



**December 2022 ARRC agenda
 Administrative Rules Review Committee
 Monday, December 12, 2022
 9 a.m.
 Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

Senator Waylon Brown, Chair
 Senator Pam Jochum
 Senator Julian B. Garrett
 Senator Jesse Green
 Senator Robert Hogg

Representative Megan Jones, Vice Chair
 Representative Mike Bousselot
 Representative Amy Nielsen
 Representative Rick L. Olson
 Representative Mike Sexton

To view the meeting online, go to: <https://www.legis.iowa.gov/committees/meetings/meetingsListComm?groupID=705>

BULLETINS NEEDED FOR THIS MEETING: 11/16/22, 11/30/22

NOTICE

Times listed for review are approximate. If you will be participating in a particular review, please arrive 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>.

		Bulletin	Page
9:00	Procedural Business		
	<ul style="list-style-type: none"> • Roll call • Approve minutes • Friday, Jan. 6th meeting: 9am? • 5-year review of rules—summaries due • Possible ARRC legislation • Miscellaneous 		
9:10	Fiscal Overview - Adam Broich, 515.281.8223		
9:15	WORKFORCE DEVELOPMENT DEPARTMENT [871]		
	Jeffrey Koncsol, 515.725.5400		
	Physician assistants, 24.23(6), 24.25(35), 24.26		
	<u>Notice ARC 6668C</u>	11/16/22	1178

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9:20 HUMAN SERVICES DEPARTMENT[441]		
Nancy Freudenberg, 515.281.8438		
Developmental disabilities basic state grant—definition of “developmental disability,” conflict of interest policy, 38.1, 38.4		
<u>Filed ARC 6639C</u>	11/16/22	1219
Medicaid claim submission for payment—five-year review of rules, amendments to ch 80		
<u>Notice ARC 6641C</u>	11/16/22	1090
Family planning program—five-year review of rules, amendments to ch 87		
<u>Notice ARC 6642C</u>	11/16/22	1095
Case management services—five-year review of rules, 90.1, 90.2, 90.3(2), 90.6(1), 90.7 (3)		
<u>Notice ARC 6643C</u>	11/16/22	1105
Support enforcement services—five-year review of rules, amendments to ch 98		
<u>Notice ARC 6644C</u>	11/16/22	1108
Appeals and hearings; emergency assistance, 7.3(3)“c,” 7.4(3), 58.1 to 58.8, 58.23(1), 58.31		
<u>Notice ARC 6690C</u>	11/30/22	1242
Intermediate care facilities for persons with an intellectual disability—reimbursement rates, wage add-on factor, 82.5(17)		
<u>Notice ARC 6691C</u>	11/30/22	1249
Paternity establishment; support obligations, amendments to ch 99		
<u>Notice ARC 6692C</u>	11/30/22	1250
Foster care contracting—definitions, forms, citations, 152.1, 152.2, 152.4(1)“h,” 152.5		
<u>Notice ARC 6693C</u>	11/30/22	1254
Refugee services program, amendments to ch 61		
<u>Filed ARC 6713C</u>	11/30/22	1299
Services in psychiatric institutions—five-year review of rules, amendments to ch 85		
<u>Filed ARC 6714C</u>	11/30/22	1304
Foster parent training—five-year review of rules, 117.1, 117.3, 117.5(3), 117.7, 117.8, 117.9(1)		
<u>Filed ARC 6715C</u>	11/30/22	1307
IV-A emergency assistance program—definitions, residence, services, 133.1, 133.3, 133.4		
<u>Filed ARC 6716C</u>	11/30/22	1309
Interstate compact on the placement of children, amendments to ch 142		
<u>Filed ARC 6717C</u>	11/30/22	1312
Interstate compact on juveniles, amendments to ch 143		
<u>Filed ARC 6718C</u>	11/30/22	1314
Quality improvement initiative grants, 166.2, 166.3		
<u>Filed ARC 6719C</u>	11/30/22	1316
In-home health-related care—nursing supervision, program implementation, 177.1 to 177.11		
<u>Filed ARC 6720C</u>	11/30/22	1318

