



**August 2017 ARRC Agenda  
Administrative Rules Review Committee  
Friday, August 4, 2017  
9 a.m.  
Room 116, State Capitol, Des Moines, Iowa**

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**MEMBERS**

Mark Chelgren, Vice Chair  
Mark Costello  
Wally E. Horn  
Pam Jochum  
Jack Whitver

Dawn E. Pettengill, Chair  
Megan Jones  
Rick Olson  
Art Staed  
Guy Vander Linden

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**Revised: References to emergency rules by DPH, DAS, and DHS corrected.**

**BULLETINS NEEDED FOR THIS MEETING: 7/5/17, 7/19/17, 8/2/17**

**NOTICE**

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

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	Bulletin	Page
<b>9:00</b>	<b>Committee Business</b>	
	<ul style="list-style-type: none"> <li>• Approve minutes</li> <li>• Tuesday, Sept. 12th meeting: 9am?</li> <li>• Agency guidance memo</li> <li>• Miscellaneous</li> </ul>	
<b>9:10</b>	<b>Fiscal Overview -</b> Christin Mechler 515-281-6561	
<b>9:15</b>	<b>PUBLIC EMPLOYMENT RELATIONS BOARD[621]</b> Mike Cormack, (515)281-4046 Emergency filing, ARRC approval required: Elections, Collective Bargaining Updates	

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<b>9:45 PUBLIC HEALTH DEPARTMENT[641]</b>		
Susan Dixon, (515)725-2183		
Medical cannabidiol Act registration card program, 154.1 to 154.14		
<u>Notice ARC 3151C</u> , also		
<u>Filed Emergency ARC 3150C</u> .....	7/5/17	81
Automated external defibrillator program, amendments to ch 143		
<u>Notice ARC 3204C</u> .....	7/19/17	206
Biological agent risk assessment, rescind ch 112		
<u>Notice ARC 3205C</u> .....	7/19/17	205
Prospective private sector employee drug testing—addition of “hair” to definition of “sample”; update of references to forensic drug testing, amendments to ch 12		
<u>Notice ARC 3209C</u> .....	7/19/17	198
Notification requirements for mammogram reports, 41.6(4)		
<u>Notice ARC 3210C</u> .....	7/19/17	200
Vital records—reporting of terminations of pregnancy, amendments to ch 100		
<u>Notice ARC 3211C</u> .....	7/19/17	201
State medical examiner—autopsy fee, 126.3(1)		
<u>Notice ARC 3212C</u> .....	7/19/17	205
Governmental public health advisory council—update of definition for “local board of health,” 186.2		
<u>Notice ARC 3213C</u> .....	7/19/17	209
Organized delivery systems, rescind ch 201		
<u>Notice ARC 3214C</u> .....	7/19/17	210
General nuclear medicine technologist permit—computed tomography endorsement, 42.2, 42.6(4)		
<u>Filed ARC 3239C</u> .....	8/2/17	321
Trauma care facility categorization and verification, 134.1 to 134.3		
<u>Filed ARC 3240C</u> .....	8/2/17	323
Trauma education and training, 137.1 to 137.4		
<u>Filed ARC 3241C</u> .....	8/2/17	330
<b>10:30 ADMINISTRATIVE SERVICES DEPARTMENT[11]</b>		
Tami Wiencek, (515)725-2017		
Military leave, 63.9		
<u>Filed ARC 3231C</u> .....	8/2/17	281
Capitol complex operations, amendments to 100.1, 100.2		
<u>Notice ARC 3177C</u> , also		
<u>Filed Emergency ARC 3179C</u> .....	7/5/17	69
Human resources procedures, amendments to chs 4, 53, 54, 59 to 64, 70		
<u>Filed Emergency After Notice ARC 3215C</u> .....	7/19/17	216
<b>10:50 REGENTS BOARD[681]</b>		
Andrea Anania, (515)281-6531		
Promotional and lead worker pay; grievance procedure, 3.39, 3.129		
<u>Filed Emergency After Notice ARC 3229C</u> .....	8/2/17	274

