

APRIL 2014 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Friday, April 4, 2014, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

NOTICE

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

BULLETINS NEEDED FOR THIS MEETING: 3/5/14, 3/19/14, 4/2/14

	Bulletin	Page
9:00 FISCAL OVERVIEW Adam Broich		
9:10 HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg 1-8438		
Family investment program (FIP)—ineligibility period for participants who access benefits at prohibited location, acceptance of insurance, 7.9(6), 40.22, 40.23, 40.27(3), 41.23(5), 41.25(11), 41.27(1), 41.30(3) <u>Notice</u> ARC 1385C	3/19/14	1878
State supplementary assistance program—annual adjustments to eligibility and payment levels, 51.4(1), 51.7, 52.1 <u>Filed</u> ARC 1352C	3/5/14	1827
Individual assistance grant program, 58.1, 58.2(2), 58.3 to 58.6, 58.7(1) <u>Filed</u> ARC 1353C	3/5/14	1828
Iowa health and wellness plan—enrollment for IowaCare members, 74.15 <u>Filed</u> ARC 1354C	3/5/14	1832
Health insurance premium payment program, 75.21 <u>Notice</u> ARC 1368C	3/5/14	1805
Medicaid—member lock-in, 75.30 <u>Filed</u> ARC 1355C	3/5/14	1833
Financial eligibility determinations for family planning services, 75.70, 75.71 <u>Filed</u> ARC 1356C	3/5/14	1835
Medicaid for employed people with disabilities—premiums, 75.1(39)“b”(3) <u>Notice</u> ARC 1417C	4/2/14	1965
Increase in average statewide private-pay cost of nursing facility services and of charges for institutional care, 75.23(3), 75.24(3)“b” <u>Notice</u> ARC 1415C	4/2/14	1966
Decrease in statewide maximum Medicaid rate for ICF/IDs, 75.24(3)“b”(2) <u>Notice</u> ARC 1416C	4/2/14	1967
Medicaid—pharmacy professional dispensing fee, 79.1(8) <u>Notice</u> ARC 1391C	4/2/14	1968
Online training for brain injury (BI) waiver providers; removal of services from monthly cost limits for certain waivers; removal of age limit for BI waiver, 77.39, 83.22(2), 83.82, 83.102(2), 83.122(6) <u>Notice</u> ARC 1366C	3/5/14	1806
Supreme court guidelines—establishment and modification of child support, amendments to chs 95, 99 <u>Filed</u> ARC 1357C	3/5/14	1837
Child care assistance sliding fee schedule, 170.4(2)“a” <u>Notice</u> ARC 1365C	3/5/14	1808
9:45 ECONOMIC DEVELOPMENT AUTHORITY[261] Tim Whipple 5-3124		
Iowa tourism grant program, ch 42 <u>Notice</u> ARC 1380C	3/19/14	1869
Targeted jobs withholding tax credit program, amendments to chs 71, 187 <u>Filed</u> Emergency After Notice ARC 1373C	3/19/14	1893
9:55 EDUCATION DEPARTMENT[281] Mike Cormack 1-3399 mike.cormack@iowa.gov		
School buses, amendments to ch 44 <u>Notice</u> ARC 1409C	4/2/14	1930
Child development coordinating council, amendments to ch 64 <u>Notice</u> ARC 1394C	4/2/14	1959
Educational support programs for parents of at-risk children, amendments to ch 67 <u>Notice</u> ARC 1396C	4/2/14	1961

