

OCTOBER 2009 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, October 13, 2009, at 9 a.m. in Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: 9/9/09, 9/23/09

		Bulletin	Page
9:00	LSA Fiscal Update		
9:05	INSURANCE DIVISION[191] <small>COMMERCE DEPARTMENT[181]"umbrella"</small>		
	Consent for prohibited persons to engage in the business of insurance, ch 13 <u>Notice</u>		
	ARC 8144B	9/9/09	654
	Long-term care partnership program, amendments to chs 39, 72 <u>Notice</u> ARC 8132B	9/9/09	658
	Third-party administrators, ch 58 <u>Notice</u> ARC 8140B	9/9/09	669
9:20	IOWA FINANCE AUTHORITY[265]		
	Iowa jobs program, 32.4(4), 32.4(7) <u>Notice</u> ARC 8108B , also <u>Filed Emergency</u> ARC		
	8103B	9/9/09	686
	Disaster recovery housing project tax credits, ch 34 <u>Notice</u> ARC 8181B	9/23/09	749
9:30	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
	Financial assistance programs, amend chs 1, 23, 53, 57, 59 to 61, 68, 69, 165, 173 to		
	175, 187, 189; adopt chs 74, 75 <u>Filed</u> ARC 8145B	9/23/09	824
	Housing fund, 25.6(7), 25.6(8), 25.8(7) <u>Notice</u> ARC 8149B	9/23/09	742
	Enterprise zones—housing tax credits, 59.8(2)“a”(7) <u>Notice</u> ARC 8148B	9/23/09	743
	Targeted jobs withholding tax credit program, 71.1, 71.4 to 71.6 <u>Filed</u> ARC 8147B	9/23/09	825
	Aggregate tax credit limit for certain economic development programs, ch 76 <u>Filed</u>		
	ARC 8146B	9/23/09	829
	HELD OVER FROM SEPTEMBER		
	Community attraction and tourism development (CATD) programs, 211.2, 211.8,		
	211.9, 211.103 <u>Notice</u> ARC 8033B , also <u>Filed Emergency</u> ARC 8034B	8/12/09	436
9:50	PUBLIC HEALTH DEPARTMENT[641]		
	Plumbing and mechanical systems board—waivers or variances from administrative		
	rules, ch 31 <u>Notice</u> ARC 8173B	9/23/09	757
	Supervision of fluoroscopy, 41.1(5) <u>Notice</u> ARC 8161B	9/23/09	761
	Qualifications of county medical examiner investigators, 127.7(2)“e” <u>Notice</u> ARC		
	8162B	9/23/09	762
10:10 to 10:20 break			
10:20	ENVIRONMENTAL PROTECTION COMMISSION[567]		
	<small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small>		
	E. coli effluent limits; nutrient monitoring, 62.8(2), ch 63 Table II <u>Filed</u> ARC 8123B	9/9/09	703
	Animal feeding operations—update of references, 65.1, 65.3(3), 65.17(6), 65.100,		
	65.101(6), 65.104(7), 65.105(3), 65.112 <u>Filed</u> ARC 8120B	9/9/09	704
	Compensation for damages to natural resources—fish loss, 133.2, 133.6(3)“b”(3)		
	<u>Notice</u> ARC 8122B	9/9/09	636

