

JANUARY 2008 AGENDA

The Administrative Rules Review Committee will hold a special meeting on **Monday, January 7, 2008**, at 9 a.m. in **Room 116**, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 12, 13, 14 (12/5/07, 12/19/07, 1/2/08)

Also refer to: 8/1/07, 8/15/07, 8/29/07, 9/26/07, 10/10/07, 10/24/07

		Bulletin	Page
9:00	FISCAL OVERVIEW		
9:10	TREASURER OF STATE[781] 1-8261		
	Iowa educational savings plan trust, ch 16, <u>Notice</u> ARC 6506B	1/2/08	1172
9:20	CREDIT UNION DIVISION[189] Jim Forney 281-4014		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Debt cancellation products, ch 5, <u>Notice</u> ARC 5930B , <u>Terminated</u> ARC 6486B	12/19/07	1095
	Debt cancellation products, ch 5, <u>Notice</u> ARC 6430B	12/5/07	1018
9:30	IOWA FINANCE AUTHORITY[265] Mark Thompson (281-4868)		
	Waivers and variances from administrative rules, 18.1, 18.4 to 18.8, 18.10(1) to 18.10(10), 18.13, 18.16, ch 18 exhibit A, <u>Filed</u> ARC 6507B	1/2/08	1181
	Water pollution control works and drinking water facilities financing—prepayment of loan, 26.5(7), <u>Notice</u> ARC 6509B , also <u>Filed Emergency</u> ARC 6508B	1/2/08	1178
9:45	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Melanie Johnson (282-4862)		
	Targeted industries division name change, 1.4(4), part V title, 101.1, 102.8(1), 103.11(1), 104.9(1), 105.8(1), 106.6(1), 107.6(1), 108.6(1), 109.7(1), <u>Notice</u> ARC 6478B	12/19/07	1095
	Targeted industries—networking, student competition, and career awareness funds; community college equipment and training fund, chs 106 to 109, <u>Filed</u> ARC 6479B	12/19/07	1136
	Allocation of Grow Iowa values fund, ch 165, <u>Notice</u> ARC 6477B	12/19/07	1096
10:00	REVENUE DEPARTMENT[701] Dave Casey (281-6163)		
	Interest rate for calendar year 2008, 10.2(27), <u>Notice</u> ARC 6525B	1/2/08	1168
	Determination of a sale and sale price—exemption certificate, 15.3(1)"a," to "c," <u>Filed</u> ARC 6455B	12/5/07	1071
	Motor fuel and undyed special fuel—tax refund for idle time, 68.8(9), <u>Notice</u> ARC 6522B	1/2/08	1169
	Assessor continuing education committee—term limits, 122.2, <u>Notice</u> ARC 6524B	1/2/08	1170
	Web search portal business—exemption, 230.10, <u>Notice</u> ARC 6527B	1/2/08	1170
10:20 to 10:30 break			
10:30	EDUCATIONAL EXAMINERS BOARD[282] George Maurer (281-5849)		
	EDUCATION DEPARTMENT[281]"umbrella"		
	Complaints—who may initiate, 11.4(1), <u>Filed</u> ARC 6449B	12/5/07	1054
	Licensure—applicants from foreign institutions, 14.104, <u>Notice</u> ARC 6457B	12/5/07	1022
	Adding endorsements to licenses, 14.106(1), 14.106(2), <u>Notice</u> ARC 6446B	12/5/07	1022
	Administrator license, 14.114, <u>Filed</u> ARC 6447B	12/5/07	1054
	Adding endorsements to licenses, 14.121(2), <u>Notice</u> ARC 6445B	12/5/07	1023
	Licensure—administrators from out of state, 14.142(1)"c," <u>Notice</u> ARC 6450B	12/5/07	1024
	Renewal of administrator license, 17.7(3), <u>Filed</u> ARC 6448B	12/5/07	1055
10:50	EDUCATION DEPARTMENT[281] Carol Greta (281-8661)		
	Prohibition on discrimination based on sexual orientation and gender identity; definition of "prekindergarten program"; antibullying and antiharassment policy, ch 12 preamble, 12.1(1), 12.2, 12.3(6), 12.3(13), 12.8(1)"a"(2), <u>Filed</u> ARC 6472B	12/5/07	1055
	Accreditation standards—school nurse, guidance counselor, school counseling program, 12.2, 12.3(11), 12.4(12), <u>Filed</u> ARC 6469B	12/5/07	1057
	Accreditation standards—core content standards, phase II accreditation visit based on recommendation of school budget review committee, outdated provisions removed, 12.3(7), 12.3(10), 12.4(11), 12.5(10), 12.5(17), ch 12 div VIII title, 12.8(1)"c" and "f," 12.8(4)"b"(5), <u>Filed</u> ARC 6473B	12/5/07	1058
	Student achievement and teacher quality program; beginning administrator mentoring and induction program, 12.7, 72.9(1)"g," ch 83 title, ch 83 div I title, 83.1, 83.2, ch 83 div II title, 83.3 to 83.5, 83.5(3), 83.6, 83.7, ch 83 div III, 83.8 to 83.12, <u>Notice</u> ARC 6475B	12/19/07	1097
	Open enrollment—prohibition of attendance center assignment based solely on race, 17.2, 17.6(2), 17.14, <u>Notice</u> ARC 6480B	12/19/07	1106
	Salary allocation plan for community college faculty, 21.3(7), <u>Filed</u> ARC 6471B	12/5/07	1059