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9:40 PUBLIC HEALTH DEPARTMENT[641]		
Maddie Wilcox, 515.443.9216		
Physician assistants, amendments to chs 9, 11, 91, 109, 142		
<u>Notice ARC 6645C</u>	11/16/22	1154
Radon testing and analysis—certification, national consensus radon measurement, school district employee measurement training, amendments to ch 43		
<u>Notice ARC 6647C</u>	11/16/22	1163
Vital records—certificate of nonviable birth, 95.6(1)“h,” 95.15 to 95.18		
<u>Notice ARC 6648C</u>	11/16/22	1167
Plumbing and mechanical systems professionals—licensure by verification, veterans, spouses of veterans, 28.3, 35.4(1)		
<u>Notice ARC 6646C</u>	11/16/22	1161
9:50 DENTAL BOARD[650]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Tiffany Allison, 515.281.3248		
Licensure by verification, veterans, spouses of veterans, 11.9, 11.14, 52.1, 52.3		
<u>Notice ARC 6666C</u>	11/16/22	1072
Dental assistants—trainee status, registration, dental radiography qualification, amendments to chs 1, 11, 15, 20, 22		
<u>Filed ARC 6673C</u>	11/16/22	1202
Board-approved specialty—orofacial pain, 26.4(2)“b”		
<u>Filed ARC 6674C</u>	11/16/22	1211
Authorized practice by dental hygienists—use of silver diamine fluoride, 10.3(1)		
<u>Notice ARC 6695C</u>	11/30/22	1241
10:00 MEDICINE BOARD[653]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Joseph Fraioli, 515.281.3614 Licensure—nonaccredited resident training, 9.3(1)“c”		
<u>Filed ARC 6682C</u>	11/30/22	1333
Retention of medical records—sudden death or abscondence of physician, 13.7(8)		
<u>Filed ARC 6683C</u>	11/30/22	1336
Abortion prerequisites, 13.16		
<u>Filed ARC 6684C</u>	11/30/22	1337
Prescribing in the name of an authorized facility—bronchodilator canisters, bronchodilator canisters and spacers, opioid antagonists, 13.12		
<u>Notice ARC 6694C</u>	11/30/22	1256
10:10 NURSING BOARD[655]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Kathy Weinberg, 515.281.3256		
Prescribing in the name of an authorized facility or school—bronchodilator canisters, bronchodilator canisters and spacers, opioid antagonists, 7.8		
<u>Notice ARC 6697C</u>	11/30/22	1257

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10:15	PHARMACY BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Andrew Funk, 515.281.5944; Sue Mears, 515.281.5944 Prescribing in the name of a school or school district—practice of nursing; bronchodilator canisters, bronchodilator canisters and spacers, 3.3(1), 6.10(1)“c,” 8.19, 18.3(4)“d,” 21.8(1)“h,” 39.7(1) <u>Notice ARC 6696C</u> 11/30/22	1259
	Care facility immunization programs—notification, 23.14(3) <u>Filed ARC 6685C</u> 11/30/22	1346
	Outsourcing facilities—inspections, change of ownership, fees, 41.3 <u>Filed ARC 6686C</u> 11/30/22	1347
	Records—five-year review of rules, 14.1, 14.3, 14.6, 14.13(2), 14.14 <u>Filed ARC 6687C</u> 11/30/22	1342
	Precursor substance permits—five-year review of rules, 12.7 <u>Filed ARC 6688C</u> 11/30/22	1340
	Temporary designation of controlled substances, 10.39(5) <u>Filed ARC 6689C</u> 11/30/22	1339
10:25	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Colin Tadlock, 515.518.7609 Renewable fuel infrastructure program, 13.1, 13.2(4), 14.2, 16.1 to 16.5 <u>Filed ARC 6636C</u> 11/16/22	1184
	Emergency filing, approval required: Biodiesel blended fuel, 85.33	
10:35	ALCOHOLIC BEVERAGES DIVISION[185] COMMERCE DEPARTMENT[181]"umbrella" Tyler Ackerson, 515.985.9338 Trade practices, amendments to ch 16 <u>Notice ARC 6667C</u> 11/16/22	1060
10:45	STATE PUBLIC DEFENDER[493] INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Kurt Swaim, 515.242.6158 Attorney claims for indigent defense services, 12.2, 12.4(1), 12.5(1), 12.6(2), 12.8(1)“a” <u>Notice ARC 6670C</u> 11/16/22	1172
	Five-year review of rules, amendments to chs 1 to 5, 10 to 13 <u>Notice ARC 6671C</u> 11/16/22	1169
10:50	IOWA PUBLIC INFORMATION BOARD[497] Margaret Johnson, 515.725.1783 Complaints—administrative resolution; contested cases—withdrawal, 2.1(6), 4.17 <u>Filed ARC 6675C</u> 11/16/22	1221
10:55	ENERGY AND GEOLOGICAL RESOURCES DIVISION[565] NATURAL RESOURCES DEPARTMENT[561]"umbrella" Tamara McIntosh, 515.725.8242 Agency reorganization, rescind chs 1, 3, 5, 6, 13, 18 <u>Notice ARC 6669C</u> 11/16/22	1089

