

FEBRUARY 2006 AGENDA

REVISED 2-6-06

The Administrative Rules Review Committee will hold a special meeting on Friday, February 10, 2006, at 8 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 14, 15, 16 ([1/4/06](#), [1/18/06](#), [2/1/06](#))

Also refer to: [6/8/05](#), [9/14/05](#), [9/28/05](#), [10/12/05](#), [10/26/05](#), [11/9/05](#), [11/23/05](#), [12/7/05](#)

		Bulletin	Page
8:00	LSA OVERVIEW Mary Beth Mellick		
8:10	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)		
	State supplemental assistance program—annual adjustments to eligibility and payment levels, 51.4(1), 51.7, 52.1(1) to 52.1(3), 52.1(3)“a”(2),		
	<u>Notice</u> ARC 4801B , also <u>Filed Emergency</u> ARC 4802B	1/4/06	1091
	Collection of food assistance claims, 65.16, 65.21(1), 65.21(2), 65.28(8)“d,” <u>Notice</u> ARC 4822B	1/18/06	1141
	Medicaid eligibility—verification of pregnancy, 75.1(30), 75.1(35)“i,” 75.1(35)“j”(1), 75.1(35)“k,” 75.17, 75.57(2)“b”(2), 75.57(6)“t,” 75.57(7)“aa,” <u>Filed Emergency After Notice</u> ARC 4840B	2/1/06	1205
	Medicaid eligibility and financial participation of a married person residing in a medical institution, 75.5(3)“d,” 75.16(2)“d”(3),		
	<u>Notice</u> ARC 4803B , also <u>Filed Emergency</u> ARC 4804B	1/4/06	1092
	Medicaid reimbursement for mileage, 78.13(5)“a,” 93.110(6)“b,” <u>Filed</u> ARC 4841B	2/1/06	1208
	Services in psychiatric institutions; IowaCare, ch 85 preamble, 85.1, 85.1(1), 85.5, 85.7(1)“g,” 85.8; adopt ch 92, <u>Filed</u> ARC 4799B	1/4/06	1093
	Healthy and well kids in Iowa (HAWK-I) program, 86.2(2)“b”(17), (35) and (43), 86.2(2)“c,” 86.2(5), 86.3(6)“a,” 86.4(1)“a” and “c,” 86.4(3), 86.4(4), 86.8(3), 86.18, <u>Filed</u> ARC 4814B	1/18/06	1155
	Decategorization of child welfare and juvenile justice funding, amend ch 153 title; adopt ch 153 div II, 153.11 to 153.19, <u>Notice</u> ARC 4800B	1/4/06	1072
8:30	STATE PUBLIC DEFENDER[493] Mark Smith (242-6513)		
	INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”		
	Claims for indigent defense services, 7.1, 10.5(5), 10.5(6), 10.7(1), 10.7(2), 12.2(1)“b,” “d” and “e,” 12.6(1), 12.6(5), 12.7(1)“g,” 12.8(1)“e,” 12.9(2)“b,” 13.2(2)“c,” 13.2(5), 14.3, 14.4, <u>Filed</u> ARC 4856B	2/1/06	1214
8:45	ELDER AFFAIRS DEPARTMENT[321] Mary Ann Young (242-3312)		
	Case management program for frail elders, ch 21,		
	<u>Notice</u> ARC 4806B , also <u>Filed Emergency</u> ARC 4805B	1/4/06	1088
9:00	EMPOWERMENT BOARD, IOWA[349] Kris Bell (281-4537)		
	Community empowerment, 1.1, 1.2, 1.4, 1.5(3), 1.5(4), 1.6(1), 1.6(3), 1.7(1), 1.8(2)“a”(7), 1.10(1), 1.10(3)“d” to “g,” 1.10(4), <u>Notice</u> ARC 4836B	2/1/06	1176
9:10	REVENUE DEPARTMENT[701] Dave Casey (281-6163)		
	Interest rate for calendar year 2006, 10.2(25), <u>Filed</u> ARC 4831B	1/18/06	1157
	Wage-benefits tax credit, 42.24, 52.25, 58.14, <u>Filed</u> ARC 4830B	1/18/06	1157
	Wind energy production tax credit; renewable energy tax credit, 42.25, 42.26, 52.26, 52.27, 58.15, 58.16, <u>Filed</u> ARC 4832B	1/18/06	1157
	Property taxes; property tax assessment appeal board, 70.12, 71.3, 71.20(4)“a,” 71.20(4)“c”(4), 71.21, 71.22, 71.26, 72.16(1), 73.33, 74.8(1), 75.2, 78.8, 80.1(2)“l,” 80.1(4)“h,” 80.2(2)“c,” “d,” “t” and “u,” 80.2(3)“e,” 80.4(5), 80.4(8), 80.13(2), 80.14(3), 80.19 to 80.22, 123.3, 123.4, <u>Filed</u> ARC 4829B	1/18/06	1158
	Pilot program for rebate of sales tax paid—automobile racetrack facilities, adopt ch 235, <u>Notice</u> ARC 4833B	1/18/06	1147
9:30	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Clean air interstate rule (CAIR); air quality emissions trading programs, 20.1, 21.1(4), 22.120; adopt ch 34, <u>Notice</u> ARC 4823B	1/18/06	1128
	Clean air mercury rule (CAMR); air quality emissions trading programs, 22.3(5), 23.1(2), 23.1(2)“z,” 23.1(4), 23.1(5), 23.1(5)“d,” 25.1(9), 25.2, 25.3; adopt ch 34, <u>Notice</u> ARC 4824B	1/18/06	1135
	Household hazardous materials, 144.3, <u>Notice</u> ARC 4825B	1/18/06	1140
9:50	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Barge fleeing regulations, ch 17, <u>Filed</u> ARC 4826B	1/18/06	1155
	Nighttime speed limit on lakes in Dickinson County; zoning of Mud Lake backwater on Mississippi River, 40.52, 40.53, <u>Notice</u> ARC 4794B	1/4/06	1079

