



**July 2021 ARRC agenda  
Administrative Rules Review Committee  
Tuesday, July 13, 2021  
9 a.m.  
Room 103, State Capitol, Des Moines, Iowa**

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**MEMBERS**

Senator Zach Whiting, Vice  
Chair  
Senator Pam Jochum  
Senator Waylon Brown  
Senator Jesse Green  
Senator Robert Hogg

Representative Megan Jones, Chair  
Representative Jon Jacobsen  
Representative Amy Nielsen  
Representative Rick L. Olson  
Representative Mike Sexton

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**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/81140986356?pwd=VzdsanVyUDRIWWU0T0NiRIJjT1hoUT09> To join by phone, call 1 312 626 6799, then enter meeting ID 811 4098 6356 The meeting password is 12345.**

**BULLETINS NEEDED FOR THIS MEETING: 6/16/21, 6/30/21**

**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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Bulletin Page

**9:00 Procedural Business**

- Instructions for meeting participation
- Roll call
- Approve minutes
- Tuesday, August 10th meeting: 9am?
- Updated 2020 LSA rules analysis report
- 5-year rules review discussion
- Miscellaneous

**9:05 Fiscal Overview - Adam Broich 515.281.8823**

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

	Bulletin	Page
<b>9:10 HUMAN SERVICES DEPARTMENT[441]</b>		
Nancy Freudenberg, 515.281.8438		
Child care assistance—fee schedule, 170.4(2)“a”		
<u>Filed Emergency After Notice ARC 5675C</u> .....	6/16/21	3017
Subsidized guardianship program, 204.1 to 204.10		
<u>Filed ARC 5680C</u> .....	6/16/21	3041
Home- and community-based services habilitation program—eligibility criteria, staff training, scope of services, 77.25, 78.27		
<u>Notice ARC 5706C</u> .....	6/16/21	2924
Foster home insurance fund—applicability, definitions, payment limits, claims, amendments to ch 158		
<u>Notice ARC 5707C</u> .....	6/16/21	2935
Prescribing controlled substances, 79.17		
<u>Notice ARC 5708C</u> .....	6/16/21	2930
Child and spousal support—obligations, terminology, 99.1, 99.2, 99.4(5), 99.69(4), 99.85 (1)“d,” 99.91(1), 99.109(2)“b”		
<u>Notice ARC 5709C</u> .....	6/16/21	2932
Waivers, 83.61(4)“d,” 83.82(4)“d,” 83.123(1)“e”		
<u>Filed ARC 5728C</u> .....	6/30/21	3178
Payment for transportation of students, 151.22(2)“b”		
<u>Filed ARC 5729C</u> .....	6/30/21	3180
Child care assistance provider reimbursement rates, 170.4(7)“a”		
<u>Filed Emergency ARC 5731C</u> .....	6/30/21	3141
Child care assistance provider reimbursement rates, 170.4(7)“a”		
<u>Notice ARC 5732C</u> .....	6/30/21	3126
<b>9:25 ADMINISTRATIVE SERVICES DEPARTMENT[11]</b>		
Tami Wiencek, 515.725.2017		
Capitol complex operations—pistols and revolvers, 100.2		
<u>Notice ARC 5718C</u> .....	6/16/21	2898
<b>9:30 ALCOHOLIC BEVERAGES DIVISION[185]</b>		
COMMERCE DEPARTMENT[181]“umbrella”		
Stephanie Strauss, 515.281.7432		
Representatives of distillers, rectifiers, manufacturers, brewers and vintners; transportation and warehouse, rescind ch 7; adopt ch 8		
<u>Notice ARC 5734C</u> .....	6/30/21	3105
<b>9:35 REAL ESTATE COMMISSION[193E]</b>		
PROFESSIONAL LICENSING AND REGULATION BUREAU[193]		
COMMERCE DEPARTMENT[181]“umbrella”		
Jeff Evans, 515.725.9026		
Waivers; licensure; education, 1.2, 1.4, 1.5, 3.1, 3.2, 4.1, 4.2, 5.1, 5.11, 5.12, 16.3		
<u>Notice ARC 5736C</u> .....	6/30/21	3131