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<b>11:05</b>	<b>INSURANCE DIVISION[191]</b> COMMERCE DEPARTMENT[181]"umbrella" Angela Burke Boston, 281-4119 Regulation of securities offerings and those who engage in the securities business, 50.66, 50.91, 50.92 <u>Notice</u> <u>ARC 3200C</u> .....	7/19/17	193
	Emergency filing, ARRC approval required: Iowa Stopgap Measure		
<b>11:25</b>	<b>ACCOUNTANCY EXAMINING BOARD[193A]</b> PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Robert Lampe, (515)281-7360 Rules of professional ethics and conduct, 3.15, ch 13, 14.3 <u>Filed</u> <u>ARC 3230C</u> .....	8/2/17	277
	Attest services; CPA firm licensure; definition of "state"; review of rules, amendments to chs 1, 6 to 8, 10, 13, 14, 20, 21 <u>Notice</u> <u>ARC 3224C</u> .....	8/2/17	255
<b>11:35</b>	<b>ARCHITECTURAL EXAMINING BOARD[193B]</b> PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Lori SchraderBachar, (515)725-9030 Description of organization—update of terminology, 1.1, 1.4 <u>Notice</u> <u>ARC 3169C</u> .....	7/5/17	12
	Registration—update of terminology, amendments to ch 2 <u>Notice</u> <u>ARC 3170C</u> .....	7/5/17	13
	Continuing education—update of terminology, amendments to ch 3 <u>Notice</u> <u>ARC 3171C</u> .....	7/5/17	20
	Exceptions—update of terminology, 5.2 <u>Notice</u> <u>ARC 3172C</u> .....	7/5/17	25
	Disciplinary action against registrants—update of terminology, amendments to ch 6 <u>Notice</u> <u>ARC 3173C</u> .....	7/5/17	26
	Rules of conduct—update of terminology, 4.1 <u>Notice</u> <u>ARC 3174C</u> .....	7/5/17	22
	Disciplinary action for unlicensed practice—update of terminology, 7.3 <u>Notice</u> <u>ARC 3175C</u> .....	7/5/17	28
<b>11:50</b>	<b>REAL ESTATE COMMISSION[193E]</b> PROFESSIONAL LICENSING AND REGULATION BUREAU[193] COMMERCE DEPARTMENT[181]"umbrella" Jeff Evans, (515)725-9026 Branch offices, licensure, prelicense and continuing education, courses and attendance certificates, amendments to chs 7, 16, 17 <u>Notice</u> <u>ARC 3154C</u> .....	7/5/17	55
	Licensure of brokers, salespersons and nonresident licensees, amendments to chs 3 to 5 <u>Filed</u> <u>ARC 3242C</u> .....	8/2/17	334

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<b>11:55</b>	<b>UTILITIES DIVISION[199]</b> COMMERCE DEPARTMENT[181]"umbrella" David Lynch, (515)725-7333 Energy efficiency planning and reporting for non-rate-regulated gas and electric utilities, amendments to ch 36 <u>Filed ARC 3246C</u> .....	8/2/17	347
<b>12:05</b>	<b>LUNCH</b>		
<b>1:05</b>	<b>VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]</b> Jodi Tymeson, (515)727-3444 Update of department contact information, amendments to chs 2 to 4, 6, 11, 14 to 16 <u>Notice ARC 3147C</u> .....	7/5/17	63
<b>1:10</b>	<b>AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b> Margaret Thomson, (515)725-1036 Agricultural seeds—federal regulations adopted, 40.15 <u>Notice ARC 3152C</u> .....	7/5/17	12
	Licensure—egg handlers, milk haulers, milk graders, bulk milk tankers, can milk truck bodies, pesticide dealers, amendments to chs 36, 45, 63, 68 <u>Filed ARC 3232C</u> .....	8/2/17	283
<b>1:15</b>	<b>SOIL CONSERVATION AND WATER QUALITY DIVISION[27]</b> AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella" Margaret Thomson, (515)725-1036 State soil and water quality committee—change of committee name, definition of “edge-of-field practice,” mineral mining license renewal and fee, amendments to chs 1 to 3, 10 to 12, 20 to 22, 30, 40, 50, 60 <u>Filed ARC 3243C</u> .....	8/2/17	338
	Water protection practices funds, amendments to ch 12 <u>Filed ARC 3244C</u> .....	8/2/17	344
	Mine site registration renewal and fee, 60.31 <u>Filed Emergency After Notice ARC 3216C</u> .....	7/19/17	235
<b>1:25</b>	<b>LABOR SERVICES DIVISION[875]</b> WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella" Kathleen Uehling, (515)725-5615 Child labor permit—proof of age, 32.2(2)“a” <u>Notice ARC 3220C</u> .....	8/2/17	261
<b>1:30</b>	<b>ECONOMIC DEVELOPMENT AUTHORITY[261]</b> Jennifer Klein, (515)725-3124 STEM internship program—maximum employer award amount, 110.4(1) <u>Notice ARC 3155C</u> .....	7/5/17	45
	Small business innovation research and technology transfer outreach program, 106.2(2), 106.3, 106.4, 106.5(2), 106.6, 106.7 <u>Filed ARC 3195C</u> .....	7/5/17	91

