

Revised 7-9-09 DED item added ARC 7763B IFA item added IJobs rules
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JULY 2009 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, July 14, 2009, at 10 a.m. in Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: 6/17/09, 7/1/09

	Bulletin	Page
10:00 LSA OVERVIEW-Sue Lerdal		
10:05 TRANSPORTATION DEPARTMENT[761]		
Railroad revolving loan and grant fund program, 1.7, 1.8(7), 4.1(1); rescind ch 801; rescind 765—chs 1 to 4; amend and transfer 765—ch 5 to 761—ch 822 <u>Filed</u>		
<u>Emergency ARC 7909B</u>	7/1/09	66
Close-clearance warning signs along railroad tracks, ch 813 <u>Notice ARC 7885B</u>	7/1/09	47
Motor carrier regulations—update of CFR reference, 529.1 <u>Filed ARC 7901B</u>	7/1/09	109
Driver's licenses, amendments to chs 601, 602, 604, 605, 607, 610, 611, 615, 640 <u>Filed</u>		
<u>ARC 7902B</u>	7/1/09	110
10:25 ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
Neighborhood stabilization program, ch 27 <u>Filed ARC 7845B</u>	6/17/09	2803
Brownfield redevelopment program; redevelopment tax credit, 65.1 to 65.10 <u>Filed ARC</u>		
<u>7844B</u>	6/17/09	2803
Targeted jobs withholding tax credit program, 71.1, 71.4 to 71.6 <u>Notice ARC 7846B</u> ,		
also <u>Filed Emergency ARC 7848B</u>	6/17/09	2792
Targeted jobs withholding tax credit program, 71.4, 71.5(1) <u>Filed Emergency ARC</u>		
<u>7847B</u>	6/17/09	2795
<u>Renewable fuel infrastructure program, 314.5(2)“e” <u>Notice ARC 7763B</u></u>	<u>5/6/09</u>	<u>2401</u>
10:40 ENERGY INDEPENDENCE, OFFICE OF[350]		
Energy efficiency community grant program, ch 5 <u>Notice ARC 7913B</u>	7/1/09	20
10:50 IOWA FINANCE AUTHORITY[265]		
Definition of “title plant” rescinded, 9.7(2) <u>Filed ARC 7892B</u>	7/1/09	92
Updates to compliance monitoring manual, 12.3, 12.4 <u>Filed ARC 7891B</u>	7/1/09	92
State housing trust fund, 19.1 <u>Notice ARC 7851B</u> , also <u>Filed Emergency ARC 7850B</u>	6/17/09	2798
Updated allocation plans—local housing trust fund and project-based housing programs,		
19.1 <u>Notice ARC 7895B</u>	7/1/09	28
Jump-start housing assistance program, 29.3(1), 29.5(1), 29.8 <u>Notice ARC 7900B</u> , also		
<u>Filed Emergency ARC 7899B</u>	7/1/09	58
Jump-start housing assistance program, 29.5(2), 29.6 <u>Notice ARC 7843B</u> , also <u>Filed</u>		
<u>Emergency ARC 7842B</u>	6/17/09	2799
Water quality financial assistance program, ch 33 <u>Notice ARC 7896B</u>	7/1/09	30
Affordable housing assistance grant fund, ch 35 <u>Notice ARC 7898B</u> , also <u>Filed</u>		
<u>Emergency ARC 7897B</u>	7/1/09	60
Public service shelter grant fund, ch 36 <u>Notice ARC 7893B</u> , also <u>Filed Emergency</u>		
<u>ARC 7894B</u>	7/1/09	61

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IOWA FINANCE AUTHORITY[265]-continued

SPECIAL REVIEW

JOBS rules, Ch. 32 filed emergency

11:15 ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]“umbrella”

Air quality, amendments to chs 20, 22, 23, 25, 28, 33 <u>Notice ARC 7855B</u>	6/17/09	2730
Water quality, effluent and pretreatment standards, amendments to chs 61, 62 <u>Notice ARC 7853B</u>	6/17/09	2737
UST operator training, closure investigations, compliance inspections, and piping leak detection, 134.14(6), 135.2, 135.4, 135.5(1), 135.15(3)“a,” 135.20 <u>Notice ARC 7854B</u>	6/17/09	2741

11:40 NATURAL RESOURCE COMMISSION[571]

NATURAL RESOURCES DEPARTMENT[561]“umbrella”

