



**March 2023 ARRC agenda
Administrative Rules Review Committee
Monday, March 13, 2023
9 a.m.
Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

Senator Mike Klimesh, Vice Chair
Senator Pam Jochum
Senator Nate Boulton
Senator Mike Boussetot
Senator Waylon Brown

Representative Megan Jones, Chair
Representative Rick L. Olson
Representative Amy Nielsen
Representative Michael V. Sexton
Representative David E. Young

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

BULLETINS NEEDED FOR THIS MEETING: 2/8/23, 2/22/23

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>.

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9:00 Procedural Business

- Roll call
- Approve minutes
- Monday, April 10th meeting: 9am?
- Committee rules of procedure
- 5-year review of rules
- Agency signatures on rule filings
- Miscellaneous

9:10 Fiscal Overview - Adam Broich, 515.281.8223

AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE

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9:15 HUMAN SERVICES DEPARTMENT[441]		
Nancy Freudenberg, 515.281.8438		
Appeals and hearings; emergency assistance, 7.3(3)“c,” 7.4(3), 58.1 to 58.8, 58.23(1), 58.31		
<u>Filed ARC 6850C</u>	2/8/23	2021
Medicaid claim submission for payment—five-year review of rules, amendments to ch 80		
<u>Filed ARC 6851C</u>	2/8/23	2028
Intermediate care facilities for persons with an intellectual disability—reimbursement rates, wage add-on factor, 82.5(17)		
<u>Filed ARC 6852C</u>	2/8/23	2032
Family planning program—five-year review of rules, amendments to ch 87		
<u>Filed ARC 6853C</u>	2/8/23	2034
Case management services—five-year review of rules, 90.1, 90.2, 90.3(2), 90.6(1), 90.7 (3)		
<u>Filed ARC 6854C</u>	2/8/23	2044
Support enforcement services—five-year review of rules, amendments to ch 98		
<u>Filed ARC 6855C</u>	2/8/23	2047
Paternity establishment; support obligations, amendments to ch 99		
<u>Filed ARC 6856C</u>	2/8/23	2055
Foster care contracting—definitions, forms, citations, 152.1, 152.2, 152.4(1)“h,” 152.5		
<u>Filed ARC 6857C</u>	2/8/23	2058
Emergency filing, approval required: child care initiative		
9:30 PUBLIC HEALTH DEPARTMENT[641]		
Susan Dixon, 515.240.0530		
Physician assistants, amendments to chs 9, 11, 91, 109, 142		
<u>Filed ARC 6847C</u>	2/8/23	2088
Radon testing and analysis—certification, national consensus radon measurement, school district employee measurement training, amendments to ch 43		
<u>Filed ARC 6848C</u>	2/8/23	2095
Vital records—certificate of nonviable birth, 95.6(1)“h,” 95.15 to 95.18		
<u>Filed ARC 6849C</u>	2/8/23	2099
9:35 PHARMACY BOARD[657]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Andrew Funk, 515.281.5944; Sue Mears, 515.281.5944		
Temporary designation of controlled substances, 10.39(6)		
<u>Filed ARC 6843C</u>	2/8/23	2085
Iowa prescription monitoring program—definition of “opioid antagonist,” advisory council, 37.2, 37.4		
<u>Filed ARC 6844C</u>	2/8/23	2086
Temporary designation of controlled substances; precursor substances, 10.39, 12.1(1)		
<u>Notice ARC 6874C</u>	2/8/23	1942
Controlled Substances Act registration—business locations, 10.4		
<u>Notice ARC 6906C</u>	2/22/23	2196

