



**March 2020 ARRC agenda
Administrative Rules Review Committee
Friday, March 6, 2020
9 a.m.
Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

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

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

Revised: ARC 4941C (Banking); 4913C, 4933C, 4934C, 4935C, 4936C, 4950C, and 4952C (Prof. Licensure); and 4943C (Public Health) not subject to review at the meeting.

BULLETINS NEEDED FOR THIS MEETING: 2/12/20, 2/26/20

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
- Friday, April 3rd meeting: 9am?
- 2019 rules analysis report
- ARRC legislation
- 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		
Case management services, amend chs 73, 78, 83; adopt ch 90		
<u>Filed ARC 4897C</u>	2/12/20	2066
Statewide monthly standard deduction for personal care services at a residential care facility, 75.1(35)“g”(2)		
<u>Filed ARC 4898C</u>	2/12/20	2081
Medical assistance—drug policies, prior authorization for medication-assisted treatment, prescription refills, amendments to chs 78, 79		
<u>Filed ARC 4899C</u>	2/12/20	2083
Nursing facilities—calculation of depreciation, leasing arrangements, Iowa Medicaid enterprise, 81.6, 81.10, 81.13		
<u>Filed ARC 4900C</u>	2/12/20	2093
Elimination of application fee for child support recovery services, 95.2(4), 95.18(3)		
<u>Filed ARC 4901C</u>	2/12/20	2098
Dependent adult abuse—personal degradation, 176.1, 176.3		
<u>Notice ARC 4911C</u>	2/12/20	1989
Removal of healthy and well kids in Iowa program third-party administrator, amendments to ch 86		
<u>Notice ARC 4912C</u>	2/12/20	1984
Child care assistance plus program—eligibility, income guidelines, age groups, 170.2 (1)“a,” 170.4		
<u>Notice ARC 4937C</u>	2/26/20	2198
Disability services management—children’s behavioral health services, amendments to ch 25		
<u>Filed ARC 4896C</u>	2/12/20	2052
9:30 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
Maison Bleam, 515.204.7149		
Bulk dry animal nutrients licenses, 49.2		
<u>Notice ARC 4944C</u>	2/26/20	2195
Dairy—adoption by reference of public health service regulations, 68.1, 68.13		
<u>Filed ARC 4946C</u>	2/26/20	2228
National Institute of Standards and Technology (NIST) Handbook 130—adoption by reference of section relating to gasoline-ethanol blends, 85.39		
<u>Filed ARC 4947C</u>	2/26/20	2229
9:35 AUDITOR OF STATE[81]		
John McCormally, 515.242.5949		
Periodic examination fee schedule, 21.2		
<u>Filed ARC 4929C</u>	2/12/20	2047
9:55 IOWA FINANCE AUTHORITY[265]		
Kristin Hanks-Bents, 515.452.0404		
Beginning farmer tax credit and loan programs, 44.1 to 44.7		
<u>Filed ARC 4902C</u>	2/12/20	2120

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10:00 INSPECTIONS AND APPEALS DEPARTMENT[481] Ashleigh Hackel, 515.281.4567 Inspection standards for food establishments and processing plants—mushrooms, prohibition of animals, adoption of federal regulations, 30.2, 31.1, 31.2(9) <u>Notice ARC 4923C</u>	2/12/20	1991
10:05 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495] Cheryl Vander Hart, 515.281.7623 Contribution rates; retirement benefits; disability; death benefits and beneficiaries; recognition of agents, amendments to chs 4, 11 to 14, 20 <u>Notice ARC 4925C</u>	2/12/20	1994
10:15 ENVIRONMENTAL PROTECTION COMMISSION[567] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Christina Iiams, 515.725.8240 Wastewater and water supply delegated construction permitting authority; water use permitting, ch 9, 50.4(2)"b"(2), 50.7(3)"a" <u>Notice ARC 4919C</u>	2/12/20	1980
10:20 NATURAL RESOURCE COMMISSION[571] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Christina Iiams, 515.725.8240 Waterfowl and coot hunting seasons and zones, 91.1, 91.3 <u>Notice ARC 4914C</u>	2/12/20	2026
Designation of "no anchoring" and "no boating" zoned areas on Rathbun Lake, 40.5 <u>Notice ARC 4918C</u>	2/12/20	2016
Permits for application of chemicals to public waters for removal of aquatic plants for navigational and recreational purposes, 54.5(1) <u>Notice ARC 4920C</u>	2/12/20	2020
Fish kill counting and assessment of restitution—use of American Fisheries Society (AFS) special publication 35, 113.2 <u>Notice ARC 4921C</u>	2/12/20	2029
Fishing regulations, 81.2 <u>Notice ARC 4922C</u>	2/12/20	2022
Virtual fishing tournaments, 44.2, 44.5(4), 44.8 <u>Notice ARC 4924C</u>	2/12/20	2017
10:35 PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Steven Garrison, 515.242.6385 Physical therapists and physical therapist assistants, occupational therapists and occupational therapy assistants—license reactivation, 200.15(3), 206.11(3) <u>Notice ARC 4917C</u>	2/12/20	2031
Optometrists—prescription of controlled substances, 181.3(2)"c," 182.4(3), 183.2(31) <u>Filed ARC 4951C</u>	2/26/20	2237
Physician assistants—electronic transmission of prescriptions, 327.6(4) <u>Filed ARC 4953C</u>	2/26/20	2241