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	Bulletin	Page
<b>9:40 UTILITIES DIVISION[199]</b>		
COMMERCE DEPARTMENT[181]"umbrella"		
Matthew Oetker, 515.725.7349		
Restoration of agricultural lands during and after pipeline construction, ch 9		
<u>Filed ARC 5685C</u> .....	6/16/21	3077
Natural gas standards, 10.1(3), 10.2(2), 10.12(1), 19.1(3), 19.2, 19.5(2), 19.11, 19.14		
(3)"a"		
<u>Notice ARC 5744C</u> .....	6/30/21	3136
<b>9:45 IOWA FINANCE AUTHORITY[265]</b>		
Kristin Hanks-Bents, 515.452.0404		
First amended 9 percent qualified allocation plan, 12.1(2), 12.2(2)		
<u>Filed Emergency After Notice ARC 5717C</u> .....	6/16/21	3021
<b>9:50 LAW ENFORCEMENT ACADEMY[501]</b>		
Russell Rigdon, 515.725.9617		
Petitions for rule making; terminology; public safety telecommunicators; waivers, amend		
chs 1, 3, 13, 16		
<u>Notice ARC 5689C</u> .....	6/16/21	2946
<b>9:55 EDUCATION DEPARTMENT[281]</b>		
Thomas Mayes, 515.242.5614		
Independent private instruction—restriction from certain forms of online learning, 15.6,		
15.8(4)		
<u>Notice ARC 5737C</u> .....	6/30/21	3111
Private instruction, amendments to ch 31		
<u>Notice ARC 5738C</u> .....	6/30/21	3119
Therapeutic classrooms; telehealth services on school premises, amendments to ch 14		
<u>Filed ARC 5739C</u> .....	6/30/21	3150
Online and virtual learning, ch 15		
<u>Filed ARC 5740C</u> .....	6/30/21	3164
Drinking drivers instructional course—online delivery, in-person delivery, 21.31, 21.32(1)		
<u>Filed ARC 5741C</u> .....	6/30/21	3173
Educator preparation programs—accreditation, approval criteria, 79.2, 79.4, 79.9		
<u>Filed ARC 5742C</u> .....	6/30/21	3175
Voluntary diversity plans; open enrollment, 17.2 to 17.9, 17.11(4), 17.13, 17.14		
<u>Notice ARC 5745C</u> .....	6/30/21	3113
Interscholastic athletic contest eligibility, 36.15		
<u>Notice ARC 5746C</u> .....	6/30/21	3123

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<b>10:10</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b>		
	Ashleigh Hackel, 515.281.4567		
	Exceptions to the food code—wild-harvested mushrooms, cultivated mushrooms, 30.2, 31.1(4)		
	<u>Notice</u> <u>ARC 5701C</u> .....	6/16/21	2940
	Toilets and lavatories at food establishments, 31.1		
	<u>Notice</u> <u>ARC 5702C</u> .....	6/16/21	2942
	Definition of “food processing plant”; adoption by reference of 2021 federal regulations, 30.2, 31.2(9)		
	<u>Notice</u> <u>ARC 5703C</u> .....	6/16/21	2938
	Deaf and hard-of-hearing persons—terminology, 57.24(4), 58.39(7), 63.21(4), 65.25(2), 71.21(3)“b”		
	<u>Filed</u> <u>ARC 5711C</u> .....	6/16/21	3053
	Waivers, amendments to chs 6, 41, 50, 51, 57, 58, 60, 61, 63 to 65, 71		
	<u>Filed</u> <u>ARC 5719C</u> .....	6/16/21	3044
<b>10:20</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b>		
	Susan Dixon, 515.240.0530		
	Radiation, 41.1, 42.2, 42.10, 42.13(5), 42.22, 42.26, 42.31(2)“e”(1)		
	<u>Filed</u> <u>ARC 5683C</u> .....	6/16/21	3062
	Definition of “dust-lead hazard,” 69.2		
	<u>Filed</u> <u>ARC 5684C</u> .....	6/16/21	3066
<b>10:25</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b>		
	<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
	Steven Garrison, 515.242.6385		
	Barbers—mobile barbershops, licensing, 21.11, 21.19		
	<u>Filed</u> <u>ARC 5686C</u> .....	6/16/21	3060
<b>10:30</b>	<b>PHARMACY BOARD[657]</b>		
	<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
	Andrew Funk, 515.281.5944; Sue Mears, 515.281.5944		
	Deaf and hard-of-hearing persons—terminology, 6.14(4)		
	<u>Notice</u> <u>ARC 5704C</u> .....	6/16/21	2957
	Temporary designation of controlled substances, 10.39		
	<u>Notice</u> <u>ARC 5705C</u> .....	6/16/21	2958
	Emergency filing, approval required: Vaccine administration by pharmacy technicians, 3.17		
<b>10:45</b>	<b>WORKFORCE DEVELOPMENT DEPARTMENT[871]</b>		
	David Steen, 515.725.5492		
	Contested case proceedings, 26.8, 26.14		
	<u>Filed</u> <u>ARC 5727C</u> .....	6/30/21	3209

