

JANUARY 2006 AGENDA

The Administrative Rules Review Committee will hold its January meeting on Friday, January 6, 2006, at 9 a.m. in Room 24, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 12, 13 ([12/7/05](#), [12/21/05](#))

Also refer to: [8/31/05](#), [9/14/05](#), [9/28/05](#), [10/12/05](#), [10/26/05](#)

		Bulletin	Page
9:00	LSA FISCAL OVERVIEW Mary Beth Melick		
9:10	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)		
	Child care—appeals, crisis child care providers; child care quality rating system,		
	7.1, ch 118, <u>Filed</u> ARC 4711B	12/7/05	938
	Form references for income maintenance programs, 7.5(10)“b,” 7.7(2)“k,” 7.8(2), 7.8(9)“a,”		
	7.9(1)“b”(2), 11.1, 13.5(4)“c,” 40.22, 40.22(5)“c,” 40.23, 40.24(3), 40.27(1), 40.27(1)“b,”		
	40.27(3), 40.27(4)“b,” 41.30(3)“c” and “d,” 50.2(3), 50.4(3), 65.2(1)“a” and “c,”		
	65.5(4)“a,” 65.19(8), 65.20(1), 75.1(30), 75.1(30)“c”(2), 75.1(31)“h” and “i,”		
	75.1(35)“i” to “k,” 75.1(35)“l”(2), 75.1(39)“b,” 75.1(40)“c,” 75.1(40)“c”(3),		
	75.4(3)“c”(5), 75.14(9)“a,” 75.20(2)“b,” 75.51, 75.52(1), 75.52(3), 75.52(4)“b,” 76.1,		
	76.6(5), 76.7(3), 83.3(2)“a” and “b,” 83.61(4)“a” and “b,” 83.82(4)“a” and “b,”		
	83.102(5)“a” and “b,” 83.123(1)“c,” 170.3(1)“a,” 177.4(10), <u>Filed</u> Emergency ARC 4712B	12/7/05	931
	Implementation of children’s mental health demonstration waiver,		
	ch 24 preamble, 24.1, 24.4(9)“b”(11), <u>Filed</u> ARC 4741B	12/21/05	1031
	Accreditation of providers of services to persons with mental illness, mental retardation,		
	and developmental disabilities, 24.1, 24.3(1)“b,” 24.3(4)“b”(2), 24.3(5)“b”(6),		
	24.4(5)“a,” 24.4(5)“b”(1) and (2), 24.4(6)“b,” 24.4(10)“b”(9), 24.4(11)“b”(1) to (17),		
	24.4(13)“b”(9), 24.4(14)“b”(1) to (10), 24.5(3), 24.5(4)“b”(2) and (3), 24.5(5)“f”(4),		
	24.5(6), 24.5(7), 24.6, 24.6(1), 24.7(3), <u>Notice</u> ARC 4751B	12/21/05	997
	Emergency food assistance program; commodity distribution programs,		
	adopt ch 66; rescind ch 73, <u>Filed</u> ARC 4710B	12/7/05	944
	Child support, 99.1(1)“g,” 99.1(6)“b”(2), 99.2(1), 99.2(8)“a”(3), 99.4(2), 99.4(5)“c,”		
	99.101, 99.102, 99.103(1), 99.103(3), 99.104(2), 99.104(3)“b” and “c,” 99.105(1),		
	99.105(2), 99.106, 99.107, 99.107(2), 99.107(4), 99.108(1), 99.108(2), 99.109, <u>Filed</u> ARC 4709B	12/7/05	944
	Foster care services, 108.1, 108.7(6)“c,” 108.7(11), 108.7(14)“b,” 130.7, 130.7(2)“c”(5) and (6),		
	202.1, 202.5(2), 202.6(1), 202.10(4), 202.11(3), 202.12(5), <u>Filed</u> ARC 4708B	12/7/05	945
	Licensed child care centers, 109.1, 109.6(5)“b,” 109.6(7), 109.10(12), 109.10(16), <u>Filed</u> ARC 4707B	12/7/05	945
	Access to dependent adult abuse information, 176.10(3)“d”(5), 176.10(3)“e”(11), <u>Filed</u> ARC 4706B	12/7/05	946
9:30	LOTTERY AUTHORITY, IOWA[531] Mary Newbauer		
	Eligibility for retailer license; monitor vending machines—redemption of winning tickets,		
	machines in retail outlets, 1.3, 12.1(1)“f,” 14.9“7,” 14.21(4), <u>Notice</u> ARC 4732B	12/21/05	1001
9:40	ADMINISTRATIVE SERVICES DEPARTMENT[11] Marianne Mickelson (281-6904)		
	Payroll deduction for additional insurance coverage, 46.6, 46.11, 46.14, <u>Filed</u> ARC 4748B	12/21/05	1028
	Pay for increased credentials, 53.9(6), <u>Filed</u> ARC 4749B	12/21/05	1028
	Vehicle fueling; vehicle procurement; bulk diesel fuel procurement,		
	103.16, 105.2, 105.11(6), 105.11(7), <u>Filed</u> ARC 4747B	12/21/05	1028
10:00	PHARMACY EXAMINERS BOARD[657] Lloyd Jessen (281-5944)		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
	Patient counseling for new prescriptions, 6.14(1), <u>Notice</u> ARC 4759B	12/21/05	1002
	Production of prescription fill data, 6.16(4), 21.4(2), <u>Notice</u> ARC 4758B	12/21/05	1002
	Documentation of waste of controlled substances, 10.18(2), 10.18(3), 23.21(2), <u>Notice</u> ARC 4760B	12/21/05	1003
	Electronic drug database program, adopt ch 13; 36.1(4)“ag” to “ak,”		
	<u>Notice</u> ARC 4307B <u>Terminated</u> ARC 4757B	12/21/05	1003
10:20---10:30 break			
10:30	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351] Charlie Smithson (281-3489)		
	Jurisdiction of board; advisory opinions, 1.2(3), 1.3(2), <u>Filed</u> ARC 4765B	12/21/05	1029
	Voluntary registration of campaign committees, 4.1(1)“a”(4), 4.11, <u>Notice</u> ARC 4762B	12/21/05	994
	Use of debit card and credit card by campaign committee, 4.36, <u>Filed</u> ARC 4766B	12/21/05	1029
	“Paid for by” attribution statement, 4.41(1), <u>Notice</u> ARC 4768B	12/21/05	995
	Placement of campaign materials on corporate property, 4.44(1) to 4.44(7), <u>Filed</u> ARC 4763B	12/21/05	1030
	Sales by regulatory agency officials or employees, 6.11, <u>Notice</u> ARC 4767B	12/21/05	995
	Executive branch lobbying—reception report form, 8.10, <u>Filed</u> ARC 4764B	12/21/05	1030

