

# JULY 2005 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on **Tuesday, July 12, 2005**, at 9 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

**BULLETINS NEEDED FOR THIS MEETING: No. 25, 26 (6/8/05, 6/22/05)**

**Also refer to:** 1/19/05, 3/2/05, 3/16/05, 4/13/05, 4/27/05

		Bulletin	Page
<b>9:00</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b> Nancy Freudenberg (281-8438) Family investment program; PROMISE JOBS, 41.22(16)“c,” 41.22(18)“b”(3), 41.22(19)“a”(5), 41.24(2)“d” and “e,” 41.24(8), 41.24(8)“b”(1) and (2), 41.24(8)“b”(3)“1” and “4,” 41.27(7)“v” and “w,” 43.21(2), 43.22, 43.23, 45.21, 60.8(1)“c” and “d,” 93.111(3), 93.111(3)“b” and “c,” 93.114(7), <u>Notice ARC 4225B</u> Respite care services; family-centered services, rescind ch 180; 182.1, <u>Notice ARC 4224B</u> , also <u>Filed Emergency ARC 4223B</u>	6/8/05 6/8/05	1590 1631
<b>9:15</b>	<b>LABOR SERVICES DIVISION[875]</b> Kathleen Uehling (281-5915) WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella” Elevators—fees, 75.1(1), 75.1(2), 75.3(1), 75.4, 75.7, <u>Filed ARC 4273B</u> Elevators—alterations, 76.7, <u>Filed ARC 4274B</u> Boilers and pressure vessels—fees, 200.4, <u>Notice ARC 4219B</u>	6/22/05 6/22/05 6/8/05	1690 1690 1595
<b>9:30</b>	<b>ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]</b> Charlie Smithson (281-3489) Election of board officers, 1.1(1), <u>Notice ARC 4255B</u> Participation in presidential caucus by board members and staff, 1.6(5), <u>Filed ARC 4254B</u> Filing of Iowa election campaign fund report, 3.8, <u>Filed ARC 4250B</u> Dissolution of a county central committee, 4.1(1)“a”(2), 4.34, <u>Filed Without Notice ARC 4261B</u> Definition of “candidate,” 4.1(4), <u>Filed ARC 4252B</u> Filing of Schedule G—monetary expenditures by consultants, 4.19, <u>Filed Without Notice ARC 4263B</u> Filing of independent expenditure statement, 4.27, 4.27(1), <u>Filed Without Notice ARC 4262B</u> Dissolution of campaign committees, 4.54 to 4.57, <u>Filed ARC 4249B</u> Sales of goods and services by staff of the office of the governor, 6.12, <u>Filed Without Notice ARC 4264B</u> Prohibition on receipt of an honorarium by executive branch official or employee, 6.19, <u>Filed ARC 4251B</u> Contribution by a lobbyist to the lobbyist’s own campaign, 8.15(2)“d,” <u>Filed ARC 4253B</u>	6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05 6/22/05	1665 1685 1685 1686 1686 1687 1687 1688 1688 1689 1689
<b>10:00</b>	<b>STATE PUBLIC DEFENDER[493]</b> Mark Smith (242-6513) INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Appointment of counsel and approval of claims, 7.1, 12.1(1), 12.2(1)“b”(2), 12.4(4), 12.6(1), adopt ch 14, <u>Notice ARC 4245B</u> , also <u>Filed Emergency ARC 4265B</u>	6/22/05	1682
<b>10:20 to 10:30 break</b>			
<b>10:30</b>	<b>IOWA FINANCE AUTHORITY[265]</b> Dennis Dietz (242-4974) ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]“umbrella” Low-income housing tax credits—qualified allocation plan, 12.1, 12.2, <u>Notice ARC 4281B</u>	6/22/05	1666
<b>10:45</b>	<b>PUBLIC HEALTH DEPARTMENT[641]</b> Barb Nervig (281-4344) Reportable diseases, 1.1, 1.2, 1.3(1)“b,” 1.4(2), 1.4(4), 1.5(4), 1.6(9), <u>Filed ARC 4210B</u> Women, infants and children (WIC) program, 73.5, 73.7(3)“a,” 73.8(3), 73.8(4), 73.8(4)“b”(6), 73.8(5)“c,” 73.13(1), 73.13(2), 73.19(1)“c” to “h,” 73.19(2), 73.19(2)“b” to “e,” “g” and “i” to “l,” <u>Notice ARC 4208B</u> Emergency medical services—certification; reference updated, 131.3(3)“b,” 131.4(1)“g,” 132.2(4)“b,” <u>Notice ARC 4209B</u>	6/8/05 6/8/05 6/8/05	1641 1624 1626
<b>11:00</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Air quality, 20.2, 21.2(3)“a” and “b,” 22.3(8), 22.100, 22.101(2), 22.102(1) to 22.102(4), 22.105(1), 22.108(17)“a”(2), 22.120, 22.122(1)“a,” 22.122(3), 22.123(1), 22.123(2), 22.125(3)“a”(1), 22.125(4), 22.125(7)“g,” 22.128(4), 22.131(1)“a” and “b,” 22.134, 22.139(1), 22.144(1), 22.146(1), 22.148, 22.209, 22.300(12), 23.1(2) to 23.1(4), 23.1(4)“cd,” “cp,” “cz” and “dd,” 25.1(9), <u>Filed ARC 4238B</u> Chemplex site in Clinton County added to list of protected water sources, 53.7(2), <u>Notice ARC 4003B Terminated ARC 4241B</u>	6/8/05 6/8/05	1634 1590

