

NOTICE

Times listed for review are approximate. If you will be attending a particular review, please arrive 15 to 30 minutes before the scheduled time.

AUGUST 2011 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, August 16, 2011, at 9:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: 6/1/11, 7/13/11, 7/27/11 **REVISED 8/9/11**
ITEM ADDED UNDER IOWA FINANCE

	Bulletin	Page
TUESDAY, APRIL 16TH		
9:30 LSA FISCAL OVERVIEW Sue Lerdal		
9:35 NATURAL RESOURCE COMMISSION[571] Tamara Mullen NATURAL RESOURCES DEPARTMENT[561]"umbrella" SPECIAL REVIEW Dove season, 96.6 <u>Filed Emergency After Notice ARC 9674B</u>	not yet published	X
10:45 PHARMACY BOARD[657] Terry Witkowski PUBLIC HEALTH DEPARTMENT[641]"umbrella" Unethical conduct or practice; confidential information; pharmacy license, 8.11, 8.16(3), 8.35 <u>Filed ARC 9526B, 70 DAY DELAY</u>	6/1/11	1658
11:00 CITY DEVELOPMENT BOARD[263] Marie Steenlage ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Petitions for annexation—documentation, 7.2(2)"j," 8.3(9) <u>Filed ARC 9546B, 70 DAY DELAY</u>	6/1/11	1646
11:10 HISTORICAL DIVISION[223] Kristen Vander Molen CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Historic preservation and cultural and entertainment district tax credits, 48.1 to 48.8, 48.11, 48.12 <u>Notice ARC 9607B, also Filed Emergency ARC 9608B</u>	7/13/11	28
11:25 COMMITTEE BUSINESS Approve minutes, September meeting (08-09-11B); in consultation		
LUNCH 11:30am to 1:00pm		
1:00 HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg Increase in maintenance payment and initial allowance for supervised apartment living placements, 156.6, 156.8, 156.12 <u>Notice ARC 9625B</u>	7/27/11	66
Foster home insurance fund, 158.1(2), 158.2, 158.4 <u>Notice ARC 9636B</u>	7/27/11	67
NOTE---SPECIAL MEDICAID REVIEWS		
A number of filings will be added, in document form, as special reviews, to ensure ARRC review prior to the rules effective date. Copies will be e-mailed in document form:		
o Chapter 75, Medicaid. Allow liens to recover Medicaid expenses for services involving malpractice.		
o Chapter 78, Medicaid. Eliminate coverage for weight-loss drugs and limit coverage of drugs for symptomatic relief of cough and cold.		
o Chapter 78, Medicaid. Restrict coverage of orthodontia for children.		
o Chapter 78, Medicaid. Limit payment for durable equipment under an HCBS waiver to the amount paid for fee-for-service Medicaid.		
o Chapter 79, Medicaid. Increase reimbursement rates for home- and community-based waiver services.		

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HUMAN SERVICES DEPARTMENT continued

- o Chapter 79, Medicaid. Increase pharmacy dispensing fee.
- o Chapter 79, Medicaid. Increase reimbursement rates for non-state-owned psychiatric medical institutions for children.
- o Chapter 79, Medicaid. Eliminate graduate medical education payments for out-of-state hospitals.
- o Chapter 79, Medicaid. Eliminate payment for treatment of a hospital-acquired condition.
- o Chapter 79, Medicaid. Reduce physician payment for services provided in a facility setting.
- o Chapter 79, Medicaid. Implement emergency room copayment and reduce Medicaid payment when service is nonemergency and patient is not referred by another provider.
- o Chapter 80, Medicaid. Require new forms for paper billing of Medicare crossover claims.
- o Chapter 81, Medicaid. Update procedures for federal nursing facility preadmission screening and evaluation of patients with mental retardation or mental illness.

2:30	ENVIRONMENTAL PROTECTION COMMISSION[567] <small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small> Open feedlots and confinement feeding operations, amendments to chs 60, 63 to 65 <u>Notice of Termination ARC 9602B</u> 7/13/11	12
	SPECIAL REVIEW-- Ben Hucka	
	Water quality—lake criteria, 61.3(4) <u>Notice ARC 9371B</u> Informal Regulatory Analysis	
	Wednesday, August 17th	
9:00	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Paul Stueckradt Approval of contract amendments for targeted industries internship program, 104.3, 104.13(4), 175.2(5), 175.4(4) <u>Notice ARC 9617B</u> 7/13/11	11
9:10	INSURANCE DIVISION[191] Susan Voss <small>COMMERCE DEPARTMENT[181]"umbrella"</small> External review, 76.1 to 76.9 <u>Notice ARC 9639B</u> , also <u>Filed Emergency ARC 9637B</u> 7/27/11	94
9:20	IOWA FINANCE AUTHORITY[265] Mark Thompson HOME partnership program, 39.2, 39.4, 39.6, 39.8, 39.9 <u>Notice ARC 9644B</u> 7/27/11 Shelter assistance fund, 41.10(5), 41.12(3)"a" <u>Notice ARC 9643B</u> , also <u>Filed</u> <u>Emergency ARC 9642B</u> 7/27/11 Emergency shelter grants program, 42.4(6), 42.6, 42.10(5), 42.12(3) <u>Notice ARC</u> <u>9635B</u> , also <u>Filed Emergency ARC 9633B</u> 7/27/11	69 109 110
	SPECIAL REVIEW-required by House File 649	
	Community housing & services for persons with disabilities revolving loan program, Ch.	
	34	Not published
9:40	MEDICINE BOARD[653] Mark Bowden, Kent Nebel <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small> Continuing education and training, amendments to ch 11 <u>Filed ARC 9601B</u> 7/13/11 Standards of practice—appropriate pain management, 13.2 <u>Filed ARC 9599B</u> 7/13/11 Grounds for discipline—failure by a physician with HIV or HBV to report HIV or HBV status, 23.1 <u>Filed ARC 9598B</u> 7/13/11	44 47 48

