



**November 2017 ARRC agenda  
Administrative Rules Review Committee  
Tuesday, November 14, 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  
Amy Nielsen  
Rick Olson  
Guy Vander Linden

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**Review of 3420C by DPH deferred to Dec. ARRC meeting**

**BULLETINS NEEDED FOR THIS MEETING: 10/11/17, 10/25/17**

**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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| <b>9:00</b>  |          |      |
| <b>Committee Business</b>                              |          |      |
| • Approve minutes                                      |          |      |
| • Tuesday, December 12th meeting: 9am?                 |          |      |
| • New ARRC legal staffer: Amber Shanahan-Fricke        |          |      |
| • Petitions for rulemaking                             |          |      |
| • Miscellaneous  |          |      |
| <b>9:05</b>  |          |      |
| <b>Fiscal Overview - Christin Mechler 515.281.6561</b> |          |      |

**AGENDA, ADMINISTRATIVE RULES REVIEW COMMITTEE**

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| <b>9:10 HUMAN SERVICES DEPARTMENT[441]</b>  |          |      |
| Nancy Freudenberg, 515.281.8438   |          |      |
| Courtesy review, ARRC approval not required: Medicaid tiered rates, chs 78, 79, 83      |          |      |
| Family planning services, 75.1, 75.70, 76.2, 76.14(2)                                   |          |      |
| <u>Notice ARC 3356C</u> , also  |          |      |
| <u>Filed Emergency ARC 3354C</u> .....  | 10/11/17 | 857  |
| Medicaid providers—alternative means for providing documentation of services, 79.3      |          |      |
| (2)“d”  |          |      |
| <u>Notice ARC 3357C</u> , also  |          |      |
| <u>Filed Emergency ARC 3358C</u> .....  | 10/11/17 | 859  |
| HCBS waivers—home-delivered meals, 78.34(11), 78.37(8), 78.38(6)                        |          |      |
| <u>Notice ARC 3374C</u> .....   | 10/11/17 | 792  |
| Iowa health and wellness plan, 74.1   |          |      |
| <u>Notice ARC 3375C</u> .....   | 10/11/17 | 789  |
| Family planning program, amend ch 7; adopt ch 87  |          |      |
| <u>Filed ARC 3389C</u> .....  | 10/11/17 | 890  |
| Hospice services election statement—Medicare election of hospice benefits, 78.36        |          |      |
| (4)“b”(1)   |          |      |
| <u>Notice ARC 3419C</u> .....   | 10/25/17 | 944  |
| Elimination of three-month retroactive Medicaid coverage benefit, 74.5, 75.1(35), 75.11 |          |      |
| (2), 75.19(1), 75.25, 76.4, 76.13, 76.14(2)   |          |      |
| <u>Notice ARC 3355C</u> , also  |          |      |
| <u>Filed Emergency ARC 3353C</u> .....  | 10/11/17 | 855  |
| <b>9:50 WORKERS’ COMPENSATION DIVISION[876]</b>   |          |      |
| WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”   |          |      |
| Heather Palmer, 515.725.3826  |          |      |
| Evaluation of permanent impairments; vocational training and education; suitable work;  |          |      |
| commutations, amendments to chs 1 to 6, 8, 12   |          |      |
| <u>Notice ARC 3414C</u> .....   | 10/25/17 | 1029 |
| <b>10:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]</b>                            |          |      |
| Margaret Thomson, 515.725.1036  |          |      |
| Vegetable seed labeling, 40.3   |          |      |
| <u>Notice ARC 3359C</u> .....   | 10/11/17 | 774  |
| Organic certification, amendments to ch 47  |          |      |
| <u>Notice ARC 3403C</u> .....   | 10/25/17 | 940  |
| <b>10:05 UTILITIES DIVISION[199]</b>  |          |      |
| COMMERCE DEPARTMENT[181]“umbrella”  |          |      |
| David Lynch, 515.725.7333   |          |      |
| Generating certificate dockets; request for power of eminent domain, 24.2 to 24.4, 24.5 |          |      |
| (2), 24.6(2), 24.8, 24.10(4), 24.11(1), 24.12(2), 24.15                                 |          |      |
| <u>Notice ARC 3416C</u> .....   | 10/25/17 | 1026 |
| Documents filed with the utilities board; forms, 2.1, 2.2, 2.4                          |          |      |
| <u>Notice ARC 3417C</u> .....   | 10/25/17 | 1019 |
| Declaratory orders, amendments to ch 4  |          |      |
| <u>Notice ARC 3418C</u> .....   | 10/25/17 | 1021 |