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11:00 REVENUE DEPARTMENT[701]		
Clara Wulfsen, 515.322.2900		
Mandatory electronic filing of tax returns for certain taxpayers, 8.7		
<u>Filed ARC 6640C</u>	11/16/22	1222
Rent reimbursement program—transition period, 104.35		
<u>Filed ARC 6672C</u>	11/16/22	1224
Geothermal heat pump tax credit, 304.47		
<u>Notice ARC 6698C</u>	11/30/22	1266
Farm to food donation tax credit, 304.51, 501.45		
<u>Notice ARC 6699C</u>	11/30/22	1268
Income and franchise tax—COVID-19 grant exclusion, qualifying programs, 302.86, 502.30		
<u>Notice ARC 6700C</u>	11/30/22	1262
Services subject to sales tax, rescind ch 26; amend chs 203, 213 to 216, 219, 220, 225; adopt chs 211, 218		
<u>Filed ARC 6704C</u>	11/30/22	1350
11:10 TRANSPORTATION DEPARTMENT[761]		
Tracy George, 515.239.1358		
Emergency vehicle certificates, 451.2, 451.3		
<u>Notice ARC 6702C</u>	11/30/22	1271
Quotation process for governmental entities for public improvement for vertical infrastructure, amendments to ch 180		
<u>Filed ARC 6705C</u>	11/30/22	1376
Driver’s licenses for undercover law enforcement officers, amendments to ch 625		
<u>Notice ARC 6703C</u>	11/30/22	1274
Commercial driver licensing—third-party testing, 607.30, 607.31		
<u>Filed ARC 6706C</u>	11/30/22	1378
Federal transit assistance—state management plan, 922.1(2)		
<u>Filed ARC 6707C</u>	11/30/22	1391
School transportation services provided by regional transit systems—contact information, adoption by reference of federal regulations, definition of “automobile,” driver physical fitness, 911.1(2), 911.2, 911.5(1), 911.6(7)		
<u>Filed ARC 6708C</u>	11/30/22	1388
Railroads—definitions, submission of reports, processing agreements, adoption by reference of federal regulations, amendments to chs 800, 810, 821		
<u>Filed ARC 6709C</u>	11/30/22	1382
Highway-railroad grade crossings, amendments to chs 811, 812, 820		
<u>Filed ARC 6710C</u>	11/30/22	1386
11:20 WORKERS’ COMPENSATION DIVISION[876]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”		
Heather Palmer, 515.725.3826		
Electronic filing; waiver provisions; settlements; filing fee, amendments to chs 1 to 4, 6, 8, 9, 11		
<u>Notice ARC 6701C</u>	11/30/22	1277

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11:30 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Ashleigh Hackel, 515.281.4567		
Health care employment agencies, ch 55		
<u>Filed ARC 6711C</u>	11/30/22	1325
11:40 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]"umbrella"		
Kimberly Cunningham, 515.281.3245		
Teacher licensure—reciprocity, 13.1(1), 13.5(2), 13.6, 13.17(1), 18.6, 22.1(2)"d," 22.2(1), 22.4, 27.2		
<u>Notice ARC 6677C</u>	11/16/22	1076
Work-based learning program supervisor authorization, 22.14		
<u>Notice ARC 6678C</u>	11/16/22	1087
Special education instructional strategist endorsement, 14.2(10)		
<u>Notice ARC 6679C</u>	11/16/22	1084
Out-of-country applicants Praxis exemption; content specialist authorization; professional service license, 13.5(3), 22.15, 27.2(5)"c"		
<u>Notice ARC 6680C</u>	11/16/22	1082