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10:45	REVENUE DEPARTMENT[701] Dave Casey (281-6163) Electronic transmission of returns; motor fuel and special fuel; underground storage tanks; tobacco tax retail permit, 37.1, 67.1, 67.6, 68.2(1), 68.2(4), 68.2(5), 68.4(1), 68.8(2), 69.2, 83.12 to 83.17, <u>Filed ARC 4713B</u> 12/7/05	951
	Investment tax credits—new jobs and income program, new capital investment program, high quality job creation program, economic development region revolving fund, enterprise zone program, 42.2(10)“a” and “b,” 42.2(11)“d” and “e,” 42.19, 42.27, 42.28, 52.10, 52.14, 52.22, 52.28, 52.29, 58.12, 58.17, 58.18, <u>Notice ARC 4769B</u> 12/21/05	1015
	Implementation of streamlined sales and use tax Act, 211.1, adopt chs 212 to 214, 225, 230, <u>Filed ARC 4714B</u> 12/7/05	952
11:00	SECRETARY OF STATE[721] Sandy Steinbach (281-5823) Temporary waiver of accessibility requirements, 21.50(7), <u>Notice ARC 4743B</u> 12/21/05 Voting systems, 22.1, 22.262, 22.351, 22.434, 22.464, <u>Filed ARC 4742B</u> 12/21/05	1021 1042
11:15	COMMITTEE BUSINESS Approve minutes---February 2006 meeting Proposed legislation <ul style="list-style-type: none"> • Regulatory analysis • Emergency rulemaking procedures • Filing administrative rules Dental Board: reporting "acts or omission" by licensees---ARC 4165B Miscellaneous	
11:45 to 1:00 LUNCH		
1:00	PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042) State building code, ch 16 title; rescind 16.1 to 16.600 and 16.700 to 16.802; adopt chs 300 to 303, <u>Filed ARC 4772B</u> 12/21/05 Certification of automatic fire extinguishing system contractors, adopt ch 275, <u>Notice ARC 4753B</u> 12/21/05 State historic building code, adopt ch 350, <u>Filed ARC 4773B</u> 12/21/05	1036 1011 1041
1:20	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Water quality—revolving funds, set-aside programs, 40.2, ch 44, 90.1 to 90.3, 91.1, 91.2, 91.8(1)“a” to “e,” 91.9(1)“a,” 91.10(1), 91.10(1)“a,” 91.11(1)“a,” chs 92, 93, <u>Notice ARC 4770B</u> 12/21/05 Animal feeding operations—definition of “designated wetland,” 65.1, <u>Notice ARC 4771B</u> 12/21/05	975 994
1:45	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678) NATURAL RESOURCES DEPARTMENT[561]“umbrella” Fishing regulations on Des Moines River, Clear Lake and Ventura Marsh, 81.2(11)“9” to “11,” <u>Filed ARC 4719B</u> 12/7/05 Turtles, 86.1(1), 86.1(2), <u>Filed ARC 4718B</u> 12/7/05 Closure of commercial harvest of mussels in waters of Mississippi River common with the state of Wisconsin, 87.1(4), <u>Filed ARC 4717B</u> 12/7/05 Nonresident deer hunting, 94.1, 94.6, 94.7(5), 94.8, <u>Notice ARC 4715B</u> 12/7/05 Nuisance wildlife control, ch 114, <u>Notice ARC 4716B</u> 12/7/05	948 949 949 914 916
2:00	EDUCATIONAL EXAMINERS BOARD[282] Barb Henderson, MAURER, GEORGE (281-5849) EDUCATION DEPARTMENT[281]“umbrella” Media specialist endorsement—terminology updated, 14.140(8) to 14.140(10), <u>Notice ARC 4721B</u> 12/7/05 Held over from December Testing required for applicants from recognized non-Iowa institutions, 14.103, 14.115, 14.120(1)“a” and “c,” <u>Notice ARC 4607B</u> 11/9/05	910 676
2:15	EDUCATION DEPARTMENT[281] Carol Greta (281-5296) General accreditation standards, 12.3(4), 12.4(4), 12.4(14), 12.5(5), <u>Filed ARC 4724B</u> 12/7/05 Open enrollment, 17.2, 17.3(1) to 17.3(3), 17.4, 17.4(1)“a,” 17.4(5), 17.4(6), 17.5, 17.5(2), 17.7, 17.8(2), 17.8(4), <u>Filed ARC 4727B</u> 12/7/05 Standards for teacher intern preparation programs, 77.2, 77.8, 77.8(1), 77.8(2)“a” and “b,” 77.8(3), 77.11(1), 77.11(2)“g,” 77.12(1)“a” and “c,” 77.13(4), 77.14(2), <u>Filed ARC 4726B</u> 12/7/05 Local option sales and services tax for school infrastructure—requirements for smaller districts, 96.1, 96.4(2)“e,” 96.5(4)“a” and “b,” <u>Filed ARC 4725B</u> 12/7/05 Extracurricular interscholastic competition, 36.1, 36.4(3), 36.14(2), 36.14(7), 36.15(2) to 36.15(4), 36.15(5)“b” and “c,” 36.16, <u>Notice ARC 4731B</u> 12/7/05	936 936 937 938 911