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10:10	EDUCATIONAL EXAMINERS BOARD[282] Kim Cunningham 1-5849 <small>EDUCATION DEPARTMENT[281]"umbrella"</small>		
	Board decision to set case for hearing, 11.6 <u>Notice</u> ARC 1378C	3/19/14	1873
	Teacher intern license—minimum grade point average, 13.9(3) <u>Filed</u> ARC 1374C	3/19/14	1908
	School administration manager authorization—experience requirement, 22.6(5) <u>Notice</u> ARC 1379C	3/19/14	1874
10:20	BREAK		
10:30	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo 1-8678 <small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small>		
	Water quality certification for reissued regional permit 7 and for other nationwide and regional permits, 61.2(2)"g" <u>Notice</u> ARC 1370C	3/19/14	1876
10:40	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351] Megan Tooker 1-3489		
	Prohibition on campaign contributions from corporations, 4.44(1) <u>Filed</u> ARC 1390C	4/2/14	2015
	Supporting documentation for complaint, 9.1(1) <u>Filed</u> ARC 1389C	4/2/14	2015
10:50	INSPECTIONS AND APPEALS DEPARTMENT[481] Dave Werning 1-7376		
	Limitations on food activities for assisted living and adult day services programs not licensed as food establishments, 69.28(6), 70.28(6) <u>Filed</u> ARC 1376C	3/19/14	1909
	Special classification within residential care facility—memory care, 57.7 <u>Notice</u> ARC 1413C	4/2/14	1969
	Nursing facilities—administrators, services, classification of violations, 58.1, 58.8, 58.14(8), 58.18(2), 58.19, 58.28(3) <u>Filed</u> ARC 1398C	4/2/14	2016
11:00	CHILD ADVOCACY BOARD[489] Jim.Hennessey@dia.iowa.gov <small>INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"</small>	3/19/14	
	Court appointed special advocate program, chs 4, 5 <u>Filed</u> ARC 1375C	3/19/14	1900
11:10	IOWA FINANCE AUTHORITY[265] Mark Thompson 725-4937		
	Iowa agricultural development authority division, adopt 265—ch 44; rescind 25—chs 1 to 11 <u>Filed</u> ARC 1400C	4/2/14	2017
11:20	PHARMACY BOARD[657] Teri Witowski 1-6676 <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
	Pharmacist-interns, 4.1, 4.3, 4.6, 4.7, 4.9(2) <u>Filed</u> ARC 1406C	4/2/14	2026
	Pharmacist-documented verification, 8.3(3) <u>Notice</u> ARC 1411C	4/2/14	1977
	Temporary designation of controlled substances, 10.38 <u>Filed Emergency</u> ARC 1408C	4/2/14	2013
	Controlled substances—annual inventory, change of ownership of a pharmacy, 10.35 <u>Notice</u> ARC 1407C	4/2/14	1978
11:35	INSURANCE DIVISION[191] Roseanne Mead 1-5575 <small>COMMERCE DEPARTMENT[181]"umbrella"</small>		
	Duties of pharmacy benefits managers and insurers, 59.1 to 59.10 <u>Notice of Termination</u> ARC 1399C	4/2/14	1971
	Pharmacy benefits managers, 59.1 to 59.10 , <u>Notice</u> ARC 1412C	4/2/14	1972

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11:50	PUBLIC HEALTH DEPARTMENT[641] J Barb Nervig 281-4344 James.Goodrich@idph.iowa.gov 5-2093		
	State mechanical code, ch 61 Notice ARC 1364C	3/5/14	1810
	Physical protection of category 1 and category 2 quantities of radioactive material, adopt ch 37; amend chs 38 to 40 Notice ARC 1414C	4/2/14	1979
	Mammography and stereotactic breast biopsy equipment—workstations, physician training, quality control, 41.6, 41.7(7) Filed ARC 1401C	4/2/14	2032
	Vision screening, ch 52 Notice of Termination ARC 1388C	4/2/14	2002
	Vital records—overpayment of fees, 95.6(2) Filed ARC 1402C	4/2/14	2033
	Medical residency training state matching grants program, ch 108 Notice ARC 1392C	4/2/14	2003
	Reimbursement for certain autopsies, 127.4 Filed ARC 1403C	4/2/14	2034
	Scope of practice for emergency medical care providers, 131.3(3)“b,” 132.2(4)“b” Filed ARC 1404C	4/2/14	2034
	Iowa health information network, ch 206 Filed ARC 1405C	4/2/14	2035
12:15	RACING AND GAMING COMMISSION[491] Blake, Barbara barb.blake@iowa.gov 281-7352 INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
	Organization and operation; forms; first-aid room, 1.2, 1.5, 5.4(4) Notice ARC 1393C	4/2/14	2005
12:20	REVENUE DEPARTMENT[701] Victoria Daniels 281-5322		
	Motor fuel—penalty for violations, administration, tax rates, distributors’ and dealers’ right to blend, 10.71, 67.1, 68.2, 68.19 Notice ARC 1362C	3/5/14	1813
	Business property tax credit, 80.30 Filed ARC 1382C	3/19/14	1914
	Reinvestment districts program, ch 237 Notice ARC 1363C	3/5/14	1817
12:30	TREASURER OF STATE[781] Randi McLaughlin 1-7562		
	Required public funds custodial agreement provisions, 15.1 to 15.3, 15.5 Notice ARC 1383C	3/19/14	1881
12:40	UTILITIES DIVISION[199] Amy Christensen 1-6326 COMMERCE DEPARTMENT[181]“umbrella”		
	Natural gas and electric safety standards, 10.12(1), 10.17, 15.10(1), 19.2(5), 19.5(2), 19.17(2), 20.5(2), 20.19(2), 21.9, 25.2, 25.3(5), 25.5(3), 45.1 Filed ARC 1359C	3/5/14	1848
12:50	VETERINARY MEDICINE BOARD[811] Margaret Thomson 1-5322		
	Veterinary standards of practice, 1.4, 12.1 to 12.5 Notice ARC 1377C	3/19/14	1885
12:55	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Other financial statements for grain warehouse operators and grain dealers, 90.8, 91.8 Filed ARC 1381C	3/19/14	1899
1:00	VOTER REGISTRATION COMMISSION[821] Reisetter, Sarah 281-0145		
	Revision of official Iowa voter registration application, 2.16 Filed ARC 1361C	3/5/14	1853
1:10	COUNTY FINANCE COMMITTEE[547] carrie.johnson@iowa.gov MANAGEMENT DEPARTMENT[541]“umbrella”		
	Update of terminology, reporting standards, 3.1(1), 4.1, 5.3(2), 5.4(2), 5.5 Filed ARC 1372C	3/19/14	1907