General license regulations, ch 15 <u>Filed ARC 7852B</u>	6/17/09	2808
Licenses—administration fees, 15.4 <u>Notice ARC 7923B</u>	7/1/09	34
Game management areas—use of stationary blinds and decoys, 51.6 <u>Filed ARC 7917B</u>	7/1/09	94
Expansion of wildlife refuge area listing, 52.1(2)“a” <u>Filed ARC 7918B</u>	7/1/09	95
Nursery stock sale to the public—pricing revisions, 71.3 <u>Filed ARC 7857B</u>	6/17/09	2809
Endangered, threatened, and special concern animals—birds, 77.2 <u>Notice ARC 7856B</u>	6/17/09	2781
Landowner-tenant registration, 95.2 <u>Filed ARC 7919B</u>	7/1/09	95
Wild turkey fall hunting by residents, 99.2(3), 99.5(1) <u>Filed ARC 7920B</u>	7/1/09	96
Deer hunting—licenses, quotas and restrictions, depredation permits, 106.1(1)“a,” 106.6, 106.11(4)“b” <u>Filed ARC 7921B</u>	7/1/09	96
Hunting and trapping of certain furbearers, 108.1, 108.7(6) <u>Filed ARC 7933B</u>	7/1/09	99
Trapping limitations, 110.1 <u>Filed ARC 7922B</u>	7/1/09	99

12:00 to 1:15 lunch

1:15 VOTER REGISTRATION COMMISSION[821]

Voter registration—general, amendments to chs 1 to 3, 5, 6, 9 to 11 <u>Notice ARC 7884B</u> , also <u>Filed Emergency ARC 7883B</u>	7/1/09	68
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1:30 INSPECTIONS AND APPEALS DEPARTMENT[481]

General provisions for elder group homes, assisted living programs, and adult day services, ch 67 <u>Notice ARC 7877B</u>	6/17/09	2748
Assisted living programs, ch 69 <u>Notice ARC 7878B</u>	6/17/09	2760

1:50 NURSING BOARD[655]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Applicants for licensure—criminal conviction history, amendments to ch 3 <u>Notice ARC 7889B</u>	7/1/09	35
Supervision of fluoroscopy, 7.2 <u>Filed ARC 7888B</u>	7/1/09	100

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2:30	HUMAN SERVICES DEPARTMENT[441]		
	Risk pool board—funding, applications, 25.62(5), 25.63, 25.64, 25.65(2) <u>Filed</u>		
	<u>Emergency ARC 7879B</u>	6/17/09	2797
	Collection on food assistance claim resulting from agency error, 65.21(1) <u>Filed</u> ARC 7928B	7/1/09	78
	Medicaid eligibility of newborns, 75.1(20) <u>Notice</u> ARC 7930B , also <u>Filed</u> <u>Emergency</u> ARC 7929B	7/1/09	53
	Medicaid—income limit increase for infants and pregnant women, 75.1(28)“a”(1) <u>Filed</u> <u>Emergency</u> ARC 7931B	7/1/09	54
	Medicaid coverage for all eligible children, 75.11(2)“a” <u>Notice</u> ARC 7934B , also <u>Filed</u> <u>Emergency</u> ARC 7932B	7/1/09	55
	Medicaid health insurance premium payment (HIPP) program, 75.21, 75.25 <u>Filed</u> ARC 7935B	7/1/09	78
	Incident reporting standards for providers of HCBS habilitation and certain HCBS waiver services, amendments to ch 77 <u>Filed</u> ARC 7936B	7/1/09	79
	Reimbursement for translation and interpretation services, 79.1(19) <u>Notice</u> ARC 7938B , also <u>Filed</u> <u>Emergency</u> ARC 7937B	7/1/09	56
	HAWK-I program—extension of coverage to all income-eligible children, 86.2(7) <u>Notice</u> ARC 7882B , also <u>Filed</u> <u>Emergency</u> ARC 7881B	7/1/09	57
	SPECIAL REVIEW		
	Emergency medical assistance: Emergency rule making to comply with federal requirements		
	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 and June 25 meeting		

3:15 COMMITTEE BUSINESS: Approve June Minutes--August 2009 meeting--Miscellaneous

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Senior farmers’ market nutrition program—purchase of raw honey, 50.3 <u>Notice</u> ARC 7867B	6/17/09	2717
XX:00	CULTURAL AFFAIRS DEPARTMENT[221]		
	Iowa cultural trust, ch 13 <u>Notice</u> ARC 7925B	7/1/09	17
XX:00	EDUCATIONAL EXAMINERS BOARD[282]		
	<small>EDUCATION DEPARTMENT[281]“umbrella”</small>		
	Debts to state or local government—noncompliance, ch 8 <u>Notice</u> ARC 7862B	6/17/09	2719
	Applicants from recognized non-Iowa institutions, 13.3 <u>Notice</u> ARC 7872B	6/17/09	2721
	Removal of option to receive license before receiving degree, 13.10(4) <u>Notice</u> ARC 7860B	6/17/09	2722
	Exchange licenses, 13.17 <u>Notice</u> ARC 7871B	6/17/09	2723
	NCATE-accredited programs, 13.19 <u>Filed</u> ARC 7869B	6/17/09	2804
	Administrator exchange licenses—applicants from non-Iowa institutions, 18.3 <u>Notice</u> ARC 7874B	6/17/09	2725
	Administrator exchange licenses, 18.6 <u>Notice</u> ARC 7873B	6/17/09	2726
	Valid authorization for behind-the-wheel driving instructor, 23.2 <u>Notice</u> ARC 7861B	6/17/09	2727
	Standards of professional conduct and ethics—Standard I, 25.3(1) <u>Notice</u> ARC 7868B	6/17/09	2728
	Standards of professional conduct and ethics—Standard VII, 25.3(7) <u>Notice</u> ARC 7864B	6/17/09	2729