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<b>1:35 IOWA FINANCE AUTHORITY[265]</b>		
Mark Thompson, 725-4937		
Low-income housing tax credits, 12.1(2), 12.2(2)		
<u>Notice</u> <u>ARC 3225C</u> .....	8/2/17	260
<b>1:40 EDUCATION DEPARTMENT[281]</b>		
Nicole Proesch, (515)281-8661; Phil Wise, (515)281-4835		
Intensive summer literacy program—voluntary implementation, 61.3		
<u>Notice</u> <u>ARC 3148C</u> .....	7/5/17	45
State standards for progression in reading, amendments to ch 62		
<u>Notice</u> <u>ARC 3149C</u> .....	7/5/17	48
Administrative advancement and recruitment program, rescind ch 94		
<u>Filed</u> <u>ARC 3180C</u> .....	7/5/17	103
Open enrollment—method of finance, special education students, 17.10, 17.11		
<u>Filed</u> <u>ARC 3181C</u> .....	7/5/17	102
<b>1:55 EDUCATIONAL EXAMINERS BOARD[282]</b>		
EDUCATION DEPARTMENT[281]"umbrella"		
Kimberly Cunningham, (515)281-5849		
Executive director; complaints; fees; licenses and endorsements; renewals; authorizations		
—rolling review of rules, 1.2, 11.4, 12.3, 12.6, 12.8, 13.17, 18.4, 18.6, 20.8, 22.3, 22.5		
<u>Filed</u> <u>ARC 3196C</u> .....	7/5/17	94
PK-3, elementary education, multioccupation, career and technical education (CTE)		
endorsements; paraeducator area of concentration—autism spectrum disorders,		
amendments to chs 13, 24		
<u>Filed</u> <u>ARC 3197C</u> .....	7/5/17	96
<b>2:05 INSPECTIONS AND APPEALS DEPARTMENT[481]</b>		
David Werning, (515)281-7376		
Award of attorney fees and court costs, 11.3(1), 11.9 to 11.11, 11.14		
<u>Filed</u> <u>ARC 3217C</u> .....	7/19/17	237
Food and consumer safety, amendments to ch 30		
<u>Filed</u> <u>ARC 3187C</u> .....	7/5/17	142
Food establishment and food processing plant inspections, amendments to ch 31		
<u>Filed</u> <u>ARC 3188C</u> .....	7/5/17	145
Home bakeries, amendments to ch 34		
<u>Filed</u> <u>ARC 3189C</u> .....	7/5/17	152
Social gambling, rescind ch 102		
<u>Filed</u> <u>ARC 3190C</u> .....	7/5/17	153
Amusement devices, amendments to chs 104, 105		
<u>Notice of Termination</u> <u>ARC 3191C</u> .....	7/5/17	52
Game nights, rescind ch 107		
<u>Filed</u> <u>ARC 3192C</u> .....	7/5/17	154
Factors determining imposition of citation and fine, 56.7, 56.10		
<u>Notice</u> <u>ARC 3222C</u> .....	8/2/17	258
Dependent adult abuse in facilities and programs—personal degradation, 52.1		
<u>Filed</u> <u>ARC 3235C</u> .....	8/2/17	299