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9:45 ADMINISTRATIVE SERVICES DEPARTMENT[11]		
Tami Wiencek, 515.725.2017		
State driver guidelines for state vehicle use and fueling, amendments to ch 103		
<u>Filed ARC 6864C</u>	2/8/23	1990
Annual comprehensive financial report, 40.1, 110.3		
<u>Filed ARC 6865C</u>	2/8/23	1987
Physician assistants, 63.2(2)“h,” 63.19		
<u>Filed ARC 6866C</u>	2/8/23	1988
Five-year review of rules, amend chs 1, 4, 6, 41, 100, 118; rescind chs 20, 25, 26		
<u>Notice ARC 6883C</u>	2/8/23	1911
9:55 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
Colin Tadlock, 515.518.7609		
Marketing—choose Iowa promotional program, value-added agricultural program, amendments to ch 52		
<u>Notice ARC 6907C</u>	2/22/23	2161
10:00 UTILITIES DIVISION[199]		
COMMERCE DEPARTMENT[181]“umbrella”		
Matthew Oetker, 515.725.7349		
Electric transmission line companies, 11.6(1), 11.8(2), 11.10, 11.12(1)		
<u>Notice ARC 6918C</u>	2/22/23	2253
10:05 CORRECTIONS DEPARTMENT[201]		
Michael Savala, 515.314.2635		
Physician assistants, 45.2(1)“e,” 50.15, 50.16(5), 50.24(5)“a,” 51.13, 51.14(4), 51.20 (5)“a”		
<u>Filed ARC 6905C</u>	2/22/23	2256
Parole, 45.1, 45.2		
<u>Notice ARC 6914C</u>	2/22/23	2165
Iowa state industries—sale of products, 37.2		
<u>Notice ARC 6915C</u>	2/22/23	2163
10:10 ECONOMIC DEVELOPMENT AUTHORITY[261]		
Lisa Connell, 515.348.6163		
Employee stock ownership plan (ESOP) formation assistance, 56.2 to 56.4		
<u>Filed ARC 6891C</u>	2/22/23	2259
Empower rural Iowa initiative, amendments to chs 28 to 30, 220 to 222		
<u>Filed ARC 6892C</u>	2/22/23	2261
Iowa jobs training program—definitions of “eligible business” and “employee,” 7.3		
<u>Notice ARC 6916C</u>	2/22/23	2167
10:20 IOWA FINANCE AUTHORITY[265]		
Kristin Hanks-Bents, 515.452.0404		
Four percent qualified allocation plan, 12.1(1), 12.2(1)		
<u>Filed ARC 6899C</u>	2/22/23	2267

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10:25 EDUCATION DEPARTMENT[281]		
Thomas Mayes, 515.281.8661		
Family support mentoring program, 41.329, 120.347		
<u>Notice ARC 6875C</u>	2/8/23	1918
Child development coordinating council; educational support programs for parents of children who are at risk, amendments to chs 64, 67		
<u>Notice ARC 6876C</u>	2/8/23	1921
Accreditation of area education agencies, 72.4		
<u>Notice ARC 6877C</u>	2/8/23	1927
School health services, 14.1, 14.2(1), 14.3		
<u>Notice ARC 6880C</u>	2/8/23	1914
10:35 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]"umbrella"		
Meredith Hawk, 515.281.3245		
Out-of-country applicants Praxis exemption; content specialist authorization; professional service license, 13.5(3), 22.15, 27.2(5)"c"		
<u>Filed ARC 6867C</u>	2/8/23	2008
Special education instructional strategist endorsement, 14.2(10)		
<u>Filed ARC 6868C</u>	2/8/23	2010
Work-based learning program supervisor authorization, 22.14		
<u>Filed ARC 6869C</u>	2/8/23	2013
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>Filed ARC 6870C</u>	2/8/23	2002

