



**January 2021 ARRC agenda
Administrative Rules Review Committee
Friday, January 8, 2021
9 a.m.
Room 103, State Capitol, Des Moines, Iowa**

MEMBERS

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

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

This meeting will be held in room 103 with an option for virtual attendance via Zoom. To join online, go to: <https://us02web.zoom.us/j/85098397620?pwd=bjgxK2lWUUpMTdTalQ5aDgvZzJodz09> To join by phone, call 1 312 626 6799, then enter meeting ID 850 9839 7620 The meeting password is 12345.

BULLETINS NEEDED FOR THIS MEETING: 12/16/20, 12/30/20

NOTICE

Times listed for review are approximate. If you will be participating in a particular review, please arrive or connect at least 30 minutes before the scheduled time. The progress of the meeting can be tracked in real time through the ARRC's Twitter feed, which is also embedded here: <https://www.legis.iowa.gov/law/administrativeRules/arrc>.

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9:00 Procedural Business

- Instructions for meeting participation
- Approve minutes
- Friday, February 5th 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		
Home health agency services—ordering and signing treatment plan, 78.9		
<u>Notice ARC 5336C</u>	12/16/20	1222
Child development homes; child care homes, 110.6(3), 110.8(3)“e,” 110.14(1)“f,” 110.15 (1)“e,” 120.8(3)“e”		
<u>Notice ARC 5337C</u>	12/16/20	1226
Child abuse and dependent adult abuse mandatory reporter training, 77.37, 108.2(9), 108.6(3), 108.8, 109.7(2), 109.14(3), 113.8(1), 117.2(3), 117.8(3)		
<u>Filed ARC 5361C</u>	12/30/20	1412
Uniform prior authorization process, 78.10, 78.28, 79.8		
<u>Filed ARC 5362C</u>	12/30/20	1418
Family support statewide database—departmental use, 155.4(2)		
<u>Filed ARC 5363C</u>	12/30/20	1421
Prescription drug automatic refill program, 78.2(6)“b”(2)		
<u>Filed ARC 5364C</u>	12/30/20	1415
9:20 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Ashleigh Hackel, 515.281.4567		
Criminal history background check—provisional employment, conditions, 50.9, 51.41, 58.11(3), 67.19		
<u>Notice ARC 5335C</u>	12/16/20	1228
Inspection standards for food establishments—adoption by reference of 2017 food code, 30.2, 31.1, 31.4		
<u>Filed ARC 5353C</u>	12/30/20	1423
Food and consumer safety—stand operated by a minor, 30.2		
<u>Filed ARC 5354C</u>	12/30/20	1425
9:25 RACING AND GAMING COMMISSION[491]		
INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358		
Wagering; horse racing, 8.1, 10.2(9), 10.4 to 10.6, 14.8(3)		
<u>Notice ARC 5315C</u>	12/16/20	1234
9:30 STATE PUBLIC DEFENDER[493]		
INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
Kurt Swaim, 515.242.6158		
Waivers, attorney fee contracts—indigent defense, amendments to ch 6, 11.3		
<u>Notice ARC 5342C</u>	12/30/20	1387
9:35 IOWA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM[495]		
Cheryl Vander Hart, 515.281.7623		
Contribution rates; terms and requirements; death benefits and beneficiaries; open and confidential records, amendments to chs 4, 5, 11 to 14, 17, 19		
<u>Notice ARC 5359C</u>	12/30/20	1356