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No representative requested to appear

XX:00	COLLEGE STUDENT AID COMMISSION[283] EDUCATION DEPARTMENT[281]"umbrella" Osteopathic physician recruitment program, 14.1, 14.3(7)"a"(1) to (3), 14.4, <u>Notice</u> ARC 4722B	12/7/05 910
XX:00	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Iowa wine and beer promotion grant program, adopt ch 104, <u>Filed</u> ARC 4740B	12/21/05 1029
XX:00	INSPECTIONS AND APPEALS DEPARTMENT[481] Use of wireless calling systems at nursing facilities, 61.12(9)"g" to "j," <u>Filed</u> ARC 4730B	12/7/05 947
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Statement of changes of beneficial ownership of securities, 7.20, <u>Filed</u> Emergency ARC 4752B Biologically based mental illness coverage, 35.3(3), 35.30, <u>Filed</u> ARC 4720B Model regulation on coordination of benefits, ch 38 div I heading, ch 38 div II, 38.12 to 38.19, ch 38 appendices A and B, <u>Filed</u> ARC 4750B	12/21/05 1026 12/7/05 947 12/21/05 1032
XX:00	IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495] Performance review of chief investment officer; qualifications of public members of benefits advisory committee; collection of overpayment process; procurement proposals and procedures, 2.1"8," 3.2(1), 3.3, 3.4, 4.6(4)"d," 11.7(3), 12.8(4)"j," 17.13(2)"b" to "i," 26.3(2), <u>Filed</u> ARC 4755B	12/21/05 1033
XX:00	LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Federal occupational safety and health regulations—adoption by reference, 10.20, <u>Notice</u> ARC 4774B	12/21/05 1000
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Cosmetology arts and sciences examiners, 60.2(1)"g," 60.2(2)"f," 60.7"4," 61.2(6), 61.2(6)"c," 61.5(2), 61.7(1)"a" to "c," 61.10 to 61.21, 61.21(3), 61.22 to 61.24, 63.3(3), 63.3(4), 63.4, 63.11"4," 63.12(1)"c," 63.13, 63.16(1), 63.16(3), 63.18, 63.22(2), 63.25, 64.3(2)"h"(2) and (5), 65.2(36), <u>Notice</u> ARC 4704B Physical and occupational therapy examiners—physical therapy, 202.2(26), 204.1, <u>Filed</u> ARC 4735B Physical and occupational therapy examiners—physical therapy, 202.5, <u>Notice</u> ARC 4734B Physical and occupational therapy examiners—occupational therapy, 209.2(26), 210.1, <u>Filed</u> ARC 4736B Physical and occupational therapy examiners—occupational therapy, 209.5, <u>Notice</u> ARC 4733B Psychology examiners, 240.2(1)"e," 242.5, <u>Notice</u> ARC 4699B Psychology examiners, 240.12(7)"b," 242.2(27), 243.1, <u>Filed</u> ARC 4700B Respiratory care examiners, 261.5, <u>Filed</u> ARC 4737B Respiratory care examiners, 263.2(25), 264.1, <u>Filed</u> ARC 4738B Respiratory care examiners, 263.5, <u>Notice</u> ARC 4739B Social work examiners, 283.2(26), 284.1, <u>Filed</u> ARC 