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00 ECONOMIC DEVELOPMENT AUTHORITY[261]		
High quality jobs program—wage threshold, amendments to ch 174		
<u>Filed ARC 6637C</u>	11/16/22	1212
Butchery innovation and revitalization program, amendments to ch 51		
<u>Filed Emergency After Notice ARC 6638C</u>	11/16/22	1180
XX:00 CHILD ADVOCACY BOARD[489]		
INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
Five-year review of rules, amendments to chs 1 to 5		
<u>Filed ARC 6676C</u>	11/16/22	1190

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XX:00 PROFESSIONAL LICENSURE DIVISION[645]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Hearing aid specialists—licensure, 121.6(1)“d”		
<u>Notice ARC 6649C</u> . . . . .	.11/16/22	1126
Massage therapists—licensure, continuing education, notarization, 131.2(1)“e,” 131.3(2), 131.4(2)“f,” 131.6(1)“c,” 131.9(2), 133.3(2)		
<u>Notice ARC 6650C</u> . . . . .	.11/16/22	1128
Marital and family therapists, mental health counselors, behavior analysts, and assistant behavior analysts—licensure, continuing education, notarization, 31.6(3), 31.8(1)“f,” 31.16(3)		
<u>Notice ARC 6651C</u> . . . . .	.11/16/22	1116
Social workers—licensure, continuing education, notarization, 280.5(4), 280.7(1)“f,” 280.14(3)		
<u>Notice ARC 6652C</u> . . . . .	.11/16/22	1144
Podiatrists, orthotists, prosthetists, and pedorthists—licensure, continuing education, notarization, 220.4(2)“b,” 220.6(2)“f,” 220.7(1)“e,” 220.15(3), 221.6(1)“f,” 221.8(3)		
<u>Notice ARC 6653C</u> . . . . .	.11/16/22	1137
Respiratory care practitioners, polysomnographic technologists, and respiratory care and polysomnography practitioners—licensure, continuing education, notarization, 261.2 (1)“g,” 261.3, 261.4(6)“b,” 261.5(1), 261.14, 262.1, 262.2(1)		
<u>Notice ARC 6654C</u> . . . . .	.11/16/22	1140
Dietitians—licensure, continuing education, 81.7, 81.15(3)		
<u>Notice ARC 6655C</u> . . . . .	.11/16/22	1122
Optometrists—licensure, 180.3(1)“b,” 180.11(2)		
<u>Notice ARC 6656C</u> . . . . .	.11/16/22	1132
Nursing home administrators—licensure, continuing education, notarization, 141.4(3)“b,” 141.7(1)“e,” 141.15(3)		
<u>Notice ARC 6657C</u> . . . . .	.11/16/22	1130
Speech pathologists and audiologists—licensure, 300.9(2)“b”		
<u>Notice ARC 6658C</u> . . . . .	.11/16/22	1146
Sign language interpreters and transliterators—licensure, continuing education, notarization, 361.4(1), 361.9(3)		
<u>Notice ARC 6659C</u> . . . . .	.11/16/22	1152
Athletic trainers—licensure, continuing education, notarization, 351.3(2)“b,” 351.7(1)“e,” 351.15, 352.1		
<u>Notice ARC 6660C</u> . . . . .	.11/16/22	1149
Physical therapists and physical therapist assistants, occupational therapists and occupational therapy assistants—licensure, continuing education, 200.7(1)“g,” 200.15 (3), 203.1, 206.9, 206.11(3), 207.1		
<u>Notice ARC 6661C</u> . . . . .	.11/16/22	1134
Cosmetology arts and sciences—licensure, continuing education, 60.2(1)“f,” 60.7(2), 60.17, 64.1		
<u>Notice ARC 6662C</u> . . . . .	.11/16/22	1120
Funeral directors, funeral establishments, and cremation establishments—licensure, notarization, 101.2(3)“b,” 101.6(3)		
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Physician assistants—licensure, 326.4(5)		
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Chiropractic physicians—licensure, notarization, 41.4(2)“b,” 41.6(2)		
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XX:00 LABOR SERVICES DIVISION[875]

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Boiler and pressure vessel codes—adoption by reference, 91.1(6), 91.8, 91.10

Filed ARC 6681C..... 11/30/22 1331