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| <b>10:15 ECONOMIC DEVELOPMENT AUTHORITY[261]</b>   |          |      |
| Jennifer Klein, 515.725.3124   |          |      |
| Workforce housing tax incentives program, amendments to ch 48  |          |      |
| <u>Notice ARC 3377C</u> .....  | 10/11/17 | 775  |
| Iowa targeted small business certification program, ch 52  |          |      |
| <u>Notice ARC 3378C</u> .....  | 10/11/17 | 777  |
| Career and technical skill assessment services and testing, amendments to chs 5, 7 to 9, 20, 58                    |          |      |
| <u>Filed ARC 3383C</u> .....   | 10/11/17 | 867  |
| Community catalyst building remediation program, ch 45   |          |      |
| <u>Filed ARC 3384C</u> .....   | 10/11/17 | 869  |
| Enterprise zone agreements; new investments, 59.15(3), 68.4  |          |      |
| <u>Filed ARC 3385C</u> .....   | 10/11/17 | 873  |
| STEM internship program—maximum employer award amount, 110.4(1)  |          |      |
| <u>Filed ARC 3386C</u> .....   | 10/11/17 | 875  |
| <b>10:30 IOWA FINANCE AUTHORITY[265]</b>   |          |      |
| Mark Thompson, 725.4937  |          |      |
| Home and community-based services rent subsidy program, 24.1 to 24.9   |          |      |
| <u>Filed ARC 3423C</u> .....   | 10/25/17 | 1043 |
| Military service home ownership assistance program, 27.2 to 27.5   |          |      |
| <u>Filed ARC 3424C</u> .....   | 10/25/17 | 1049 |
| HOME investment partnerships program, 39.2 to 39.9   |          |      |
| <u>Filed ARC 3425C</u> .....   | 10/25/17 | 1053 |
| Shelter assistance fund, 41.1, 41.2, 41.4, 41.6, 41.10   |          |      |
| <u>Filed ARC 3426C</u> .....   | 10/25/17 | 1062 |
| Emergency solutions grant program, 42.1, 42.2, 42.4 to 42.8, 42.10 to 42.12  |          |      |
| <u>Filed ARC 3427C</u> .....   | 10/25/17 | 1065 |
| <b>10:40 EDUCATION DEPARTMENT[281]</b>   |          |      |
| Nicole Proesch, 515.281.8661; Phil Wise, 515.281.4835  |          |      |
| General transfer rule—exception to ensure homeless student access to extracurricular activities, 36.15(3)          |          |      |
| <u>Notice ARC 3364C</u> .....  | 10/11/17 | 787  |
| High school equivalency diploma, ch 32   |          |      |
| <u>Notice ARC 3365C</u> .....  | 10/11/17 | 783  |
| School health services; special education, amendments to chs 14, 41  |          |      |
| <u>Filed ARC 3387C</u> .....   | 10/11/17 | 875  |
| <b>10:50 COLLEGE STUDENT AID COMMISSION[283]</b>   |          |      |
| EDUCATION DEPARTMENT[281]"umbrella"  |          |      |
| Julie Leeper, 515.725.3420   |          |      |
| All Iowa opportunity scholarship program; all Iowa opportunity foster care grant program, amend ch 8; rescind ch 9 |          |      |
| <u>Filed Emergency After Notice ARC 3381C</u> .....  | 10/11/17 | 849  |
| Iowa tuition grant program—for-profit institutions, ch 11  |          |      |
| <u>Filed Emergency After Notice ARC 3382C</u> .....  | 10/11/17 | 851  |