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10:45	INSPECTIONS AND APPEALS DEPARTMENT[481]		
	Ashleigh Hackel, 515.281.4567		
	Hotels and motels—five-year review of rules, 30.2, 30.4(4), 30.8(4), 37.2, 37.4, 37.6 to 37.10		
	<u>Filed ARC 6859C</u>	2/8/23	2071
	Governor’s award for quality care, 54.8		
	<u>Filed ARC 6860C</u>	2/8/23	2075
	Contested cases involving permits to carry weapons and acquire firearms—five-year review of rules, 11.2, 11.3(1), 11.6 to 11.8, 11.11, 11.14		
	<u>Filed ARC 6861C</u>	2/8/23	2067
	Five-year review of rules, amend chs 1 to 5, 8; rescind ch 7		
	<u>Filed ARC 6862C</u>	2/8/23	2060
	Contractor requirements, amendments to ch 35		
	<u>Filed ARC 6863C</u>	2/8/23	2073
	Hospice license standards—five-year review of rules, physician assistants, amendments to ch 53		
	<u>Notice ARC 6878C</u>	2/8/23	1931
	Alcoholic beverage licensing—social and charitable gambling, registered amusement devices, 100.1, 100.4, 100.6, 103.2(4), 103.9, 105.2, 105.6(4), 105.7, 105.9(1), 105.11 (2)“a,” 105.12		
	<u>Notice ARC 6879C</u>	2/8/23	1936
	Nursing facilities—five-year review of rules, physician assistants, amendments to ch 58		
	<u>Notice ARC 6908C</u>	2/22/23	2172
	Boarding homes—five-year review of rules, amendments to ch 66		
	<u>Notice ARC 6909C</u>	2/22/23	2192
	Minimum physical standards for residential care facilities, ch 60		
	<u>Notice ARC 6910C</u>	2/22/23	2183
	Health care facilities administration—five-year review of rules, 50.3(3)“f,” 50.6 to 50.9, 50.11		
	<u>Notice ARC 6911C</u>	2/22/23	2169
11:05	RACING AND GAMING COMMISSION[491]		
	INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
	Barb Blake, 515.281.7352; Brian Ohorilko, 515.281.7358		
	Alternative simulcast operators; waiver summary reports; conduct accountability; occupational licenses; vendor licenses; advance deposit wagering; physician assistants, amendments to chs 1, 5, 6, 8		
	<u>Filed ARC 6894C</u>	2/22/23	2274
	Penalties; uniform requirements; pari-mutuel wagering, simulcasting and advance deposit wagering; prohibited areas; devices; methods of transfer or deposits; sports wagering; fantasy sports contests, amendments to chs 4, 5, 8, 10 to 14		
	<u>Filed ARC 6895C</u>	2/22/23	2279

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11:10 ENVIRONMENTAL PROTECTION COMMISSION[567]		
NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Tamara Mcintosh, 515.725.8242		
Air quality, 20.2, 22.100, 23.1, 25.1(9), 28.1		
<u>Filed ARC 6873C</u>	2/8/23	2015
Underground storage tanks—biofuel compatibility, 135.4		
<u>Notice ARC 6884C</u>	2/8/23	1929
11:15 TRANSPORTATION DEPARTMENT[761]		
Tracy George, 515.239.1358		
Emergency vehicle certificates, 451.2, 451.3		
<u>Filed ARC 6845C</u>	2/8/23	2120
Driver's licenses for undercover law enforcement officers, amendments to ch 625		
<u>Filed ARC 6846C</u>	2/8/23	2122
Tourist-oriented directional signing, 119.1 to 119.6		
<u>Notice ARC 6885C</u>	2/8/23	1981
Motor vehicle financial responsibility, 640.1, 640.3 to 640.7		
<u>Notice ARC 6917C</u>	2/22/23	2242
11:25 SECRETARY OF STATE[721]		
Eric Gookin, 515.281.7550		
Fees, amendments to chs 30, 40		
<u>Filed ARC 6887C</u>	2/8/23	2118
Five-year review of rules, amendments to chs 1 to 4, 30, 40, 42, 43, 45		
<u>Notice ARC 6886C</u>	2/8/23	1949
11:35 LABOR SERVICES DIVISION[875]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
Lanny Zieman, 515.725.5615		
Federal occupational safety and health standards—penalties for citations, 3.11(1)		
<u>Notice ARC 6881C</u>	2/8/23	1941
11:40 WORKFORCE DEVELOPMENT DEPARTMENT[871]		
Jeffrey Koncsol, 515.725.5400		
Unemployment insurance—overpayments, voluntary shared work, maximum number of benefit weeks, misconduct, salary guidelines, contested cases, appeals, amendments to chs 23, 24, 26		
<u>Filed ARC 6893C</u>	2/22/23	2316

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11:45 REVENUE DEPARTMENT[701]

