 7/31/19	186
10:20	LIBRARIES AND INFORMATION SERVICES DIVISION[286] EDUCATION DEPARTMENT[281]"umbrella" Michael Scott, 515.242.5062 State publications depository program, 3.9 <u>Notice ARC 4553C</u> 7/17/19	99
	Library circulation policies, 1.5 <u>Notice ARC 4554C</u> 7/17/19	97
10:25	INSPECTIONS AND APPEALS DEPARTMENT[481] Ashleigh Hackel, 515.281.4567 Residential care—specialized license for three- to five-bed facilities, amendments to ch 63 <u>Filed ARC 4577C</u> 7/31/19	250
10:30	LOTTERY AUTHORITY, IOWA[531] Rob Porter, 725.7851 Vendor and licensing appeals, 2.17, 5.2, 5.3, 5.6, 5.7, 5.12, 5.25 to 5.27, 5.29 <u>Notice ARC 4563C</u> 7/31/19	192

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10:35 PUBLIC HEALTH DEPARTMENT[641]		
Susan Dixon, 515.725.2183		
Mandatory reporter training curricula, rescind ch 93		
<u>Notice ARC 4538C</u>	7/17/19	104
Elimination of specialty care referral network, governmental public health and rural health and primary care advisory councils; membership of trauma system advisory council; reimbursement of advisory council and review team expenses, amend chs 88, 90, 110, 130, 138; rescind ch 186		
<u>Notice ARC 4539C</u>	7/17/19	101
Interagency coordinating council for the state medical examiner—integration of duties of advisory council for the state medical examiner, amend ch 124; rescind ch 125		
<u>Notice ARC 4540C</u>	7/17/19	105
Substance use disorder and problem gambling treatment program mandatory reporter training; substance abuse treatment programs in correctional facilities, amend ch 155; rescind ch 156		
<u>Notice ARC 4541C</u>	7/17/19	108
10:45 PROFESSIONAL LICENSURE DIVISION[645]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Tony Alden, 515.281.4401; Venus Vendoures-Walsh, 515.242.6529		
Behavior analysts and assistant behavior analysts—licensure, fees, amendments to chs 5, 31, 33		
<u>Filed ARC 4557C</u>	7/17/19	165
Physical therapists and physical therapist assistants—licensure, examinations, 200.2, 200.4		
<u>Notice ARC 4569C</u>	7/31/19	199
10:55 BREAK		
11:10 DENTAL BOARD[650]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Jill Stuecker, 515.281.6935		
Sedation and nitrous oxide, ch 29		
<u>Filed ARC 4556C</u>	7/17/19	155

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11:25	PHARMACY BOARD[657]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Andrew Funk, 515.281.5944		
	Vaccine administration by pharmacists, 39.10		
	<u>Filed</u> <u>Emergency After Notice</u> <u>ARC 4555C</u>	7/17/19	153
	Authorized dispensers of pseudoephedrine products, 10.34, 100.2, 100.3		
	<u>Notice</u> <u>ARC 4570C</u>	7/31/19	197
	Pharmacist licensure; pharmacist internships, amendments to chs 2, 4, 25, 31, 32		
	<u>Filed</u> <u>ARC 4579C</u>	7/31/19	255
	Electronic prescription mandate and exemptions, amendments to chs 8, 10, 21		
	<u>Filed</u> <u>ARC 4580C</u>	7/31/19	267
	Licensing sanctions—student loan debt or related service obligations, rescind ch 31; amend ch 36		
	<u>Filed</u> <u>ARC 4581C</u>	7/31/19	273
	Military service and veteran reciprocity for licensing, 33.1, 33.3, 33.4		
	<u>Filed</u> <u>ARC 4582C</u>	7/31/19	274
	Statewide protocols—update of terminology, order constitutes prescription, 39.6, 39.8, 39.9, 39.11		
	<u>Filed</u> <u>ARC 4583C</u>	7/31/19	277
11:40	PUBLIC SAFETY DEPARTMENT[661]		
	Chandler Collins, 515.725.6185		
	Former peace officer replacement identification card—removal of fee, 93.3(9)		
	<u>Notice</u> <u>ARC 4549C</u>	7/17/19	110
	Military service and veteran reciprocity for fire extinguishing and alarm systems contractors and installers, ch 278		
	<u>Filed</u> <u>ARC 4584C</u>	7/31/19	279
11:45	REVENUE DEPARTMENT[701]		
	Tim Reilly, 515.725.2294		
	Electronic filing of W-2 and 1099 forms—tax withheld from employees, filing deadline, 46.3(3)		
	<u>Notice</u> <u>ARC 4561C</u>	7/31/19	214
	Resale and processing exemptions—commercial enterprises, 225.8		
	<u>Notice</u> <u>ARC 4562C</u>	7/31/19	217
	Excise tax rate on motor fuels, 68.2(1)		
	<u>Filed</u> <u>ARC 4585C</u>	7/31/19	282
12:00	WORKFORCE DEVELOPMENT DEPARTMENT[871]		
	David Steen, 515.725.5492		
	Employer innovation fund, ch 16		
	<u>Filed</u> <u>ARC 4558C</u>	7/17/19	169
	Unemployment benefits wage-earnings limitation, 24.18		
	<u>Filed</u> <u>ARC 4559C</u>	7/17/19	172

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12:05 LABOR SERVICES DIVISION[875]
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"
 Kathleen Uehling, 515.725.5615
 Boilers and pressure vessels—inspections, incident reporting 90.7(3), 90.11(3)“c”
 Notice ARC 4564C 7/31/19 188
 Inspectors of boilers and pressure vessels, 90.9
 Notice ARC 4565C 7/31/19 190

12:10 RACING AND GAMING COMMISSION[491]
INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"
 Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358
 Special review of emergency rule making: Sports wagering and fantasy sports contests, chs 1, 3, 4, 5, 6, 8, 13, 14

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00 ATTORNEY GENERAL[61]
 Victim assistance program, amendments to ch 9
 Filed ARC 4571C..... 7/31/19 234

XX:00 TRANSPORTATION DEPARTMENT[761]
 Driver licensing, amendments to chs 600, 602, 604, 605, 607
 Filed ARC 4586C..... 7/31/19 284

XX:00 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]
 Iowa veterans home—county of residence upon discharge, 10.41
 Filed ARC 4587C..... 7/31/19 289

XX:00 WORKERS’ COMPENSATION DIVISION[876]
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"
 Electronic filing, amendments to chs 2 to 5, 10, 11
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