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XX:00 ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]		
Sham newspapers not entitled to press exception, 4.48 <u>Filed ARC 7866B</u>	6/17/09	2804
XX:00 INSURANCE DIVISION[191]		
COMMERCE DEPARTMENT[181]"umbrella"		
Credentialing—retrospective payment of clean claims, 70.10 <u>Filed ARC 7880B</u>	6/17/09	2805
Conduit derivative transactions—exemptions from reporting requirements, 93.6(3)		
<u>Notice ARC 7914B</u>	7/1/09	25
Accounting practices for certain derivative assets and indexed products, ch 97 <u>Notice</u>		
<u>ARC 7915B</u>	7/1/09	26
XX:00 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]		
Additional employer contributions from employer-mandated reduction in hours, 4.6(4), 4.8, 6.3, 6.4, 15.5(1) <u>Filed ARC 7916B</u>	7/1/09	93
XX:00 LABOR SERVICES DIVISION[875]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
OSHA regulations—adoption by reference, 10.20 <u>Notice ARC 7927B</u>	7/1/09	33
Elevators, escalators, and related equipment, adopt ch 71; amend chs 72, 73; rescind chs 75, 76 <u>Filed ARC 7840B</u>	6/17/09	2806
Special inspector commissions, 71.12 <u>Filed ARC 7841B</u>	6/17/09	2807
Certificate fee—addition of four-year certificate, 90.7(2) <u>Notice ARC 7865B</u> , also <u>Filed</u> <u>Emergency ARC 7863B</u>	6/17/09	2801
Construction contractor registration—fees, 150.6(1) <u>Filed Emergency ARC 7876B</u>	6/17/09	2801
Construction contractor registration—fees, 150.6 <u>Notice ARC 7875B</u>	6/17/09	2780
XX:00 PHARMACY BOARD[657]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Electronic transfer of prescriptions between pharmacies, 6.9(9)"b" <u>Notice ARC 7926B</u>	7/1/09	36
Drug distribution and control—unit dose dispensing, use of patient-owned drugs, 7.8		
<u>Notice ARC 7912B</u>	7/1/09	37
Transmission of new, refill or renewal orders; facsimile transmission of prescriptions, 8.19(2), 21.9 <u>Notice ARC 7910B</u>	7/1/09	38
Schedule II controlled substances—issuing multiple prescriptions, 10.25 <u>Notice ARC</u> <u>7908B</u>	7/1/09	39
Temporary designation of controlled substances, 10.38 <u>Filed Emergency ARC 7906B</u>	7/1/09	62
Sterile compounding—beyond-use date, high-risk preparations, 13.2, 13.13(1)"e"		
<u>Notice ARC 7924B</u>	7/1/09	40
Iowa prescription monitoring program, ch 37 <u>Filed ARC 7903B</u>	7/1/09	101
XX:00 PROFESSIONAL LICENSURE DIVISION[645]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Behavioral science—temporary licensure, supervised work experience, 5.3, 31.2, 31.5, 31.7 <u>Notice ARC 7858B</u>	6/17/09	2782
XX:00 PUBLIC SAFETY DEPARTMENT[661]		
Ignition interlock devices, rescind ch 7; adopt ch 158 <u>Filed ARC 7887B</u>	7/1/09	103

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XX:00 REGENTS BOARD[681]		
Classification as residents for qualified veterans and military persons and their families, 1.4 <u>Filed Emergency ARC 7911B</u>	7/1/09	63
Admission to the college of veterinary medicine at Iowa State University, 2.26 <u>Notice</u> ARC 7907B	7/1/09	41
Monetary sanctions for parking offenses, 4.31(2) <u>Filed ARC 7904B</u>	7/1/09	108
Iowa State University—organization and general rules, amendments to ch 13 <u>Notice</u> ARC 7905B	7/1/09	42
 XX:00 REVENUE DEPARTMENT[701]		
Agricultural rules, ch 226 <u>Filed ARC 7870B</u>	6/17/09	2809
 XX:00 UTILITIES DIVISION[199]		
<small>COMMERCE DEPARTMENT[181]“umbrella”</small>		
Abbreviated franchise process—eligibility, petition, and notice requirements, 11.1(9), 11.2(3), 11.3(1)“g,” 11.5(11) <u>Notice ARC 7859B</u>	6/17/09	2785
Wind energy tax credits, 15.18(1)“c”(2), 15.19(4), 15.20(1), 15.21(1) <u>Notice ARC</u> 7849B	6/17/09	2787
 XX:00 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]		
Iowa Veterans Home—exempt income for incentive therapy or other programs, 10.19(2)“a”(9) <u>Filed Emergency After Notice ARC 7890B</u>	7/1/09	68