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10:00	PUBLIC HEALTH DEPARTMENT[641] Barb Nervig		
	Licensure of plumbing and mechanical systems professionals—fees, 28.1, 28.2 <u>Notice ARC 9610B</u> , also <u>Filed Emergency ARC 9603B</u>	7/13/11	35
	PUBLIC HEALTH DEPARTMENT continued		
	Plumbing and mechanical systems professionals—application, licensure, examination, 29.1, 29.2, 29.6, 29.7, 29.9 <u>Notice ARC 9612B</u> , also <u>Filed Emergency ARC 9604B</u>	7/13/11	37
	Plumbing and mechanical systems professionals—continuing education, 30.2 to 30.4, 30.6(1) <u>Notice ARC 9613B</u> , also <u>Filed Emergency ARC 9605B</u>	7/13/11	39
	Advisory council on brain injuries, ch 55 <u>Notice ARC 9631B</u>	7/27/11	77
	Local boards of health; district health departments, adopt ch 77; rescind 78 <u>Notice ARC 9632B</u>	7/27/11	81
	Office of minority and multicultural health, 82.1, 82.3, 82.4 <u>Notice ARC 9634B</u>	7/27/11	86
	Substance abuse and gambling treatment programs—personnel, 155.21(8) <u>Notice ARC 9638B</u>	7/27/11	87
10:30	BREAK		
10:35	PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou		
	Fire safety—adoption of National Electrical Code 2011 by reference, 201.3 <u>Notice ARC 9628B</u>	7/27/11	88
	E-85 fuel dispensers, 221.2, 221.4(2) <u>Filed ARC 9620B</u>	7/27/11	116
	State building code—adoption of National Electrical Code 2011 by reference, 301.5 <u>Notice ARC 9629B</u>	7/27/11	89
	Plumbing installations in places of public assembly, 301.6(1) <u>Filed Emergency ARC 9627B</u>	7/27/11	112
	Electrician and electrical contractor licensing program; electrical inspection program, 500.2, 502.2, ch 505, 551.2 <u>Filed ARC 9626B</u>	7/27/11	119
	Electrical installations—adoption of National Electrical Code 2011 by reference, 504.1 <u>Notice ARC 9630B</u>	7/27/11	91
11:00	PROFESSIONAL LICENSURE DIVISION[645] Judy Manning, Pierce Wilson		
	<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
	Dietitians—licensure, continuing education, discipline, amendments to chs 81 to 83 <u>Filed ARC 9606B</u>	7/13/11	49
	Optometrists—licensure, continuing education, practice, discipline, 180.5, 180.11, 181.2, 181.3(2)“c,” 182.1, 182.3(2)“b,” 182.4(1)“g,” 183.2(11) <u>Filed ARC 9641B</u>	7/27/11	116
	Respiratory care practitioners—licensure, discipline, 261.8(1), 263.2(11) <u>Notice ARC 9595B</u>	7/13/11	13
	Respiratory care practitioners—continuing education, 262.4 <u>Notice ARC 9594B</u>	7/13/11	14
	Social workers—discipline, 283.2(11) <u>Notice ARC 9596B</u>	7/13/11	15
11:00	NURSING BOARD[655]-Lorinda Inman		
	<small>PUBLIC HEALTH DEPARTMENT[641]“umbrella”</small>		
	Organization of the board, 1.3(2) <u>Notice ARC 9621B</u>	7/27/11	75
	Discipline, 4.6, 4.14 <u>Notice ARC 9622B</u>	7/27/11	76
11:15	UTILITIES DIVISION[199] Amy Christiansen, David Lynch		
	<small>COMMERCE DEPARTMENT[181]“umbrella”</small>		
	Renewable energy tax credits, 15.19, 15.21 <u>Notice ARC 9609B</u>	7/13/11	23

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Outage notification, 20.19(1) <u>Notice ARC 9614B</u>	7/13/11	26
No Representative Requested to Appear		
XX:00 INSPECTIONS AND APPEALS DEPARTMENT[481]		
Contested case hearings—subpoenas, 10.14 <u>Filed ARC 9616B</u>	7/13/11	43
XX:00 LABOR SERVICES DIVISION[875]		
<small>WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”</small>		
OSHA regulations—adoption by reference, 10.20, 26.1, 28.1 <u>Notice ARC 9640B</u>	7/27/11	74
XX:00 LOTTERY AUTHORITY, IOWA[531]		
Drawings and contests, ch 21 <u>Notice ARC 9618B</u> , also <u>Filed Emergency ARC 9611B</u>	7/13/11	33
XX:00 PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]		
Innocent landowner claims—waiver of copayment, 11.2(8) <u>Filed ARC 9623B</u>	7/27/11	113
Eligible costs—permanent closure of an underground storage tank system, 11.3(11) <u>Filed ARC 9624B</u>	7/27/11	114
XX:00 REAL ESTATE COMMISSION[193E]		
<small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella”</small>		
License discipline reporting, 5.11 <u>Filed ARC 9619B</u>	7/27/11	120
XX:00 REGENTS BOARD[681]		
Regent merit system, 3.2, 3.104(4), 3.143, 3.148 <u>Notice ARC 9597B</u>	7/13/11	19
XX:00 TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]		
Advisory committees; divisions, 1.3, 1.5(2) <u>Filed ARC 9600B</u>	7/13/11	50