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10:00 to 10:10 break

10:10	INSPECTIONS AND APPEALS DEPARTMENT[481] David Werning (281-7376) Determination of death for purposes of organ and tissue requests and procurement, 51.8(2), <u>Filed ARC 4838B</u>		2/1/06	1209
10:20	PHARMACY EXAMINERS BOARD[657] Lloyd Jessen (281-5944) PUBLIC HEALTH DEPARTMENT[641]"umbrella" Foreign pharmacy graduates—Internet-based test of English as a foreign language, 2.10(1), 4.7, <u>Notice ARC 4820B</u> Time period for registration as pharmacy technician, 3.3(2), <u>Notice ARC 4819B</u> Duties of pharmacist in charge, 6.2, <u>Notice ARC 4818B</u> Definition of "kickbacks"; fee for license changes, 8.11(5), 8.35(6), <u>Notice ARC 4817B</u> Record of dispensing of pseudoephedrine, 10.31(7)"a," <u>Notice ARC 4816B</u> Resale of compounded drug products, 20.3(4), <u>Notice ARC 4815B</u> HELD OVER FROM JANUARY Patient counseling for new prescriptions, 6.14(1), <u>Notice ARC 4759B</u>		1/18/06 1/18/06 1/18/06 1/18/06 1/18/06 1/18/06 1/18/06	1143 1143 1144 1144 1145 1146 1002
10:40	PUBLIC HEALTH DEPARTMENT[641] Barb Nervig (281-4344) Immunization requirements for children enrolled in elementary or secondary school, 7.4(1), <u>Filed Emergency ARC 4839B</u> Laboratory testing of samples for detection of alcohol or drugs—definition of "sample," 12.2, 12.4(3), <u>Notice ARC 4845B</u> Private well sampling, reconstruction, and plugging—grants to counties, adopt ch 24, <u>Notice ARC 4843B</u> Radiation, amendments to chs 38 to 42, 45, 46, <u>Notice ARC 4842B</u> 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>Filed ARC 4844B</u> County medical examiners—deaths for which autopsies are required, 127.3(1)"k," 127.3(2)"c," 127.3(4)"b"(1) to (6), 127.7(2)"b"(2), <u>Notice ARC 4847B</u> Substance abuse commission—transfer of duties to department, rescind 643—chs 1, 2, 4, 5, 7, 10; transfer 643—chs 3, 6, 8, 9 to 641—chs 155 to 158 and amend, <u>Notice ARC 4846B</u>		2/1/06 2/1/06 2/1/06 2/1/06 2/1/06 2/1/06 2/1/06 2/1/06 2/1/06	1206 1181 1182 1185 1213 1202 1202
11:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21] Ron Rowland 281-8661 Women, infants, and children/farmers' market and senior farmers' market nutrition programs, ch 50, <u>Notice ARC 4286B Terminated ARC 4837B</u> Animal exhibition requirements, 64.34(2), 64.34(5)"b," <u>Notice ARC 4857B</u>		2/1/06 2/1/06	1173 1173
11:10	SCHOOL BUDGET REVIEW COMMITTEE[289] Sue McCurdy 1-4738 EDUCATION DEPARTMENT[281]"umbrella" Mandatory implementation of generally accepted accounting principles, 6.5(1) to 6.5(5), <u>Filed ARC 4858B</u>		2/1/06	1213
11:20	PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042) HELD OVER FROM JANUARY 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	1036
12:15	COMMITTEE BUSINESS Approve minutes---March 2006 meeting Proposed legislation <ul style="list-style-type: none"> • Regulatory analysis • Emergency rulemaking procedures • Filing administrative rules Miscellaneous			
No representative requested to appear				
XX:00	ACCOUNTANCY EXAMINING BOARD[193A] Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]"umbrella" Continuing education, 10.5, <u>Notice ARC 4813B</u>		1/18/06	1125