JANUARY 2008 AGENDA

EDUCATION DEPARTMENT[281] continued

Used motor vehicle dealer education program, 21.75, Filed ARC 6470B.....12/5/07 1060
 Supplementary weighting, 97.1, 97.2, 97.4 to 97.7, Filed ARC 6474B.....12/5/07 1060

11:15 ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)

NATURAL RESOURCES DEPARTMENT[561]*umbrella*

Air quality, 20.2, 21.1(3), 22.1(2)*r,* 22.1(2)*w*(6)*8,* 22.1(2)*aa* and *nm,* 22.4, 22.120,
 23.1(2), 23.1(2)*z* and *nn,* 23.1(3), 23.1(4), 23.1(4)*be* and *el* to *eq,* 23.1(6)*a*(2),
 23.3(2)*c*(1)*6,* 23.4(12), 25.1(9), 25.1(10)*a,* 25.1(12), 25.2, 33.3(1), Notice ARC 6517B.....1/2/08 1156
 Federal effluent and pretreatment standards—references updated, 60.2, 62.4, 62.5,
 63.1(1)*a,* Filed Without Notice ARC 6441B.....12/5/07 1066
 Fees for authorizations issued under the general permits for storm water discharges,
 64.16(3)*a,* Notice ARC 6521B.....1/2/08 1161

11:25 NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)

NATURAL RESOURCES DEPARTMENT[561]*umbrella*

Rules of practice in contested cases, ch 7, Filed ARC 6440B.....12/5/07 1069
 Violation suspension program—criminal trespass while hunting deer, 15.6(1), 15.6(2),
 15.6(3)*a*(22), Filed Emergency ARC 6443B.....12/5/07 1051
 Water trails development program; low-head dam safety program, ch 30 title, ch 30 div I title, 30.1,
 ch 30 div II, 30.51 to 30.63, Notice ARC 6444B.....12/5/07 1042
 Nonresident deer hunting, 94.1(1)*c,* 94.7(6), 94.8(1), 94.8(2), Notice ARC 6442B.....12/5/07 1045

11:40 INSPECTIONS AND APPEALS DEPARTMENT[481] Steve Mandenach (281-0148)

Food and consumer safety, 30.1 to 30.5, 30.8, 30.10, 30.11, 30.13, 31.1 to 31.4,
 31.9, 31.12; rescind ch 32; 34.1(4), 34.2, 35.1, 35.2, 35.3(3), 35.4(1), 35.6, 35.7,
 35.10, 35.11, Notice ARC 6454B.....12/5/07 1030
 Residential care facilities—service plan, 57.22, Filed ARC 6467B.....12/5/07 1069

Noon--1:15p.m. lunch

1:15 PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591] Scott Scheidel (267-9101)

HELD OVER FROM DECEMBER-70 day delay
 Claims for reimbursement for removal of eligible underground storage tanks; installers and inspectors,
 11.3(11); rescind ch 15, Filed ARC 6423B.....11/21/07 991

1:30 INSURANCE DIVISION[191] Susan E. Voss (281-6836)