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<b>10:50 PUBLIC SAFETY DEPARTMENT[661]</b>		
Sarah Jennings, 515.725.6185		
Responsibility for installation of light-emitting carbon monoxide alarm for deaf or hard-of-hearing tenant, 211.20		
<u>Filed ARC 5714C</u> .....	6/16/21	3074
Sex offender registry—continuous sexual abuse of a child, 83.2 to 83.4		
<u>Filed ARC 5715C</u> .....	6/16/21	3067
Statewide sobriety and drug monitoring program, 159.12(1)		
<u>Filed ARC 5716C</u> .....	6/16/21	3072
Standards for electrician and electrical contractor licensing—reciprocity, disqualifying convictions, fee structure, military spouses, special residential electrician, amendments to chs 500, 502, 506		
<u>Filed ARC 5723C</u> .....	6/30/21	3181
Firearm training organizations, 91.1, 91.10		
<u>Notice ARC 5735C</u> .....	6/30/21	3127
<b>11:00 REVENUE DEPARTMENT[701]</b>		
Clara Wulfsen, 515.322.2900		
Data center businesses—refund requests, 230.13(7)“d”		
<u>Notice ARC 5687C</u> .....	6/16/21	3014
Voluntary disclosure program—excise taxes, fees, 3.1(3)		
<u>Notice ARC 5688C</u> .....	6/16/21	2997
Motor fuel and undyed special fuel, 68.2 to 68.5, 68.7(1), 68.8, 68.9, 68.13, 69.2		
<u>Notice ARC 5710C</u> .....	6/16/21	2998
Payment of fees, taxes, interest, and penalties—remittances payable to the department, 12.2, 70.17, 78.16, 82.5(2)		
<u>Filed ARC 5712C</u> .....	6/16/21	3075
Marketable food products for human consumption, 230.2(1)		
<u>Amended Notice ARC 5720C</u> .....	6/16/21	3013
Interest expense deduction adjustments, 40.85, 53.29, 59.31		
<u>Filed ARC 5733C</u> .....	6/30/21	3192
Emergency filing, approval required: Taxation of COVID-19 grants, 40.86, 53.30, 59.32		
<b>11:15 VETERINARY MEDICINE BOARD[811]</b>		
Colin Tadlock, 515.518.7609		
Applicants with work experience in jurisdictions without licensure requirements, 8.12		
<u>Filed ARC 5726C</u> .....	6/30/21	3207
<b>11:20 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b>		
Colin Tadlock, 515.518.7609		
Waivers, amendments to chs 8, 90, 91		
<u>Filed ARC 5721C</u> .....	6/30/21	3144
Secondary containment—exemption for soil conditioners consisting entirely of minimally manipulated manures, 44.51, 44.56		
<u>Notice ARC 5743C</u> .....	6/30/21	3103
Dog day care; euthanasia guidelines, 67.1, 67.3, 67.4(3)“b,” 67.7, 67.8, 67.9(2)“b,” 67.16		
<u>Filed ARC 5713C</u> .....	6/16/21	3024

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**11:30 NATURAL RESOURCE COMMISSION[571]**

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Tamara Mcintosh, 515.725.8242

Bobcat seasonal bag limit of one—addition of Delaware and Jones Counties, 108.7

Filed ARC 5681C..... 6/16/21      3059

Deer hunting by residents, 106.1, 106.2(5), 106.4(5), 106.6, 106.7(1)“a”(2)