Clara Wulfsen, 515.322.2900		
Exemptions; computation of tax; sales and use tax on construction activities; foods for human consumption, prescription drugs, insulin, hypodermic syringes, diabetic testing materials, prosthetic, orthotic or orthopedic devices, rescind chs 14, 19, 287; amend chs 203, 219		
<u>Filed ARC 6842C</u>	2/8/23	2102
Property assessment appeal board, 102.21, 115.1 to 115.11		
<u>Filed ARC 6858C</u>	2/8/23	2106
Register of eligible candidates—assessor, deputy assessor, 103.12		
<u>Filed ARC 6871C</u>	2/8/23	2116
Contact information—challenges to administrative levies, marijuana and controlled substances tax stamp, 25.5, 262.2		
<u>Filed ARC 6872C</u>	2/8/23	2104
Electronic filing of income tax returns—electronic signatures, 8.5(2)“b”		
<u>Notice ARC 6882C</u>	2/8/23	1947
Farm to food donation tax credit, 304.51, 501.45		
<u>Filed ARC 6901C</u>	2/22/23	2313
Income and franchise tax—COVID-19 grant exclusion, qualifying programs, 302.86, 502.30		
<u>Filed ARC 6902C</u>	2/22/23	2307
Geothermal heat pump tax credit, 304.47		
<u>Filed ARC 6903C</u>	2/22/23	2310
Withholding, 300.1(8), 307.1(1)“c,” 307.3, 307.5		
<u>Filed ARC 6904C</u>	2/22/23	2285
Fiduciary income tax returns—extension of time to file, 700.5		
<u>Notice ARC 6919C</u>	2/22/23	2240
Sales of diapers, 220.17		
<u>Notice ARC 6920C</u>	2/22/23	2234
Electric fuel excise tax, amend ch 260; renumber ch 262; adopt ch 262		
<u>Notice ARC 6921C</u>	2/22/23	2236
Mandatory electronic filing—exceptions, 8.7(5)		
<u>Notice ARC 6922C</u>	2/22/23	2228
Appeals, taxpayer representation, and other administrative procedures, amendments to ch 7		
<u>Notice ARC 6923C</u>	2/22/23	2218
Manufacturers of food or food ingredients, 215.2		
<u>Notice ARC 6924C</u>	2/22/23	2230
Pass-through entity composite returns, amend chs 302, 304, 307, 404, 501, 601, 700; adopt ch 405		
<u>Filed ARC 6900C</u>	2/22/23	2294

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12:05	PUBLIC EMPLOYMENT RELATIONS BOARD[621]		
	Erik Helland, 515.443.1258		
	General procedures; impasse procedures; bargaining unit determination and representative certifications; retention and recertification elections; elections fees; electronic filing of documents; collective bargaining agreements; mediators; arbitrators, amend chs 2, 3, 6 to 8, 12 to 14, 16; adopt ch 15		
	<u>Notice ARC 6912C</u>	2/22/23	2197
	Determination of bargaining units; certified employee representatives; elections; secure upload system, amendments to chs 4, 5		
	<u>Notice ARC 6913C</u>	2/22/23	2212
12:20	INSURANCE DIVISION[191]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Angela Burke Boston, 515.654.6543		
	Pharmacy benefits managers, amendments to ch 59		
	<u>Filed ARC 6890C</u>	2/8/23	2076

NO REPRESENTATIVE REQUESTED TO APPEAR

XX:00	COLLEGE STUDENT AID COMMISSION[283]		
	EDUCATION DEPARTMENT[281]"umbrella"		
	Mental health professional loan repayment program, ch 31		
	<u>Filed ARC 6888C</u>	2/8/23	1999
	Health care award program, amendments to ch 26		
	<u>Filed ARC 6889C</u>	2/8/23	1994
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Physician assistants—licensure, 326.4(5)		
	<u>Filed ARC 6896C</u>	2/22/23	2273
	Chiropractic physicians—licensure, notarization, 41.4(2)"b," 41.6(2)		
	<u>Filed ARC 6897C</u>	2/22/23	2271
	Barbers—licensure, continuing education, independent study, 21.2, 21.16, 24.1		
	<u>Filed ARC 6898C</u>	2/22/23	2269
XX:00	WORKERS' COMPENSATION DIVISION[876]		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	Electronic filing; waiver provisions; settlements; filing fee, amendments to chs 1 to 4, 6, 8, 9, 11		
	<u>Filed ARC 6841C</u>	2/8/23	2124