COMMERCE DEPARTMENT[181]*umbrella*

Long-term care insurance—producer training requirements, 39.15(4), Filed Emergency ARC 6516B.....1/2/08 1177
 Securities, 50.10(1)*a,* 50.10(3), 50.12(1), 50.15(2), 50.39(1)*e,* 50.40(1)*c* and *d,*
 50.40(2), 50.41(1)*d* and *e,* 50.43, 50.66(2), 50.66(4) to 50.66(9), 50.66(19),
 50.102(3), Filed ARC 6495B.....12/19/07 1138
 Pharmacy benefits managers, ch 59, Notice ARC 6511B.....1/2/08 1162
 Uniform health insurance application form, 71.26, Notice ARC 6435B.....12/5/07 1036

2:00 HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)

Disability services management, 25.11, 25.13(1)*m,* 25.20, Filed ARC 6481B.....12/19/07 1137
 State supplementary 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), Notice ARC 6523B,
 also Filed Emergency ARC 6520B.....1/2/08 1175
 Medicaid—eligibility for newborns, verification of identity and citizenship, 75.1(20), 75.1(20)*a,*
 75.11(2)*g* and *h,* Notice ARC 6431B.....12/5/07 1028
 Medicaid eligibility and benefits—forms and procedures, 75.1(35)*c*(2),
 75.1(35)*f,* *i* and *j,* 75.1(35)*l*(2) and (3), 75.2, 75.2(1) to 75.2(5), 75.3, 75.4,
 75.4(3)*d* and *e,* 75.4(4)*c,* 75.4(6), 75.20(2)*b,* 75.20(4), 75.20(5), 76.1,
 76.1(7), 76.5(1)*d,* Notice ARC 6494B.....12/19/07 1111
 Medicaid eligibility and financial participation of a married person residing in a medical institution,
 75.5(3)*d,* 75.16(2)*d*(3), Filed ARC 6526B.....1/2/08 1179
 Personal needs allowance for Medicaid members who reside in a medical institution, 75.16(2)*a,* 75.16(2)*a*(3),
Filed ARC 6528B.....1/2/08 1180

JANUARY 2008 AGENDA

HUMAN SERVICES DEPARTMENT[441] continued

Personal needs allowance for Medicaid members who reside in a long-term care facility, 75.16(2)“a”(1), <u>Filed ARC 6518B</u>	1/2/08	1180
Data-sharing agreements, 76.13(1), 76.13(2), <u>Filed ARC 6461B</u>	12/5/07	1067
Medicaid reimbursement of nursing facilities, 81.1, 81.6(16), 81.6(16)“e”(1)“2,” 81.6(16)“f”(1)“2,” 81.6(16)“f”(2)“2,” 81.6(16)“f”(3)“2,” 81.6(16)“f”(4)“2,” 81.6(16)“h,” <u>Filed Emergency After Notice ARC 6452B</u>	12/5/07	1047
Purchase of legal services for permanency, 172.31, 172.34(3), <u>Notice ARC 6458B</u> also <u>Filed Emergency ARC 6456B</u>	12/5/07	1050
Treatment of reports of dependent adult abuse, 176.3(4), 176.13(4), <u>Filed Without Notice ARC 6459B</u>	12/5/07	1068
Extension of transition period for family-centered services, 182.3(1), <u>Filed Emergency ARC 6515B</u>	1/2/08	1176
Subsidized adoptions, 201.1, 201.4(4), 201.7(8), 201.8, <u>Notice ARC 6434B</u>	12/5/07	1029
Foster care—verification of citizenship, 202.2(5), 202.2(6), 202.3, 202.16(1), 202.18(4), <u>Notice ARC 6493B</u>	12/19/07	1113

3:00 COMMITTEE BUSINESS

Approve minutes---February meeting---miscellaneous

No Representative Called

XX:00 ADMINISTRATIVE SERVICES DEPARTMENT[11]

Procurement of goods and services—tied bids, 105.12(4), <u>Filed ARC 6439B</u>	12/5/07	1053
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XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Avian influenza, 64.185, 64.187, 64.188, 64.191(2)“e”(7), 64.191(2)“g,” 64.192, <u>Filed Emergency After Notice ARC 6492B</u>	12/19/07	1134
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XX:00 CULTURAL AFFAIRS DEPARTMENT[221]

Iowa community cultural grants (ICCG) program, 6.3 to 6.12, <u>Filed ARC 6460B</u>	12/5/07	1053
Cultural enrichment grant (CEG) program, ch 8 title, 8.1 to 8.3, 8.4(1), 8.4(2), 8.5 to 8.10, <u>Filed ARC 6462B</u>	12/5/07	1053