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9:40 ENVIRONMENTAL PROTECTION COMMISSION[567] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Tamara Mcintosh, 515.725.8242 Underground storage tanks, amendments to chs 134 to 136 <u>Notice ARC 5316C</u>	12/16/20	1163
9:50 PUBLIC SAFETY DEPARTMENT[661] Sarah Jennings, 515.725.6185 Fire safe cigarette certification program, amendments to ch 61 <u>Notice ARC 5339C</u>	12/30/20	1380
9:55 REVENUE DEPARTMENT[701] Clara Wulfsen, 515.322.2900 Sales and use tax on services—barbering, cosmetology, esthetics, 26.9 <u>Notice ARC 5317C</u>	12/16/20	1239
Taxable and exempt sales—purchases by certain government entities and instrumentalities of government, sales price, 18.5 <u>Notice ARC 5358C</u>	12/30/20	1384
10:00 TRANSPORTATION DEPARTMENT[761] Tracy George, 515.239.1358 OWI and implied consent—24/7 sobriety and drug monitoring program, 620.3(1)“c,” 620.5(8), 620.17 <u>Notice ARC 5311C</u>	12/16/20	1243
International Registration Plan (IRP) for fleet vehicles, amendments to ch 500 <u>Notice ARC 5340C</u>	12/30/20	1397
Special registration plates, 401.2(1)“b,” 401.4, 401.6(2)“a,” 401.14 <u>Filed ARC 5344C</u>	12/30/20	1442
Salvage motor vehicles, 405.1 to 405.3, 405.6(1)“b,” 405.7, 405.8, 405.10(1), 405.15 <u>Filed ARC 5345C</u>	12/30/20	1444
Applications—training fellowships, special projects; public transit bureau; definition of “urban transit system,” 920.2, 920.3, 920.4(2) <u>Notice ARC 5312C</u>	12/16/20	1245
Capital match revolving loan fund; public transit infrastructure grant program, 923.1(2), 923.3(2), 923.4, 924.2, 924.3, 924.10(4), 924.16(3) <u>Notice ARC 5313C</u>	12/16/20	1247
Logo signing, 118.2, 118.4, 118.5(1)“a” <u>Notice ARC 5314C</u>	12/16/20	1241
Lighting at primary-secondary intersections, 136.1, 136.2, 136.6 <u>Notice ARC 5341C</u>	12/30/20	1394
10:10 ACCOUNTANCY EXAMINING BOARD[193A] PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Robert Lampe, 515.725.9024 Denial of licensure; criminal convictions, 3.1(2), 3.4(3), 4.1(2), 4.2(3), 5.1(1), 5.3, 6.3(3), 6.4(1), 7.2(3), 8.1, 12.1, 13.5(1), 14.3(11) <u>Notice ARC 5357C</u>	12/30/20	1331

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10:15	<p>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C] <small>PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella"</small> Robert Lampe, 515.725.9024 Temporary permits; licensure by verification, 3.3(4), 5.3 <u>Notice ARC 5356C</u></p>	12/30/20	1350
10:20	<p>ARCHITECTURAL EXAMINING BOARD[193B] <small>PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella"</small> Lori SchraderBachar, 515.725.9030 Board administration; license renewal; continuing education, amendments to chs 1 to 4, 6, 7 <u>Notice ARC 5355C</u></p>	12/30/20	1336
10:25	<p>INTERIOR DESIGN EXAMINING BOARD[193G] <small>PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella"</small> Lori SchraderBachar, 515.725.9030 Retired status; reinstatement to active status; waivers; license renewal; continuing education, 1.1, 1.3, 1.8, 2.1(4), 2.2 to 2.5, 3.2(3), 3.3(2) <u>Notice ARC 5360C</u></p>	12/30/20	1352
10:30	<p>PROFESSIONAL LICENSURE DIVISION[645] <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small> Steven Garrison, 515.242.6385 Physician assistants—licensure, criminal convictions, wallet cards, 326.4(7), 326.9, 329.2 (11) <u>Notice ARC 5368C</u></p> <p>Duplicate wallet card; criminal convictions; licensure by verification, amend chs 4, 5, 20; adopt chs 14, 19 <u>Notice ARC 5367C</u></p>	12/30/20	1378
10:40	<p>DENTAL BOARD[650] <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small> Jill Stuecker, 515.281.6935 Licensure; criminal convictions, amend chs 11, 20, 30, 52; adopt ch 50 <u>Notice ARC 5371C</u></p> <p>Continuing education—volunteer dental services, 25.5(2), 25.6(1), 25.9(8) <u>Filed ARC 5318C</u></p> <p>Clinical examinations on manikins; dental and dental hygiene applicant examinations, 11.2(2), 11.3(2), 11.5(2), 11.6(2), 11.7, 12.1, 12.4 <u>Filed ARC 5366C</u></p>	12/30/20	1342
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10:50 MEDICINE BOARD[653]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Joseph Fraioli, 515.281.3614		
Waivers, 3.1, 3.4, 3.17, 8.11, 9.18, 10.6, 11.6, 13.21, 17.4(2), 17.5(13), 17.11, 17.30, 19.8, 20.8(12), 20.20, 20.25, 21.8, 23.1		
<u>Notice ARC 5370C</u>	12/30/20	1364
Appointment of executive director, 1.3		
<u>Notice ARC 5372C</u>	12/30/20	1362
10:55 PHARMACY BOARD[657]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Andrew Funk, 515.281.5944; Sue Mears, 515.281.5944		
Controlled substances, precursor substances, 10.30(2)"g," 10.38(3), 10.39, 10.42, 12.1		
<u>Filed ARC 5346C</u>	12/30/20	1436
Temporary designation of controlled substances, 10.39		
<u>Filed ARC 5347C</u>	12/30/20	1438
Administrative staff; service animals; immunization protocols; waivers; petition for rule making, 1.2, 2.4(2), 2.7, 8.5(5), 13.16(8), 16.6, 26.4, ch 34, 39.10		
<u>Filed ARC 5348C</u>	12/30/20	1429
Schedule I and II controlled substances—perpetual inventory, ordering, distributing, 10.17, 10.18, 11.27		
<u>Filed ARC 5349C</u>	12/30/20	1434
Patient information for drug utilization review; contact information for electronically transmitted prescription, 8.21, 21.6(1)"d," 21.7(3)		
<u>Filed ARC 5350C</u>	12/30/20	1432
Accreditation—wholesale distributors, third-party logistics providers, 17.3(1)"c," 43.3(1)		
<u>Filed ARC 5351C</u>	12/30/20	1441
Nuclear pharmacy practice—adoption by reference of USP General Chapter 825, 16.4(6)		
<u>Filed ARC 5352C</u>	12/30/20	1439
Temporary designation of controlled substances, 10.39		
<u>Notice ARC 5365C</u>	12/30/20	1370
Controlled substances, veterinarian access to data, definitions, 37.2, 37.7(1)"d," 37.8, 37.16		
<u>Notice ARC 5369C</u>	12/30/20	1368
11:05 IOWA FINANCE AUTHORITY[265]		
Kristin Hanks-Bents, 515.452.0404		
Use of emergency solutions grant program funds to renovate emergency shelters, 42.4, 42.5		
<u>Filed ARC 5343C</u>	12/30/20	1427
11:10 ECONOMIC DEVELOPMENT AUTHORITY[261]		
Lisa Connell, 515.348.6163		
Reinvestment districts program, amendments to ch 200		
<u>Filed ARC 5319C</u>	12/16/20	1255