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XX:00	ADMINISTRATIVE SERVICES DEPARTMENT[11] Information technology governance, adopt ch 20; 25.1, 25.2(1), 25.5, 25.7, 105.2, 105.10, <u>Filed</u> ARC 4821B	1/18/06	1150
XX:00	ARTS DIVISION[222] CULTURAL AFFAIRS DEPARTMENT[221]"umbrella" Arts council and related programs and services, rescind chs 1, 2, 5 to 13, 18, 20, 23; adopt chs 1 to 5, 9, 12, 13, <u>Filed</u> ARC 4848B	2/1/06	1208
XX:00	BANKING DIVISION[187] COMMERCE DEPARTMENT[181]"umbrella" Mobile offices, courier services, convenience offices, 2.4(3), 2.12(2), 2.17, 8.10, <u>Notice</u> ARC 4849B	2/1/06	1174
XX:00	BLIND, DEPARTMENT FOR THE[111] Facility security; business enterprises program, 1.4, 1.13, 7.8(1), 7.10(5) to 7.10(13), 7.17, 7.17(4), <u>Notice</u> ARC 4827B	1/18/06	1125
XX:00	CIVIL RIGHTS COMMISSION[161] Mailing of documents, 2.1(6), 3.4(3), 3.5(3), 3.5(5)"c," 3.5(6), 3.5(7)"c," 3.5(8)"e" and "f," 3.5(9), 3.5(10), 3.6, 3.10(5), 3.12(1)"b"(2), 3.12(2)"c," 3.13(3), 3.13(6), 3.14(8)"a," 3.16(2)"b," 3.16(3)"e" to "g," 3.16(10), 9.5(4)"a"(1), 9.5(4)"b"(1), 9.5(4)"d," <u>Notice</u> ARC 4790B	1/4/06	1068
XX:00	CREDIT UNION DIVISION[189] COMMERCE DEPARTMENT[181]"umbrella" Approval and customer use of satellite terminals, 24.5(1), 24.6, <u>Filed</u> ARC 4834B	1/18/06	1154
XX:00	EDUCATION DEPARTMENT[281] Special education, 41.56, 41.67(1) to 41.67(5), 41.71, 41.72, 41.77, 41.113(1)"c," 41.113(6) to 41.113(10), <u>Notice</u> ARC 4859B	2/1/06	1175
XX:00	EDUCATIONAL EXAMINERS BOARD[282] EDUCATION DEPARTMENT[281]"umbrella" Petition to remove letter of reprimand from public information access system, 11.38, 11.39, <u>Notice</u> ARC 4812B	1/18/06	1127
	Substitute teaching, 14.119(1), 14.119(3), <u>Filed</u> ARC 4797B	1/4/06	1093
XX:00	INSURANCE DIVISION[191] COMMERCE DEPARTMENT[181]"umbrella" Electronic delivery of accident and health group insurance certificates, 40.25, <u>Notice</u> ARC 4778B	1/4/06	1076
XX:00	IOWA FINANCE AUTHORITY[265] ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella" Title guaranty division—definition of terms applicable to refinanced or junior mortgages, 9.3, 9.6(4), <u>Notice</u> ARC 4798B	1/4/06	1077
	Water pollution control works and drinking water facilities financing, adopt ch 26, <u>Filed</u> ARC 4855B	2/1/06	1209
XX:00	LABOR SERVICES DIVISION[875] WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" OSHA regulations—adoption by reference, 10.20, 26.1, <u>Notice</u> ARC 4828B	1/18/06	1142
	Elevators—safety standards, permits, inspections, 71.2(2)"c," 72.1(5) to 72.1(7), 73.8, 76.4(1), 76.7, <u>Notice</u> ARC 4779B	1/4/06	1078
	Elevators—fees for issuance of alteration permits, 75.2, <u>Filed</u> ARC 4780B	1/4/06	1099
XX:00	LAW ENFORCEMENT ACADEMY[501] Hearing standards for law enforcement officers, 2.1(10), <u>Filed</u> ARC 4860B	2/1/06	1210
XX:00	MEDICAL EXAMINERS BOARD[653] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Supervision of pharmacists engaged in collaborative drug therapy management, 13.4, 13.5, <u>Notice</u> ARC 4447B , <u>Terminated</u> ARC 4791B	1/4/06	1079
XX:00	NURSING BOARD[655] PUBLIC HEALTH DEPARTMENT[641]"umbrella" License renewal fee, 3.1, <u>Notice</u> ARC 4792B	1/4/06	1080
XX:00	PROFESSIONAL LICENSURE DIVISION[645] PUBLIC HEALTH DEPARTMENT[641]"umbrella"		