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## ENVIRONMENTAL PROTECTION COMMISSION[567]- CONTINUED

	Regulation of concentrated animal feeding operations (CAFOs) and confinement feeding operations; national pollutant discharge elimination system (NPDES) permitting, 60.2, 60.3(2)“c,” 63.5, 64.3(1)“h”(2), 65.1, 65.2(2), 65.3(1), 65.4 to 65.6, 65.7(1)“a,” 65.22, <u>Notice ARC 3736B Terminated ARC 4240B</u>	6/8/05	1590
	Solid waste comprehensive planning requirements, 101.1 to 101.13, <u>Filed ARC 4239B</u>	6/8/05	1636
<b>11:30</b>	<b>NATURAL RESOURCE COMMISSION[571]</b> Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Public, commercial, private docks and dock management areas, ch 16, <u>Notice ARC 4237B</u>	6/8/05	1597
	Barge fleeting regulations, ch 17, <u>Notice ARC 4242B</u>	6/8/05	1605
	Leases of state-owned or dedicated public property, ch 18, <u>Notice ARC 4243B</u>	6/8/05	1608
	Boating speed and distance zoning, 40.51, 40.52, <u>Notice ARC 4236B</u>	6/8/05	1610
	Inspection of permanently moored vessels, adopt ch 48, <u>Filed Emergency After Notice ARC 4214B</u>	6/8/05	1631
	Removal of portable blinds from game management areas, 51.5(2)“b,” <u>Filed ARC 4234B</u>	6/8/05	1637
	Kellerton prairie chicken management area added to list of wildlife refuges, 52.1(2)“c,” <u>Notice ARC 4235B</u>	6/8/05	1611
	Nonresident deer hunting—tagging, 94.4, <u>Filed ARC 4233B</u>	6/8/05	1637
	Wild turkey fall hunting by residents, 99.2, 99.4(9), 99.5(1)“i,” 99.8(2), 99.10, <u>Filed ARC 4232B</u>	6/8/05	1638
	Deer population management zones, ch 105, <u>Filed ARC 4231B</u>	6/8/05	1638
	Muskrat season; continuous closed season for bobcat and gray (timber) wolf, ch 108 title, 108.1(2), 108.6, <u>Filed ARC 4244B</u>	6/8/05	1640