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10:40	DENTAL BOARD[650] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Jill Stuecker, 515.281.6935 Dental assistant registration examination—elimination of remediation requirement, 20.2, 20.5(2), 20.11 to 20.17, 22.5 <u>Filed ARC 4948C</u>	2/26/20	2231
10:45	NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Kathy Weinberg, 515.281.3256 Child abuse and dependent adult abuse reporter training; wallet cards; Internet-based test of English as a foreign language, 3.1, 3.6(2)“c,” 3.7 <u>Filed ARC 4926C</u> Continuing education; child abuse and dependent adult abuse mandatory reporter training, 5.2 <u>Filed ARC 4927C</u> Iowa nurse assistance program, 19.1, 19.2, 19.4, 19.6 <u>Notice ARC 4945C</u>	2/12/20	2130
		2/12/20	2133
		2/26/20	2207
10:55	PHARMACY BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Sue Mears, 515.281.5944 Prescriptions for expedited partner therapy, 6.10(1), 6.13(4), 7.12, 8.19, 8.21,18.3(4) <u>Filed ARC 4903C</u> Temporary scheduling of synthetic cathinones as Schedule I controlled substances, 10.39 (5) <u>Filed ARC 4904C</u>	2/12/20	2135
		2/12/20	2138
11:00	TRANSPORTATION DEPARTMENT[761] Tracy George, 515.239.1358 Federal motor carrier safety and hazardous materials regulations—adoption by reference, 520.1, 520.5, 529.1, 607.10(1)“c” <u>Notice ARC 4895C</u>	2/12/20	2042
	Special registration plates—blackout plates, electronic submission of applications, amendments to ch 401 <u>Filed ARC 4908C</u>	2/12/20	2167
	Driver education, 634.1, 634.2, 634.4, 634.6 to 634.8, 634.11 <u>Filed ARC 4909C</u>	2/12/20	2171
	Office name and contact information update, 410.1(3) <u>Notice ARC 4939C</u>	2/26/20	2225

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11:10 LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Kathleen Uehling, 515.725.5615		
Hazardous occupations for youth; amusement ride operating permits; asbestos abatement; definitions of "construction," "mixed martial arts"; address and statutory language updates, amendments to chs 1, 4, 32, 38, 61, 150, 155, 156, 177		
<u>Notice ARC 4894C</u>	2/12/20	2011
Penalties for occupational safety and health citations, 3.11(1)		
<u>Notice ARC 4938C</u>	2/26/20	2202
Debt collection—technical and conforming changes, amendments to chs 61, 71, 90, 155		
<u>Notice ARC 4940C</u>	2/26/20	2203
11:20 UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Matthew Oetker, 515.725.7349		
Intrastate gas pipelines and underground gas storage, amendments to ch 10		
<u>Filed ARC 4957C</u>	2/26/20	2255
11:30 REVENUE DEPARTMENT[701] Tim Reilly, 515.725.2294		
Sales and use tax exemption for grain bins, 226.19(4), 226.20		
<u>Notice ARC 4915C</u>	2/12/20	2036
Sales tax exemption for manufacturers—exclusion of persons primarily engaged in listed activities, 230.15(4)"c"		
<u>Notice ARC 4916C</u>	2/12/20	2040
Tax return preparers, 7.36		
<u>Notice ARC 4942C</u>	2/26/20	2220
Global intangible low tax income; apportionment of investment income, 54.2, 59.28(2)"p"		
<u>Filed ARC 4955C</u>	2/26/20	2247
11:45 SECRETARY OF STATE[721] Molly Widen, 515.281.5864		
Felony conviction verification process, 28.4		
<u>Filed ARC 4932C</u>	2/12/20	2165
12:00 PUBLIC HEALTH DEPARTMENT[641] Susan Dixon, 515.240.0530		
Iowa care for yourself program, amendments to ch 8		
<u>Filed ARC 4905C</u>	2/12/20	2140
Lead-based paint activities, 70.2 to 70.6, 70.10		
<u>Filed ARC 4906C</u>	2/12/20	2153
Student loan default/noncompliance with agreement for payment of obligation, rescind ch 195		
<u>Filed ARC 4907C</u>	2/12/20	2163
Medical cannabidiol program, 154.1, 154.16(7), 154.22(4), 154.23(1), 154.25(2), 154.40 (7)		
<u>Filed ARC 4928C</u>	2/12/20	2159