Filed ARC 5682C..... 6/16/21      3055

State parks, recreation areas, and state forest camping, 61.2 to 61.7, 61.14, 61.23(1)

Notice ARC 5690C ..... 6/16/21      2950

**11:35 ENVIRONMENTAL PROTECTION COMMISSION[567]**

NATURAL RESOURCES DEPARTMENT[561]"umbrella"

Tamara Mcintosh, 515.725.8242

Mercury-added switch recovery from end-of-life vehicles, rescind ch 215

Notice ARC 5676C ..... 6/16/21      2922

Dams; water storage permitting, amend chs 50 to 52, 70 to 72; adopt ch 73

Notice ARC 5677C ..... 6/16/21      2908

Water quality certification, 60.2, 61.2

Filed ARC 5679C..... 6/16/21      3037

Air quality, 20.2, 22.100, 23.1, 25.1(9)

Notice ARC 5678C ..... 6/16/21      2900

**11:50 LABOR SERVICES DIVISION[875]**

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Kathleen Uehling, 515.725.5615

Safety rules for amusement rides, amusement devices, and concession booths, 61.2, 61.6

    (2)“j,” 62.6, 62.7(3)  
    Notice ARC 5674C ..... 6/16/21      2944

Emergency filing, approval required: Federal occupational safety and health emergency temporary standard related to COVID-19 in healthcare settings—adoption by reference, 10.20

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**12:05 REGENTS BOARD[681]**  
 Aimee Claeys, 515.281.6456  
 State universities—admission, terminology, domicile, application fees, amend ch 1;  
     rescind ch 2  
     Notice ARC 5694C ..... 6/16/21      2960  
 Traffic and parking at universities, ch 4  
     Notice ARC 5696C ..... 6/16/21      2969  
 Purchasing; policies; practices; procedures, rescind ch 8; amend ch 9  
     Notice ARC 5698C ..... 6/16/21      2980  
 Terminology, addresses, meetings, chalking, 11.1, 12.3 to 12.10, 13.1, 13.10 to 13.15,  
     13.19, 14.1, 14.2, 16.1(1), 16.7  
     Notice ARC 5699C ..... 6/16/21      2982  
 Addresses; waivers, 18.4(3), 18.6, 18.7(2), 19.3(1), 19.5, 19.6(2), 19.18  
     Notice ARC 5700C ..... 6/16/21      2992  
 Equal employment opportunity, affirmative action, and targeted small business,  
     amendments to ch 7  
     Notice ARC 5697C ..... 6/16/21      2976  
 Merit system—administration of pay plan, probationary period, 3.14, 3.39, 3.85  
     Notice ARC 5695C ..... 6/16/21      2965

**NO REPRESENTATIVE REQUESTED TO APPEAR**

**XX:00 SOIL CONSERVATION AND WATER QUALITY DIVISION[27]**  
AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"  
 Waivers, amendments to ch 8  
     Filed ARC 5725C..... 6/30/21      3205

**XX:00 HISTORICAL DIVISION[223]**  
CULTURAL AFFAIRS DEPARTMENT[221]"umbrella"  
 Terminology—deaf and hard-of-hearing persons, 1.5(5)  
     Filed ARC 5730C..... 6/30/21      3177

**XX:00 ECONOMIC DEVELOPMENT AUTHORITY[261]**  
 Petitions for rule making; removal of Iowa broadband deployment program and  
     governance board, amend ch 197; rescind chs 411, 412  
     Filed ARC 5691C..... 6/16/21      3026  
 Waivers, amendments to ch 199  
     Filed ARC 5692C..... 6/16/21      3029  
 Rural housing needs assessment grant program—eligibility, 220.2, 220.3(2)“a,” 220.4(1)  
     Filed ARC 5693C..... 6/16/21      3035

**XX:00 DENTAL BOARD[650]**  
PUBLIC HEALTH DEPARTMENT[641]"umbrella"  
 Petitions for rule making; waivers; reporting requirements, 7.1, 7.4, 7.5  
     Filed ARC 5722C..... 6/30/21      3146