## 12:00 COMMITTEE BUSINESS

### 12:15 to 1:30 lunch

<b>1:30</b>	<b>NURSING BOARD[655]</b> Lorinda Inman (281-4822) Held over from June PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
	RN and LPN licensure, 3.1, 3.4(3)“a”(2), 3.4(3)“b”(1) to (8), 3.4(4)“a”(2)“2” to “9,” 3.4(4)“b”(1), (2) and (11), 3.4(6)“c,” 3.4(7), 3.5(2)“a”(2), 3.5(2)“b”(1) to (7), 3.5(3), 3.5(4), 3.7(5)“d”(1) and (3), 4.6(3)“f” and “g,” 4.11, <u>Notice ARC 4106B</u> .....	4/13/05	1347
	RN and LPN license renewal fee, 3.1, <u>Notice ARC 4105B</u> .....	4/13/05	1349
	Nurse licensure compact—examinations, evidence of residency for military personnel, 16.2(1), 16.2(2), 16.2(2)“d,” 16.2(3) to 16.2(6), <u>Filed ARC 4104B</u> .....	4/13/05	1374
<b>2:00</b>	<b>PUBLIC SAFETY DEPARTMENT[661]</b> Mike Coveyou (281-5042)		
	Bail enforcement, private investigation and private security businesses, 2.3(1), 2.4(5), 2.4(7) to 2.4(10), 2.5(6)“i” to “k,” 2.6, 2.7(1), 2.11(1), 2.16(5), <u>Notice ARC 4226B</u>	6/8/05	1627
	Fire safety requirements for hospitals and health care facilities, rescind 5.900 to 5.950; adopt ch 205, <u>Filed Emergency After Notice ARC 4256B</u>	6/22/05	1678
	Closed circuit surveillance systems in gaming establishments, rescind ch 23, adopt ch 141, <u>Filed ARC 4229B</u>	6/8/05	1642
	Retail sales of pseudoephedrine, adopt ch 174, <u>Notice ARC 4228B</u> , also <u>Filed Emergency ARC 4227B</u>	6/8/05	1633
	Fire fighter certification—minimum training standards, 251.1, 251.101 to 251.104, <u>Filed ARC 4230B</u>	6/8/05	1643
<b>2:40</b>	<b>CAPITAL INVESTMENT BOARD, IOWA[123]</b> Dave Casey (281-6163)		
	Investment tax credits, 4.1 to 4.10, 4.13 to 4.16, <u>Filed ARC 4221B</u>	6/8/05	1634
<b>2:50</b>	<b>REVENUE DEPARTMENT[701]</b> Dave Casey (281-6163)		
	Implementation of streamlined sales and use tax agreement, 231.14, 231.15(1), 231.15(2), 231.15(4) to 231.15(6), adopt ch 240, <u>Filed ARC 4277B</u>	6/22/05	1694
	SPECIAL REVIEW-by Sen Kibbie		
	Sales tax on computers, 18.58		selective
<b>3:10</b>	<b>UTILITIES DIVISION[199]</b> Amy Christensen (281-6326) Sharon Mayer (281-5256) COMMERCE DEPARTMENT[181]“umbrella”		
	Affiliate reporting requirements, 31.4 to 31.9, <u>Filed ARC 4220B</u>	6/8/05	1646
	SPECIAL REVIEW by Kibbie		
	Wind energy and renewable tax credits, 15.18		selective

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## No representative requested to appear