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11:20 EDUCATION DEPARTMENT[281]		
Thomas Mayes, 515.242.5614		
Computer science—general accreditation standards, 12.5, 12.11		
<u>Filed ARC 5325C</u>	12/16/20	1282
Senior year plus program—part-time enrollment limitation; summer college credit program, 22.2(2)“b,” 22.6, 22.11, 22.21, 22.33		
<u>Filed ARC 5326C</u>	12/16/20	1286
Community college faculty qualifications, 24.5(1)		
<u>Filed ARC 5327C</u>	12/16/20	1289
Funding for children residing in state institutions or mental health institutes—removal of reference to Iowa juvenile home, 34.1, 34.2, 34.4(2), 34.6(3)“d”		
<u>Filed ARC 5328C</u>	12/16/20	1290
Special education—clearing classrooms, 41.320(7)		
<u>Filed ARC 5329C</u>	12/16/20	1292
Educator preparation program standards, 79.2, 79.13(4)“a,” 79.14(7)“a,” 79.15(2), 79.16, 79.17, 79.21(2)		
<u>Filed ARC 5330C</u>	12/16/20	1294
School leadership standards for administrators, 83.10		
<u>Filed ARC 5331C</u>	12/16/20	1299
General accreditation standards, rescind 12.10(8)		
<u>Filed ARC 5333C</u>	12/16/20	1285
Corporal punishment, physical restraint, seclusion, and other physical contact with students, ch 103		
<u>Filed ARC 5332C</u>	12/16/20	1301
11:40 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]“umbrella”		
Darcy Hathaway, 515.242.6506		
Board address; waivers, amendments to chs 1 to 6, 11		
<u>Filed ARC 5320C</u>	12/16/20	1263
Career and technical education instructor qualifications, 22.9(3)“c”		
<u>Filed ARC 5323C</u>	12/16/20	1279
Unethical practice, 25.3(6)		
<u>Filed ARC 5324C</u>	12/16/20	1281
Licensure for out-of-state applicants, 13.5, 13.15, 13.16(1), 18.6, 22.1(2)“d,” 27.2		
<u>Filed ARC 5321C</u>	12/16/20	1267
Endorsements; authorizations, 13.28, 15.7, 18.5, 18.9(1)“b,” 18.10(2), 18.11(2), 22.12, 23.1, 23.4, 23.5, 27.3(7)“a”		
<u>Filed ARC 5322C</u>	12/16/20	1271

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00 ALCOHOLIC BEVERAGES DIVISION[185]		
COMMERCE DEPARTMENT[181]“umbrella”		
Filling and selling of mixed drinks or cocktails in a container other than the original container, 4.10		
<u>Filed ARC 5338C</u>	12/16/20	1250

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XX:00 PUBLIC HEALTH DEPARTMENT[641]

Definition of “primary care”; waivers, 15.7, 70.11, 108.3(5), 155.1, amendments to ch 178

Filed ARC 5334C..... 12/16/20

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