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1:15	MANAGEMENT DEPARTMENT[541] Linda Leto Update of department organization and address, amend chs 1, 5 to 8; rescind chs 10, 15 <u>Filed ARC 1371C</u>	3/19/14	1910
1:20	TRANSPORTATION DEPARTMENT[761] Aviation programs—eligibility; funding; application process; project review, approval, and administration, amendments to chs 700, 710, 715 to 717 <u>Filed ARC 1351C</u>	3/5/14	1841
1:30	WORKFORCE DEVELOPMENT DEPARTMENT[871] joseph.bervid@iwd.iowa.gov Vacation pay deductible from unemployment, 24.13(3), 24.16(1) <u>Filed ARC 1367C</u>	3/5/14	1854
1:40	COMMITTEE BUSINESS Approve minutes— May 13TH meeting ? , miscellaneous		
NO REPRESENTATIVE REQUESTED TO APPEAR			
XX:00	ACCOUNTANCY EXAMINING BOARD[193A] Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella” Renewal cycle for reinstated licensees, 10.5(7) <u>Filed ARC 1360C</u>	3/5/14	1825
XX:00	EMPLOYMENT APPEAL BOARD[486] INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Online filing of unemployment insurance appeals, 2.2, 3.1(2) <u>Filed ARC 1358C</u>	3/5/14	1826
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]“umbrella” Speech pathologists and audiologists—examinations, continuing education, 300.3(4), 300.5, 300.6, 300.9, 300.17(3), 303.1, 303.2(3), 303.3 <u>Filed ARC 1397C</u>	4/2/14	2029
XX:00	REAL ESTATE APPRAISER EXAMINING BOARD[193F] Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella” Appraiser qualifications before and after January 1, 2015, 1.1(2), 1.2(1), 1.3, 1.4, 1.6(1), 1.18 to 1.22 <u>Notice ARC 1410C</u>	4/2/14	2007
XX:00	SOIL CONSERVATION DIVISION[27] AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]“umbrella” Financial incentive program for soil erosion control, 10.51, 10.52, 10.60(1)“c” <u>Notice ARC 1369C</u>	3/5/14	1821
XX:00	TRANSPORTATION DEPARTMENT[761] Permitting of implements of husbandry—manual for bridge evaluation, 181.1(2) <u>Notice ARC 1350C</u>	3/5/14	1822
	Bridge safety fund, rescind ch 162 <u>Filed ARC 1395C</u>	4/2/14	2038
XX:00	VOLUNTEER SERVICE, IOWA COMMISSION ON[817] Retired and senior volunteer program (RSVP), 7.1(1), 7.4(1), 7.5 <u>Notice ARC 1386C</u>	3/19/14	1891