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<b>2:25</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> NATURAL RESOURCES DEPARTMENT[561]"umbrella" Christina Iiams, (515)725-8240 Bacteria water quality criteria; Iowa wasteland allocation (WLA) procedure, 61.2(4), 61.3, 62.8 <u>Notice</u> <u>ARC 3202C</u> .....	7/19/17	187
<b>2:35</b>	<b>PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Judy Manning, (515)281-4413 Physical therapists and physical therapist assistants, occupational therapists and occupational therapy assistants—licensure, amendments to chs 200, 206 <u>Notice</u> <u>ARC 3221C</u> .....	8/2/17	266
	Optometrists—application for licensure, contact lens and spectacle lens prescriptions, 180.2(1), 182.3 <u>Notice</u> <u>ARC 3223C</u> .....	8/2/17	265
<b>2:45</b>	<b>DENTAL BOARD[650]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Jill Stuecker, (515)281-6935 Fees, amendments to ch 15 <u>Notice</u> <u>ARC 3156C</u> .....	7/5/17	42
	Licensure and registration—renewal, reinstatement, dental assisting, continuing education, amend chs 14, 20; adopt ch 25 <u>Notice</u> <u>ARC 3157C</u> .....	7/5/17	29
<b>2:55</b>	<b>PHARMACY BOARD[657]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella" Therese Witkowski, (515)281-6676 Nuclear pharmacy practice, 16.1 to 16.4, 16.6, 16.8 <u>Notice</u> <u>ARC 3228C</u> .....	8/2/17	262
	Telepharmacy practice, amend 8.35(2); adopt ch 13 <u>Filed</u> <u>ARC 3236C</u> .....	8/2/17	300
	Nonresident pharmacy practice, ch 19 <u>Filed</u> <u>ARC 3237C</u> .....	8/2/17	312
	Compounding practices; outsourcing facilities, amend ch 20; adopt ch 41 <u>Filed</u> <u>ARC 3238C</u> .....	8/2/17	317
<b>3:10</b>	<b>PUBLIC SAFETY DEPARTMENT[661]</b> Barb Edmondson, (515)725-6188 Standards for electrical work—2017 National Electrical Code (NEC), 100.1 <u>Notice</u> <u>ARC 3153C</u> .....	7/5/17	54