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	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>Filed ARC 8124B</u>	9/9/09	705
10:30	NATURAL RESOURCE COMMISSION[571] <small>NATURAL RESOURCES DEPARTMENT[561]“umbrella”</small>		
	Licenses—administrative fees, 15.4 <u>Filed ARC 8104B</u>	9/9/09	721
	Endangered, threatened, and special concern animals—birds, 77.2 <u>Filed ARC 8105B</u>	9/9/09	722
	Waterfowl and coot hunting seasons, 91.1, 91.3 to 91.6 <u>Filed Emergency After Notice ARC 8106B</u>	9/9/09	687
	Restitution for pollution causing injury to wild animals—valuation of fish, 113.2, 113.3, 113.4(2)“c” <u>Notice ARC 8107B</u>	9/9/09	678
10:50	HUMAN SERVICES DEPARTMENT[441]		
	State mental health institutes and resource centers, amend ch 28; adopt chs 29, 30 <u>Filed ARC 8094B</u>	9/9/09	714
	Medicaid eligibility of newborns, 75.1(20) <u>Filed ARC 8095B</u>	9/9/09	715
	Medicaid—extension of coverage to all eligible children, 75.11(2)“a” <u>Filed ARC 8096B</u>	9/9/09	716
	Transitional Medicaid group—changes in eligibility requirements, 75.31(1) <u>Notice of Termination ARC 8093B</u>	9/9/09	637
	Estate recovery, 76.12(7) <u>Notice ARC 8113B</u>	9/9/09	637
	Medicaid—covered nonprescription drugs, 78.2(5) <u>Filed ARC 8097B</u>	9/9/09	717
	HAWK-I—health and dental plans, 86.1, 86.2, 86.6 to 86.9, 86.13 to 86.15, 86.19, 86.20 <u>Notice ARC 8112B</u>	9/9/09	638
	HAWK-I eligibility—waiting period for determination of uninsured status, 86.2(4)“b” <u>Notice ARC 8128B</u> , also <u>Filed Emergency ARC 8127B</u>	9/9/09	683
	HAWK-I—conditions of eligibility, 86.2(7), 86.2(12) <u>Notice ARC 8110B</u>	9/9/09	647
	HAWK-I program—extension of coverage to all eligible children, 86.2(7) <u>Filed ARC 8109B</u>	9/9/09	719
	Child care centers—record checks, licensing fees, 109.1, 109.2, 109.4, 109.6, 109.7(2), 109.9(1) <u>Notice ARC 8118B</u>	9/9/09	649
	Visual inspection for lead hazards, 110.5(1)“x” <u>Filed ARC 8098B</u>	9/9/09	719
	Dependent adult abuse, 176.1, 176.13 <u>Filed Emergency ARC 8099B</u>	9/9/09	684
	Subsidized guardianship program—permanent program, 204.1, 204.2, 204.4 to 204.6 <u>Notice ARC 8183B</u>	9/23/09	746
11:15	PROFESSIONAL LICENSURE DIVISION[645] <small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
	Behavioral science—temporary licensure, supervised work experience, 5.3, 31.2, 31.5, 31.7 <u>Filed ARC 8152B</u>	9/23/09	896
	Respiratory care—accrediting organization, 261.1, 261.3(1), 263.2(11) <u>Notice ARC 8100B</u>	9/9/09	679
	Social work, amendments to chs 279 to 284 <u>Notice ARC 8101B</u>	9/9/09	680
	Discipline for sign language interpreters and transliterators, 363.2(11) <u>Notice ARC 8111B</u>	9/9/09	681
11:30	VOLUNTEER SERVICE, IOWA COMMISSION ON[817]		
	Iowa summer youth and green corps programs, adopt chs 9, 10 <u>Notice ARC 8159B</u> , also <u>Filed Emergency ARC 8158B</u>	9/23/09	820

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11:50	PUBLIC SAFETY DEPARTMENT[661]	
	Commercial explosive licensing, rescind 5.7, 5.851, 5.865, 5.866; adopt ch 235 <u>Notice of Termination ARC 8154B</u>	9/23/09 762
	Commercial explosive licensing, rescind 5.7, 5.851, 5.865, 5.866; adopt ch 235 <u>Notice ARC 8155B</u>	9/23/09 763
	Fire marshal administration, fire safety requirements, rescind ch 5; adopt ch 200; amend chs 201, 202, 205 <u>Notice ARC 8156B</u>	9/23/09 768
	Smoke detectors, 210.1 to 210.5 <u>Notice ARC 8150B</u>	9/23/09 780
	General requirements for smoke detectors, 210.2(1) to 210.2(3) <u>Filed Emergency ARC 8151B</u>	9/23/09 819
	Dispensing of blended biofuels, 221.4(2) <u>Filed Emergency ARC 8114B</u>	9/9/09 690
	Fire fighter certification, 251.202 <u>Notice ARC 8178B</u>	9/23/09 782
	Licensing of fire protection system installers and maintenance workers, ch 276 <u>Notice ARC 8153B</u>	9/23/09 784
	State building code, amendments to chs 300, 301, 303 <u>Notice ARC 8179B</u>	9/23/09 793
	State historic building code, 350.1(3) <u>Notice ARC 8180B</u>	9/23/09 802
	Electrician and electrical contractor licensing and electrical inspections, amend chs 500 to 503, 550 to 552; adopt ch 505 <u>Notice ARC 8160B</u>	9/23/09 803
12:30	COMMITTEE BUSINESS	
	November 10th (???) meeting, approve minutes, miscellaneous	
	No Representative Requested	
XX:00	ACCOUNTANCY EXAMINING BOARD[193A]	
	<small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella"</small>	
	Initial and renewal fees for firm permit to practice, 12.1 <u>Notice ARC 8089B</u>	9/9/09 616
XX:00	ADMINISTRATIVE SERVICES DEPARTMENT[11]	
	Benefits, amendments to chs 50, 63, 64 <u>Notice ARC 8115B</u>	9/9/09 617
XX:00	AGRICULTURAL DEVELOPMENT AUTHORITY[25]	
	<small>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"</small>	
	IADA loan participation program, 4.3(9), 4.6 <u>Filed Emergency ARC 8157B</u>	9/23/09 818
XX:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]	
	Weights and measures, 85.39 <u>Notice ARC 8092B</u>	9/9/09 626
XX:00	EDUCATIONAL EXAMINERS BOARD[282]	
	<small>EDUCATION DEPARTMENT[281]"umbrella"</small>	
	Debts to state or local government—noncompliance, ch 8 <u>Filed ARC 8135B</u>	9/9/09 693
	Filing complaints; service of complaint notices to respondents, 11.4 <u>Notice ARC 8143B</u>	9/9/09 627
	Applicants from recognized non-Iowa institutions, 13.3 <u>Filed ARC 8139B</u>	9/9/09 694