XX:00 EMPLOYMENT APPEAL BOARD[486]

INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Elevator appeals, rescind ch 10, <u>Filed ARC 6432B</u>	12/5/07	1066
Boilers and unfired steam pressure vessels appeals, rescind ch 11, <u>Filed ARC 6433B</u>	12/5/07	1066

XX:00 EMPOWERMENT BOARD, IOWA[349]

Community empowerment, 1.4, 1.5(3)“i,” 1.6(1), 1.6(3)“d”(5), 1.6(3)“m,” 1.6(3)“o”(1)“1,” 1.7(1)“b,” 1.8(2), 1.9, 1.10, <u>Notice ARC 6429B</u>	12/5/07	1024
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XX:00 ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]“umbrella” Engineering—examination subversion, 4.1(9), <u>Filed ARC 6497B</u>	12/19/07	1136
Engineering licensure by comity, 4.2, <u>Notice ARC 6499B</u>	12/19/07	1108
Land surveying—examination subversion, 5.1(9), <u>Filed ARC 6498B</u>	12/19/07	1136
Compensation to peer reviewers, 10.1(4), <u>Filed ARC 6496B</u>	12/19/07	1137

XX:00 HISTORICAL DIVISION[223]

CULTURAL AFFAIRS DEPARTMENT[221]“umbrella” State historical society, 21.2, 21.3(2)“a” and “c” to “e,” 21.3(3)“a” and “b,” 21.3(3)“c”(1) and (3) to (5), 21.3(3)“d,” 21.3(4)“a” and “c” to “e,” 21.3(5), 21.3(6), <u>Filed ARC 6529B</u>	1/2/08	1179
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XX:00 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]

PUBLIC DEFENSE DEPARTMENT[601]“umbrella” Iowa hazard mitigation plan, 9.3, <u>Filed ARC 6451B</u>	12/5/07	1067
Filing of reports, 104.1(1), 104.2(3) to 104.2(5), 104.3, <u>Notice ARC 6468B</u>	12/5/07	1027

XX:00 IOWA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM[495]

Contribution rates for special service members; coverage for temporary employees and part-time appointed board or commission members, 4.1(1)“d,” 4.1(2) to 4.1(6), 4.2(1), 4.2(3)“a,” 4.2(4), 4.3(1) to 4.3(12), 4.4, 4.5, 4.6(2), 4.6(3), 4.6(7), 4.7, 5.2(13), 5.2(13)“a,” 6.4, 6.4(1), 6.4(2)“c,” 7.1(2), 7.2(7), 11.5(4), <u>Notice ARC 6514B</u>	1/2/08	1165
Qualified domestic relations orders and other assignments, ch 16 title, 16.2(2)“c”(5), 16.2(3)“b” to “n,” <u>Filed ARC 6513B</u>	1/2/08	1181