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NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00	SOIL CONSERVATION AND WATER QUALITY DIVISION[27] <small>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"</small> State soil conservation and water quality committee—quorum, 2.6(1) <u>Filed</u> <u>ARC 4956C</u>	2/26/20	2254
XX:00	BANKING DIVISION[187] <small>COMMERCE DEPARTMENT[181]"umbrella"</small> Licensing sanction prohibition for student loan debt repayment default or delinquency, 19.3(2), 19.14 <u>Notice</u> <u>ARC 4941C</u>	2/26/20	2196
XX:00	INSURANCE DIVISION[191] <small>COMMERCE DEPARTMENT[181]"umbrella"</small> Insurance producers—five-year review of rules, amendments to chs 10, 11, 13, 48 <u>Filed</u> <u>ARC 4910C</u> Notice to suppliers of information, 2.10 <u>Filed</u> <u>ARC 4949C</u>	2/12/20 2/26/20	2100 2234
XX:00	EDUCATION DEPARTMENT[281] Extracurricular interscholastic competition—scholarship rules, dead period, 36.15 <u>Filed</u> <u>ARC 4930C</u> Physical plant and equipment levy (PPEL) fund—repairing transportation equipment for transporting of students, 98.64(2)“l” <u>Filed</u> <u>ARC 4931C</u>	2/12/20 2/12/20	2048 2050
XX:00	RACING AND GAMING COMMISSION[491] <small>INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"</small> Racing; gaming, 5.4, 7.7(14), 8.4(1), 10.4, 10.5(1)“a”(12), 10.6, 11.5(5)“b,” 12.3(1) <u>Filed</u> <u>ARC 4954C</u>	2/26/20	2242
XX:00	PUBLIC HEALTH DEPARTMENT[641] Plumbing and mechanical systems board—licensing, amendments to chs 32, 60 <u>Notice</u> <u>ARC 4943C</u>	2/26/20	2218

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XX:00 PROFESSIONAL LICENSURE DIVISION[645]

PUBLIC HEALTH DEPARTMENT[641]"umbrella"

Speech pathologists and audiologists—mandatory child abuse and dependent adult abuse identification and reporting training, 300.11(4)		
<u>Notice ARC 4913C</u>	2/12/20	2034
Respiratory care practitioners and polysomnographic technologists—child abuse and dependent adult abuse mandatory reporter training, 261.8(4)		
<u>Notice ARC 4933C</u>	2/26/20	2216
Psychologists—child abuse and dependent adult abuse mandatory reporter training, 240.13(4)		
<u>Notice ARC 4934C</u>	2/26/20	2214
Dietitians—child abuse and dependent adult abuse mandatory reporter training, 81.9(4)		
<u>Notice ARC 4935C</u>	2/26/20	2209
Nursing home administrators—child abuse and dependent adult abuse mandatory reporter training, 141.9(8)		
<u>Notice ARC 4936C</u>	2/26/20	2211
Chiropractic physicians—child abuse and dependent adult abuse mandatory reporter training, 41.8(4)		
<u>Filed ARC 4950C</u>	2/26/20	2235
Physician assistants—child abuse and dependent adult abuse mandatory reporter training, 326.9(4)		
<u>Filed ARC 4952C</u>	2/26/20	2239