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	Behavioral science examiners, 31.10(3)“c,” 33.2(26), 34.1, Filed ARC 4782B	1/4/06	1100
	Behavioral science examiners—licensee record keeping, 31.12, Notice ARC 4781B	1/4/06	1080
	Behavioral science examiners—competency examination, 33.5, Notice ARC 4783B	1/4/06	1081
	Dietetic examiners, 81.9(9), 82.1, 82.3(2)“a” and “b,” 82.3(2)“d”(3) to (6), 82.4(2)“d,” 83.2(26), 84.1, Filed ARC 4776B	1/4/06	1100
	Dietetic examiners—competency examination, 83.5, Notice ARC 4777B	1/4/06	1082
	Mortuary science examiners, 100.1, 100.6(3)“a,” 100.6(4)“c,” 101.6, 101.10(2), Filed ARC 4787B	1/4/06	1101
	Mortuary science examiners, 100.7(2)“b”(5), 100.10(2), 100.10(4)“a”(3) and (4), 100.10(6)“a” and “b,” 103.7, Notice ARC 4789B	1/4/06	1083
	Mortuary science examiners, 101.14 to 101.17, 103.3(3)“g,” 103.3(5)“a,” 105.1, Filed ARC 4788B	1/4/06	1102
	Massage therapy examiners, 131.2(7), Notice ARC 4796B	1/4/06	1084
	Massage therapy examiners, 131.2(10), 131.8(2), 131.14(3)“a”(2), 131.14(3)“b”(2), 133.3(1)“c,” 133.3(3)“a,” 134.2(25), 135.1, Filed ARC 4784B	1/4/06	1103
	Massage therapy examiners, 131.6“5,” 134.6, Notice ARC 4785B	1/4/06	1085
	Optometry examiners, 179.1, 183.5, Notice ARC 4851B	2/1/06	1179
	Optometry examiners, 180.1, 180.3, 180.11(3)“a”(2), 180.11(3)“b”(2), 181.1, 181.2(1)“b,” 181.3(2)“a”(4), 181.3(2)“c,” 181.4(2), Filed ARC 4852B	2/1/06	1210
	Optometry examiners, 180.5(2), 183.2(25), 184.1, Filed ARC 4850B	2/1/06	1212
	Podiatry examiners, 219.1, 224.5, Notice ARC 4854B	2/1/06	1180
	Podiatry examiners, 220.9(2), 224.2(26), 225.1, Filed ARC 4853B	2/1/06	1212
	Social work examiners, 280.3(12), 280.4(6), 280.7, Notice ARC 4786B	1/4/06	1086
	Athletic training examiners, 351.9(2), 353.2(27), 354.1, Filed ARC 4811B	1/18/06	1156
	Athletic training examiners—competency examination, 353.5, Notice ARC 4810B	1/18/06	1146
XX:00	REAL ESTATE COMMISSION[193E]		
	Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella”		
	Prohibition of licensees’ participation in certain arrangements with persons not licensed in Iowa, 7.4(8), Filed ARC 4809B	1/18/06	1156
XX:00	REGENTS BOARD[681]		
	Carryover of emergency care leave for certain regent merit system employees, 3.148, Filed ARC 4795B	1/4/06	1104
XX:00	SECRETARY OF STATE[721]		
	Address corrections; rescission of waste tire hauler rules, 1.2(3), 1.6(4), 3.4, 4.1, 4.1(2), 7.5(1), 7.6(2), 7.11(1), 8.1, 8.3, 9.1, 9.3(3), 9.5, 9.6(2), 40.1, 42.2 to 42.4; rescind chs 44, 45, Filed ARC 4835B	1/18/06	1158
XX:00	TRANSPORTATION DEPARTMENT[761]		
	Acquisition and relocation assistance, 111.1, Notice ARC 4775B	1/4/06	1086
	Regulations applicable to carriers, 520.1(1)“a” and “b,” 520.1(2)“c,” Filed ARC 4793B	1/4/06	1105
	Airport improvement program, 710.1, 710.3 to 710.5, Filed ARC 4808B	1/4/06	1106
	General aviation airport vertical infrastructure program, 717.2 to 717.4, 717.7, 717.8, 717.10, Filed ARC 4807B	1/4/06	1106