4703B Social work examiners, 283.5, <u>Notice</u> ARC 4702B Interpreter for the hearing impaired examiners, 361.5(2), 364.1, <u>Filed</u> ARC 4756B Interpreter for the hearing impaired examiners, adopt ch 362, <u>Notice</u> ARC 4744B Interpreter for the hearing impaired examiners, adopt ch 363, <u>Notice</u> ARC 4745B	12/7/05 919 12/21/05 1033 12/21/05 1004 12/21/05 1034 12/21/05 1004 12/7/05 922 12/7/05 949 12/21/05 1034 12/21/05 1035 12/21/05 1005 12/7/05 950 12/7/05 923 12/21/05 1035 12/21/05 1006 12/21/05 1008
XX:00	PUBLIC HEALTH DEPARTMENT[641] Volunteer health care provider program, 88.1, 88.3(1)"a," 88.3(2)"c"(2), 88.5(1)"d"(15) to (20), 88.6, 88.6(6), <u>Notice</u> ARC 4701B	12/7/05 923
XX:00	RAILWAY FINANCE AUTHORITY[765] TRANSPORTATION DEPARTMENT[761]"umbrella" Railroad revolving loan and grant fund program, adopt ch 5, <u>Filed</u> ARC 4705B	12/7/05 950
XX:00	REAL ESTATE COMMISSION[193E] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Disclosure of restrictive covenants, 14.1(6), <u>Filed</u> ARC 4697B	12/7/05 951
XX:00	SCHOOL BUDGET REVIEW COMMITTEE[289] EDUCATION DEPARTMENT[281]"umbrella" Mandatory implementation of generally accepted accounting principles, 6.5(1) to 6.5(5), <u>Notice</u> ARC 4723B	12/7/05 929

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XX:00	SOIL CONSERVATION DIVISION[27] AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella" Conservation practices revolving loan fund, 11.20 to 11.22, 11.23(2), 11.24(1) to 11.24(5), <u>Notice ARC 4728B</u> , also <u>Filed Emergency ARC 4729B</u> 12/7/05	934
XX:00	STATE PUBLIC DEFENDER[493] INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella" Increase in reimbursement rate of automobile mileage for court-appointed attorneys, 12.8(1)"a," <u>Filed ARC 4698B</u> 12/7/05	952
XX:00	TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751] Organization, 1.5, 1.5(2), 5.2(1)"a," 5.4, 17.3, 17.3(4), 17.3(5), <u>Notice ARC 4754B</u> 12/21/05	1022
XX:00	UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Telecommunications providers, 22.1(1), 22.1(3), 22.1(4), 22.1(6), 22.2(3), 22.2(5)"a," "b," "f," "m," "p," and "s" to "v," 22.2(6), 22.3(1) to 22.3(4), 22.3(8), 22.3(9), 22.3(13), 22.4(1), 22.4(2), 22.4(2)"a," "b" and "h," 22.4(3)"c"(4), 22.4(3)"d" and "l," 22.4(6), 22.4(7)"b" and "i," 22.5(13), 22.6(1)"c," 22.6(2)"a," "c" and "d," 22.10, 22.11, 22.12(1), 22.13(1), 22.21, 22.23(2), 22.23(2)"a"(5), <u>Filed ARC 4761B</u> 12/21/05	1042
XX:00	WORKFORCE DEVELOPMENT DEPARTMENT[871] Mandatory and prohibited successorships; waiver of overpayments during processing of an appeal; classification of construction employers, 23.32, 23.43(3)"b"(3), 23.82(1)"a," <u>Notice ARC 4746B</u> 12/21/05	1024