JANUARY 2008 AGENDA

XX:00	LABOR SERVICES DIVISION[875]		
	WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"		
	OSHA standards for general industry and construction—adoption by reference, 10.20, 26.1, <u>Notice</u> ARC 6519B	1/2/08	1168
	Numbering of elevator buttons, 72.1(6), 73.8(2), <u>Filed</u> ARC 6510B	1/2/08	1181
	Boilers and pressure vessels—waivers and variances, 81.10(6), <u>Notice</u> ARC 6500B	12/19/07	1114
	Boilers and pressure vessels—nonstandard objects, waivers, notice, temporary boilers, imminent danger, 81.10(10), 81.15, 90.2, 90.6(7), 90.8, 90.13, 90.14, 91.16, <u>Notice</u> ARC 6502B	12/19/07	1115
	Boilers and pressure vessels, 90.2 to 90.4, 91.16, 92.2(2), 92.3, 93.2, 93.2(2), 94.2, 96.1, <u>Filed</u> ARC 6503B	12/19/07	1138
XX:00	MEDICINE BOARD[653]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Fees, 8.4(1)"c," "d," "f" and "g," 8.4(2)"a," 8.4(7), 9.11(3)"a," 9.13(1)"a," 9.13(2)"b," 10.3(3)"a"(1), <u>Filed Emergency After Notice</u> ARC 6489B	12/19/07	1135
	Complaints and investigations, 24.1(2), 24.2, 24.2(1) to 24.2(9), 24.4(5), <u>Filed</u> ARC 6488B	12/19/07	1139
XX:00	PHARMACY BOARD[657]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Fees; changes to references to board and executive secretary, 2.1, 2.3(1), 2.3(3), 2.6, 2.8, 2.9(4), 2.11, 2.12(2), 2.14, 3.1, 3.10(1), 3.10(2), 3.10(4), 3.29, 8.12"3," 8.34(1), 8.34(2)"a," "d" and "e," 8.35(4), 10.2, 10.3, 10.3(1), 10.12(8), 10.37(1), 10.39, 12.7(1), 12.7(2), 12.7(2)"a," 17.1, 17.3(2), <u>Filed Emergency After Notice</u> ARC 6436B	12/5/07	1052
	Pharmacy technicians, ch 3, 36.1(4)"i," "v" and "aa," <u>Notice</u> ARC 6483B	12/19/07	1116
	Cross-reference corrections, 6.10(2), 7.8(1)"b," 20.6(1), 20.8(1), 20.9(2), 20.10(6), <u>Notice</u> ARC 6438B	12/5/07	1046
	Pharmacy practice—hospitals and long-term care facilities, 7.7, 7.8(3), 7.8(14), 23.9(4), 23.11(2), <u>Notice</u> ARC 6485B	12/19/07	1120
	Prescription refills, 8.19(5), <u>Filed</u> ARC 6437B	12/5/07	1070
	Automated medication distribution systems and telepharmacy services, ch 9, <u>Notice</u> ARC 6482B	12/19/07	1121
	Centralized prescription filling and processing, 18.1 to 18.3, 18.5, 18.10, 18.15, <u>Notice</u> ARC 6484B	12/19/07	1129
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Physical therapy, 200.3, 200.5(2), 200.6(1)"e," "f," "h," and "i," 200.6(4), 200.6(5)"i," 200.7(6), <u>Filed</u> ARC 6501B	12/19/07	1139
	Sign language interpreting and transliterating—examination, 361.2(1)"d"(4) and (5), <u>Notice</u> ARC 6487B	12/19/07	1131
XX:00	PUBLIC HEALTH DEPARTMENT[641]		
	Area quarantines, 1.1, 1.13, <u>Filed</u> ARC 6464B	12/5/07	1070
	Hepatitis programs, ch 2, <u>Filed</u> ARC 6463B	12/5/07	1071
	Financial assistance to eligible end-stage renal disease patients, rescind ch 111, <u>Filed Without Notice</u> ARC 6466B	12/5/07	1071
	Scope of practice review committees, rescind ch 194, <u>Filed Without Notice</u> ARC 6465B	12/5/07	1071
XX:00	REAL ESTATE COMMISSION[193E]		
	Professional Licensing and Regulation Bureau[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Definition of "electronic format"; trust accounts and closings, 2.1, 13.2(2), 13.5, 13.5(1) to 13.5(3), <u>Notice</u> ARC 6490B	12/19/07	1132
XX:00	REAL ESTATE APPRAISER EXAMINING BOARD[193F]		
	Professional Licensing and Regulation Bureau[193]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Certification; registration; continuing education, 5.1(1)"c," 6.1(1)"c," 11.2(4), 11.2(9), 11.3(1), 11.4(3)"a" to "g," <u>Filed</u> ARC 6504B	1/2/08	1182
	Disciplinary actions against certified and associate appraisers, ch 7, <u>Filed</u> ARC 6505B	1/2/08	1182
XX:00	STATE PUBLIC DEFENDER[493]		
	INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"		
	Attorney fee contracts, 11.2(2), 11.4, 11.5(8), 11.6 to 11.11, <u>Filed</u> ARC 6453B	12/5/07	1072

JANUARY 2008 AGENDA

XX:00	TRANSPORTATION DEPARTMENT[761]		
	Update of motor vehicle division address, 410.1(3), 500.2(1), 505.2(1), 505.4(6)“b,” 511.2(1), 513.3, 524.2(1), 524.11(2), 529.2, 600.2, 607.2(1), 620.2, 634.1, 635.6, 636.1, 640.1(3), <u>Filed</u> ARC 6512B	1/2/08	1183
XX:00	UTILITIES DIVISION[199]		
	COMMERCE DEPARTMENT[181]“umbrella” Supplemental energy conservation plan, rescind ch 28, <u>Filed</u> ARC 6476B	12/19/07	1140
XX:00	VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]		
	Veterans commemorative property, ch 15, <u>Filed</u> ARC 6491B	12/19/07	1140