<b>XX:00</b>	<b>ADMINISTRATIVE SERVICES DEPARTMENT[11]</b> Family and medical leave Act (FMLA) leave, 63.4(13), 63.9(9), 63.9(10), <u>Filed</u> <b>ARC 4248B</b>	6/22/05	1685
	Definition of “state driver,” 103.2, 103.9, <u>Notice</u> <b>ARC 4275B</b>	6/22/05	1664
<b>XX:00</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Anhydrous ammonia tanks—nameplates, certification, 43.6, <u>Notice</u> <b>ARC 4246B</b> , also <u>Filed Emergency</u> <b>ARC 4247B</b>	6/22/05	1677
<b>XX:00</b>	<b>EDUCATION DEPARTMENT[281]</b> Selling of goods and services by department officials, 1.5, <u>Notice</u> <b>ARC 4099B</b> <u>Terminated</u> <b>ARC 4213B</b>	6/8/05	1589
<b>XX:00</b>	<b>ELDER AFFAIRS DEPARTMENT[321]</b> Retired and senior volunteer program (RSVP), rescind ch 14, <u>Filed Emergency</u> <b>ARC 4280B</b> Adult day services—medication administration and storage, 24.30(2)“c,” <u>Notice</u> <b>ARC 4055B</b> <u>Terminated</u> <b>ARC 4279B</b>	6/22/05	1665
	Assisted living—medication administration and storage, 25.29(2)“c,” <u>Notice</u> <b>ARC 4054B</b> <u>Terminated</u> <b>ARC 4278B</b>	6/22/05	1665
<b>XX:00</b>	<b>ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]</b> Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella” Application and licensure, 3.2, 3.4(4), 4.1(7)“c,” <u>Notice</u> <b>ARC 4218B</b>	6/8/05	1589
<b>XX:00</b>	<b>INSPECTIONS AND APPEALS DEPARTMENT[481]</b> Hospitals, 51.2(7), 51.18(3), 51.20(2)“j”(2), 51.20(2)“k,” 51.20(4)“a”(3), 51.53(1), 51.53(2), <u>Notice</u> <b>ARC 4207B</b>	6/8/05	1593
	Residential care facilities, 57.19(3)“1,” 57.21(4)“s,” 57.22, 57.24, 57.37(3), <u>Notice</u> <b>ARC 4205B</b>	6/8/05	1594
	Nursing facilities, 58.26(3) “c”(2), 58.27, 58.41(3), <u>Notice</u> <b>ARC 4206B</b>	6/8/05	1595
<b>XX:00</b>	<b>INSURANCE DIVISION[191]</b> COMMERCE DEPARTMENT[181]“umbrella” Universal life insurance, adopt ch 92, <u>Filed</u> <b>ARC 4222B</b>	6/8/05	1637
<b>XX:00</b>	<b>MEDICAL EXAMINERS BOARD[653]</b> PUBLIC HEALTH DEPARTMENT[641]“umbrella” Clinical competency examination, 12.3, 12.3(1), 12.3(7), <u>Notice</u> <b>ARC 4276B</b>	6/22/05	1667
<b>XX:00</b>	<b>PHARMACY EXAMINERS BOARD[657]</b> PUBLIC HEALTH DEPARTMENT[641]“umbrella” Pharmacy reference library resources, 6.3, 7.3, 15.4, 16.5, <u>Filed</u> <b>ARC 4266B</b>	6/22/05	1691
	Transfer of prescription; centralized prescription filling and processing, 6.9; adopt ch 18; 20.3(4), <u>Filed</u> <b>ARC 4267B</b>	6/22/05	1691
	Remote pharmacist preview of patient-specific drugs or devices when hospital pharmacy is closed, 7.7, 7.8(3), <u>Filed</u> <b>ARC 4268B</b>	6/22/05	1692
	Electronic signatures, prescriptions and transmissions, 7.13(1), 8.19, 21.1, 21.7, 21.9, <u>Filed</u> <b>ARC 4269B</b>	6/22/05	1692
	Patient’s choice of pharmacy, secure transmission of prescription, 21.8(1), <u>Filed</u> <b>ARC 4270B</b>	6/22/05	1693
	Emergency drug supply for home health agency or hospice, 22.9, 22.9(2), 22.9(4), 22.9(5), <u>Filed</u> <b>ARC 4271B</b>	6/22/05	1693
	Impaired pharmacy professional and technician recovery program, 30.5(5), 30.6, 30.6(1), 30.6(2), <u>Filed</u> <b>ARC 4272B</b>	6/22/05	1694
<b>XX:00</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]“umbrella” Physical and occupational therapy examiners—physical therapy, 200.1, 200.3(2)“c,” 200.6(1)“i,” 200.6(5)“a,” 202.2(31), 203.3(2)“f,” <u>Notice</u> <b>ARC 4259B</b>	6/22/05	1667
	Physical and occupational therapy examiners—physical therapy, 200.1, 200.7(1)“f,” 200.9(1), 200.9(3), 200.9(5), 200.9(7), 200.9(8), 200.10, 200.11, 200.14 to 200.16, 203.1, 203.2(3), 203.2(4), 203.3, 203.3(1), 203.3(1)“c,” 203.3(1)“e”(2) and (3), 203.4 to 203.10, 204.1(5) to 204.1(7), <u>Notice</u> <b>ARC 4260B</b>	6/22/05	1668
	Physical and occupational therapy examiners—occupational therapy, 206.1, 206.6“6,” 206.12(1), 206.12(3), 206.12(5), 206.12(7), 206.12(8), 206.13, 206.14, 206.17 to 206.19, 207.1, 207.2(3),		