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Rescission of option to receive license before receiving degree, 13.10(4) <u>Filed ARC 8134B</u>	9/9/09	696
Class B license—uniform expiration date, 13.11(5) <u>Filed ARC 8133B</u>	9/9/09	696
Exchange licenses, 13.17 <u>Filed ARC 8138B</u>	9/9/09	697
Highly qualified teacher (HQT) status, 13.26(2)“b”(4) <u>Notice ARC 8125B</u>	9/9/09	629
EDUCATIONAL EXAMINERS BOARD[282] continued		
Highly qualified teacher (HQT) status, 13.26(3)“b”(4) <u>Notice ARC 8121B</u>	9/9/09	630
Highly qualified teacher (HQT) status, 13.26(4)“b”(4) <u>Notice ARC 8126B</u>	9/9/09	631
Agriculture endorsement, 13.28(1) <u>Notice ARC 8129B</u>	9/9/09	632
Agricultural sciences and agribusiness endorsement, 17.1(1)“a” <u>Notice ARC 8130B</u>	9/9/09	634
Administrator exchange licenses—applicants from non-Iowa institutions, 18.3 <u>Filed ARC 8142B</u>	9/9/09	698
Administrator exchange licenses, 18.6 <u>Filed ARC 8141B</u>	9/9/09	698
Valid authorization for behind-the-wheel driving instructors, 23.2 <u>Filed ARC 8131B</u>	9/9/09	699
Speech-language pathology (SLP) paraeducators, 24.4(6) <u>Notice ARC 8117B</u>	9/9/09	635
Standards of professional conduct and ethics—Standard I, 25.3(1) <u>Filed ARC 8137B</u>	9/9/09	700
Standards of professional conduct and ethics—Standard VII, 25.3(7) <u>Filed ARC 8136B</u>	9/9/09	701
 XX:00 ENERGY INDEPENDENCE, OFFICE OF[350]		
Energy efficiency community grant program, ch 5 <u>Filed ARC 8102B</u>	9/9/09	701
 XX:00 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]		
<small>PUBLIC DEFENSE DEPARTMENT[601]“umbrella”</small>		
Continuing education requirements for local emergency management coordinators, 7.4(4)“a” <u>Filed ARC 8116B</u>	9/9/09	712
E911 service board membership, 10.2, 10.3(1), 10.4(2), 10.7(2), 10.8(6), 10.11 <u>Notice ARC 8184B</u>	9/23/09	744
Update of fees charged for division services, 11.6 <u>Filed ARC 8119B</u>	9/9/09	713
 XX:00 INSPECTIONS AND APPEALS DEPARTMENT[481]		
General provisions for elder group homes, assisted living programs, and adult day services, ch 67 <u>Filed ARC 8174B</u>	9/23/09	830
Elder group homes, ch 68 <u>Filed ARC 8175B</u>	9/23/09	842
Assisted living programs, ch 69 <u>Filed ARC 8176B</u>	9/23/09	856
Adult day services, ch 70 <u>Filed ARC 8177B</u>	9/23/09	875
 XX:00 LABOR SERVICES DIVISION[875]		
<small>WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”</small>		
OSHA regulations—adoption by reference, 10.20 <u>Filed ARC 8088B</u>	9/9/09	720
Child labor—civil penalties, permits, certificates of age, 32.1, 32.2, 32.11, 32.12 <u>Notice ARC 8167B</u>	9/23/09	751
 XX:00 PHARMACY BOARD[657]		
<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
Electronic transfer of prescriptions between pharmacies, 6.9(9)“b” <u>Filed ARC 8169B</u>	9/23/09	892

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	Drug distribution and control—unit dose dispensing, use of patient-owned drugs, 7.8 <u>Filed ARC 8170B</u>	9/23/09	892
	Transmission of new, refill or renewal orders; facsimile transmission of prescriptions, 8.19(2), 21.9 <u>Filed ARC 8171B</u>	9/23/09	893
	Schedule II controlled substances—issuing multiple prescriptions, 10.25 <u>Filed ARC</u> <u>8172B</u>	9/23/09	894
XX:00	STATE PUBLIC DEFENDER[493] INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Court-appointed attorneys—appointment and fee claims, 11.5(4), 12.2 <u>Notice ARC</u> <u>8091B</u> , also <u>Filed Emergency ARC 8090B</u>	9/9/09	692
XX:00	STATUS OF WOMEN DIVISION[435] HUMAN RIGHTS DEPARTMENT[421]“umbrella” Iowans in transition, rescind ch 5 <u>Filed ARC 8182B</u>	9/23/09	896
XX:00	VETERINARY MEDICINE BOARD[811] Board of veterinary medicine, amendments to chs 1, 8, 10 <u>Notice ARC 8168B</u>	9/23/09	810