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<b>3:15 REVENUE DEPARTMENT[701]</b>		
Alana Stamas, (515)725-2265		
Board of review—occupation of members, 71.20(1)“a”		
<u>Notice ARC 3203C</u> .....	7/19/17	210
Assessor or deputy assessor examination—removal of right to review, 72.2(6)		
<u>Notice ARC 3206C</u> .....	7/19/17	211
Commercial and industrial property tax replacement—county replacement claims report, 80.49(2)“b”		
<u>Notice ARC 3207C</u> .....	7/19/17	213
Wind energy conversion property—sunset date, 80.13		
<u>Notice ARC 3208C</u> .....	7/19/17	212
Certain military and civilian personnel—extension of Iowa income tax filing deadline, 39.12		
<u>Filed ARC 3218C</u> .....	7/19/17	240
<b>3:30 TRANSPORTATION DEPARTMENT[761]</b>		
Tracy George, (515)239-1358		
Special permits for operation and movement of vehicles and loads of excess size and weight; compacted rubbish vehicle permits, amend ch 511; rescind ch 513		
<u>Filed ARC 3193C</u> .....	7/5/17	154
Public transit system funding, amendments to chs 920, 921, 924		
<u>Filed ARC 3194C</u> .....	7/5/17	166
Highway project planning, rescind ch 110		
<u>Notice ARC 3201C</u> .....	7/19/17	214
General requirements and covenants for highway and bridge construction, rescind ch 125		
<u>Notice ARC 3219C</u> .....	8/2/17	269
Real property acquisition and relocation assistance—adoption by reference of section II of uniform manual, 111.1		
<u>Filed ARC 3245C</u> .....	8/2/17	346
<b>3:40 WORKFORCE DEVELOPMENT DEPARTMENT[871]</b>		
David Steen, (515)725-5492; Emily Chafa, (515)725-1201		
Procedures for department interaction with employers and claimants; updates related to technology, amendments to chs 22 to 25		
<u>Notice ARC 3178C</u> .....	7/5/17	65
Procedures for department interaction with employers and claimants; updates related to technology, amendments to ch 23		
<u>Notice ARC 3226C</u> .....	8/2/17	270
Unemployment appeal process, amendments to ch 26		
<u>Notice ARC 3227C</u> .....	8/2/17	272
Unemployment insurance services division; employer records, reports, contributions and charges; claims; benefits; benefit payment control, amendments to chs 21 to 25		
<u>Filed ARC 3247C</u> .....	8/2/17	350
Employer reports; claims; benefits; benefit payment control, amendments to chs 22, 24, 25		
<u>Filed ARC 3248C</u> .....	8/2/17	357

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**3:50 HUMAN SERVICES DEPARTMENT[441]**

Nancy Freudenberg, (515)281-8438

Medicaid—reimbursement for Medicare Part A and Part B crossover claims, 79.1(22), 80.2(2)“h”

Notice ARC 3163C, also

Filed Emergency ARC 3159C ..... 7/5/17      79

Medicaid—anesthesia conversion factor, 79.1(2), 79.1(7)“d”

Notice ARC 3164C, also

Filed Emergency ARC 3158C ..... 7/5/17      75

Medicaid—site of service differential for physician services in facilities, 79.1(7)“b”

Notice ARC 3165C, also

Filed Emergency ARC 3162C ..... 7/5/17      77

Medicaid—diagnostic related group (DRG) costs, 79.1(5)“f”(3)

Notice ARC 3166C, also

Filed Emergency ARC 3161C ..... 7/5/17      76

Medicaid—primary care physician rates, 79.1(7)“c”

Notice ARC 3167C, also

Filed Emergency ARC 3160C ..... 7/5/17      78

Increase in maximum Medicaid rate for intermediate care facilities for individuals with an intellectual disability, 75.24(3)“b”

Filed Emergency After Notice ARC 3182C ..... 7/5/17      74

Changes in statewide average private-pay cost of nursing facility services and of charges for institutional care, 75.23(3), 75.24(3)“b”

Filed Emergency After Notice ARC 3183C ..... 7/5/17      72

Medicaid waiver services—assessment tool, case management, definition of “brain injury,” amendments to chs 77, 78, 83

Filed ARC 3184C ..... 7/5/17      104

Interstate compact on the placement of children—use of national electronic interstate compact enterprise (NEICE) system, amendments to ch 142

Filed ARC 3186C ..... 7/5/17      140

Time frame for HCBS waiver services eligibility, amendments to ch 83

Filed ARC 3234C ..... 8/2/17      297

Foster care—alignment with child care regulations, contractor preservice training, general update of terminology, amendments to chs 108, 112 to 114, 116, 117, 156, 202

Filed ARC 3185C ..... 7/5/17      120

Family planning program, amend ch 7; adopt ch 87

Notice ARC 3198C, also

Filed Emergency ARC 3199C ..... 7/19/17      225

**NO REPRESENTATIVE REQUESTED TO APPEAR**

**XX:00 EARLY CHILDHOOD IOWA STATE BOARD[249]**

Early childhood Iowa initiative, 1.3, 1.4(2), 1.6(2), 1.8

Filed ARC 3249C ..... 8/2/17      285



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**XX:00 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605]**

911 telephone systems, amendments to ch 10

Filed ARC 3233C..... 8/2/17

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