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<p>207.2(4), 207.3, 207.3(1), 207.3(1)“c,” 207.3(1)“e”(2) and (3), 207.4 to 207.10, 210.1(4), 210.1(5), 210.1(7), <u>Notice</u> <b>ARC 4258B</b></p>	<p>6/22/05</p>	<p>1671</p>
<p>Physical and occupational therapy examiners—occupational therapy, 206.3“3,” 206.4“2,” 207.3(2)“a”(5), 209.2(31), <u>Notice</u> <b>ARC 4257B</b></p>	<p>6/22/05</p>	<p>1674</p>
<p>Psychology examiners, 240.1, 240.10(4), 240.12(1), 240.12(3), 240.12(5), 240.12(7)“a,” 240.12(8), 240.13, 240.14, 240.17 to 240.19, 241.1, 241.2(3), 241.2(4), 241.3, 241.3(1), 241.3(1)“c,” 241.3(1)“e”(2) and (3), 241.4 to 241.10, 243.1(4) to 243.1(6), <u>Notice</u> <b>ARC 4201B</b></p>	<p>6/8/05</p>	<p>1611</p>
<p>Psychology examiners, 240.2(1)“c,” 240.7(1), 241.2(1), 242.2(32), <u>Notice</u> <b>ARC 4200B</b></p>	<p>6/8/05</p>	<p>1614</p>
<p>Respiratory care examiners, 261.1, 261.2(1)“d”(1), 261.4(2)“a” to “c,” 261.6“4” and “7,” 261.8(1), 261.8(3), 261.8(5), 261.8(7), 261.8(8), 261.9, 261.10, 261.13 to 261.15, 262.1, 262.2(3), 262.2(4), 262.3, 262.3(1), 262.3(1)“c,” 262.3(1)“e”(2) and (3), 262.3(2)“d,” 262.3(2)“f”(2), 262.4(1)“a”(3) and (4), 262.4(1)“b,” 262.4(1)“d”(1), 262.4(1)“e” to “g,” 262.4(2) to 262.4(5), 262.5 to 262.11, 264.1(4) to 264.1(6), <u>Filed</u> <b>ARC 4212B</b></p>	<p>6/8/05</p>	<p>1640</p>
<p>Respiratory care examiners, 263.2(30), <u>Filed</u> <b>ARC 4211B</b></p>	<p>6/8/05</p>	<p>1641</p>
<p>Social work examiners, 280.1, 280.7“6,” 280.9(1), 280.9(2), 280.9(4) to 280.9(6), 280.10, 280.11, 280.13 to 280.15, 281.1, 281.2(3), 281.2(4), 281.3, 281.3(1), 281.3(1)“c,” 281.3(1)“e”(2) and (3), 281.4 to 281.11, 284.1(4), 284.1(5), <u>Notice</u> <b>ARC 4203B</b></p>	<p>6/8/05</p>	<p>1615</p>
<p>Social work examiners, 280.3(5) to 280.3(11), 281.3(2)“b,” 283.2(31), <u>Notice</u> <b>ARC 4202B</b></p>	<p>6/8/05</p>	<p>1619</p>
<p>Speech pathology and audiology examiners, 300.1, 300.9“5,” 300.11(1), 300.11(3), 300.11(5), 300.11(7), 300.11(8), 300.12, 300.13, 300.16 to 300.18, 303.1, 303.2(3), 303.2(4), 303.3, 303.3(1), 303.3(1)“c,” 303.3(1)“e”(2) and (3), 303.4 to 303.11, 305.1(4) to 305.1(6), <u>Notice</u> <b>ARC 4217B</b></p>	<p>6/8/05</p>	<p>1619</p>
<p>Speech pathology and audiology examiners, 300.3(3), 300.3(4)“b,” 300.3(6), 300.4(1)“b,” 300.6(2), 300.9, 303.1, 303.2(1), 303.3(2)“b” to “g,” 304.2(32), <u>Notice</u> <b>ARC 4216B</b></p>	<p>6/8/05</p>	<p>1622</p>
<p><b>XX:00 REAL ESTATE COMMISSION[193E]</b></p>		
<p>Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella”</p>		
<p>Contested cases—qualifications for licensure, 3.3(3), 3.6(5), 4.3, 4.3(3), 4.6(5), <u>Notice</u> <b>ARC 4215B</b></p>	<p>6/8/05</p>	<p>1629</p>
<p><b>XX:00 TRANSPORTATION DEPARTMENT[761]</b></p>		
<p>First aid and medical treatment for railroad employees, 810.4, <u>Filed</u> <b>ARC 4204B</b></p>	<p>6/8/05</p>	<p>1646</p>