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AGENCY RULES CONTACTS

updated: 02/26/14

ADMINISTRATIVE SERVICES DEPARTMENT[11] Caleb Hunter 5-2017
AUDITOR OF STATE[81] Warren Jenkins 281-5835
AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Margaret Thomson 1-5322
CHILD ADVOCACY BOARD[489] Jim Hennessey Jim.Hennessey@dia.iowa.gov
COLLEGE STUDENT AID COMMISSION[283] Julie Leeper 242-3370
ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C] Robert Lampe 281-7360
ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351] Megan Tooker 1-3489
DENTAL BOARD[650] Melanie Johnson 1-0997
ECONOMIC DEVELOPMENT AUTHORITY[261] Tim Whipple 5-3124
EDUCATION DEPARTMENT[281] Mike Cormack 1-3399 mike.cormack@iowa.gov
EDUCATIONAL EXAMINERS BOARD[282] Kim Cunningham 1-5849
ENVIRONMENTAL PROTECTION COMMISSION[567] General contact: Marla Gallardo 1-8678
HISTORICAL DIVISION[223] Kristen Vander Molen 1-4228
HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]
John Benson 1-3231 johnbenson@iowa.gov
HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg 1-8438
IOWA FINANCE AUTHORITY[265] Mark Thompson 725-4937
INSPECTIONS AND APPEALS DEPARTMENT[481] Dave Werning 1-7376
INSURANCE DIVISION[191] General Roseanne Mead 1-5575
INSURANCE DIVISION[191] cemetery Dennis Britson 1-8814
INSURANCE DIVISION[191] securities Craig Goettsch 1-8814
INTERIOR DESIGN EXAMINING BOARD[193G] Toni Bright InteriorDesignBoard@iowa.gov
IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM Administrative Rules Coordinator 1-7623
LABOR SERVICES DIVISION[875] Kathleen Uehling 1-5915
LOTTERY AUTHORITY, IOWA[531] Molly Juffernbruch 5-7853
Mary Newbauer 5-7906
MEDICINE BOARD[653] Mark Bowden 242-3268
NURSING BOARD[655] Kathy Cornwell 1-3256 Kathy.Cornwell@iowa.gov
NATURAL RESOURCE COMMISSION[571] General Contact: Marla Gallardo 281-8678
PHARMACY BOARD[657] Teri Witowski 1-6676
PROFESSIONAL LICENSURE DIVISION[645] Pierce Wilson 242-6529 Judith Manning 281-4413
PUBLIC HEALTH DEPARTMENT[641] Barb Nervig 281-4344
James.Goodrich@idph.iowa.gov 5-2093
PUBLIC SAFETY DEPARTMENT[661] admrule@dps.state.ia.us
RACING AND GAMING COMMISSION[491] Blake, Barbara barb.blake@iowa.gov 281-7352
REAL ESTATE COMMISSION[193E] David Batts 281-7397
REGENTS BOARD[681] Marcia Brunson 281-3934 mbruns@iastate.edu
REVENUE DEPARTMENT[701] Victoria Daniels 281-5322
SOIL CONSERVATION DIVISION[27] Margaret Thomson 1-5322
TRANSPORTATION DEPARTMENT[761] General Contact: Tracy George 515-239- 1358
TREASURER OF STATE[781] Randi McLaughlin 1-7562
UTILITIES DIVISION[199] Amy Christensen 1-6326
VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]
VETERANS AFFAIRS, IOWA DEPARTMENT OF[801] Veterans Home Jodi Tymeson 641 844-6358
jodi.tymeson@iowa.gov
VOTER REGISTRATION COMMISSION[821] Reisetter, Sarah 281-0145

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ARRC ACTIONS

Notice of Intended Action	<ol style="list-style-type: none">1. General Referral, 6 votes. §17A.8(7)2. Regulatory Analysis, 6 votes. §17A.4A3. Objection, 6 votes. §17A.4(6)4. 70 day suspension of further action, 7 votes. HF 586, §3
Adopted	<ol style="list-style-type: none">1. General Referral, 6 votes. §17A.8(7)2. Informal Regulatory Analysis, 6 votes. No statutory authority, customary.3. Objection, 6 votes. §17A.4(6)4. 70 Day Delay, 7 votes. §17A.4 (7)5. Session Delay, 7 votes. §17A.8(9)
Adopted and Filed Without Notice	<ol style="list-style-type: none">1. Mandatory prior approval by ARRC, 6 votes. HF 586, §12. General Referral, 6 votes. §17A.8(7)3. Regulatory Analysis, 6 votes. §17A.4A4. Objection, 6 votes. §17A.4(6)5. 180 Day Sunset Objection, 7 votes. §17A.4(3)6. Suspension of applicability until 180 sunset, 7 votes. HF 586, §1
Adopted and Filed Emergency	<ol style="list-style-type: none">1. Mandatory prior approval by ARRC, 6 votes. HF 586, §12. General Referral, 6 votes. §17A.8(7)3. Regulatory Analysis, 6 votes. §17A.4A4. Objection, 6 votes. §17A.4(6)5. 180 Day Sunset Objection, 7 votes. §17A.4(3)6. Suspension of applicability until 180 sunset, 7 votes. HF 586, §17. 70 Day suspension of applicability, 7 votes. HF 586, § 28. Session suspension of applicability, 7 votes. HF 586, § 4
Adopted and Filed Emergency After Notice	<ol style="list-style-type: none">1. General Referral, 6 votes. §17A.8(7)2. Regulatory Analysis, 6 votes. §17A.4A3. Objection, 6 votes. §17A.4(6)4. 70 Day suspension of applicability, 7 votes. HF 586, § 25. Session suspension of applicability, 7 votes. HF 586, § 4
Notice of Termination	No Action.
Rules in effect (by special review)	<ol style="list-style-type: none">1. General Referral, 6 votes. §17A.8(7)2. Informal Regulatory Analysis, 6 votes. No statutory authority, customary.3. Objection, 6 votes. §17A.4(6)
Any rules-related matter	ARRC-approved Legislation, 6 votes, 3 from each chamber. Joint Rule 19.