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**11:00    INSPECTIONS AND APPEALS DEPARTMENT[481]**

David Werning, 515.281.7376  
 Contested cases; rules of procedure and practice before the administrative hearings  
 division, adopt ch 9; amend chs 10, 30, 50, 57, 58, 62 to 65, 67, 90, 100, 105, 106  
Notice ARC 3407C ..... 10/25/17      944  
 Iowa code of administrative judicial conduct, 10.1, 10.29, ch 15  
Notice ARC 3408C ..... 10/25/17      950  
 Factors determining imposition of citation and fine, 56.7, 56.10  
Filed ARC 3390C..... 10/11/17      900

**11:15    ENVIRONMENTAL PROTECTION COMMISSION[567]**

NATURAL RESOURCES DEPARTMENT[561]"umbrella"  
 Christina Iiams, 515.725.8240  
 Electronic submittal of manure management plan updates and associated fees, 65.16(3)“b”  
Filed ARC 3388C..... 10/11/17      889

**11:20    PUBLIC HEALTH DEPARTMENT[641]**

Susan Dixon, 515.725.2183  
 Statewide obstetrical and newborn indigent care program, rescind ch 75  
Notice ARC 3350C ..... 10/11/17      838  
 Office of minority and multicultural health, rescind ch 82  
Notice ARC 3351C ..... 10/11/17      839  
 Iowa health information network, rescind ch 206  
Notice ARC 3352C ..... 10/11/17      840  
 Medical cannabidiol Act registration card program, 154.1 to 154.14  
Notice of Termination ARC 3379C ..... 10/11/17      839  
 Prospective private sector employee drug testing—addition of “hair” to definition of  
 “sample”; update of references to forensic drug testing, amendments to ch 12  
Filed ARC 3392C..... 10/11/17      907  
 Notification requirements for mammogram reports, 41.6(4)  
Filed ARC 3393C..... 10/11/17      909  
 Vital records—reporting of terminations of pregnancy, amendments to ch 100  
Filed ARC 3394C..... 10/11/17      910  
 Biological agent risk assessment, rescind ch 112  
Filed ARC 3395C..... 10/11/17      914  
 Automated external defibrillator program, amendments to ch 143  
Filed ARC 3396C..... 10/11/17      914  
 Governmental public health advisory council—update of definition for “local board of  
 health,” 186.2  
Filed ARC 3397C..... 10/11/17      917  
 Organized delivery systems, rescind ch 201  
Filed ARC 3398C..... 10/11/17      918

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| <b>11:50 PROFESSIONAL LICENSURE DIVISION[645]</b>  |          |      |
| <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>   |          |      |
| Judy Manning, 515.281.4413; Venus Vendoures-Walsh, 515.242.6529  |          |      |
| Licensure of athletic trainers, amendments to ch 351   |          |      |
| <u>Notice</u> <u>ARC 3363C</u> .....   | 10/11/17 | 836  |
| Cosmetology arts and sciences—licensure of practitioners and establishments, continuing education, amendments to chs 60, 61, 64      |          |      |
| <u>Notice</u> <u>ARC 3372C</u> .....   | 10/11/17 | 828  |
| Licensure procedures for hearing aid specialists, amendments to chs 121 to 124   |          |      |
| <u>Notice</u> <u>ARC 3409C</u> .....   | 10/25/17 | 963  |
| Speech pathologists and audiologists—licensure, continuing education, discipline, amendments to chs 300, 303, 304                    |          |      |
| <u>Notice</u> <u>ARC 3410C</u> .....   | 10/25/17 | 965  |
| Optometrists—application for licensure, contact lens and spectacle lens prescriptions, 180.2(1), 182.3                               |          |      |
| <u>Filed</u> <u>ARC 3428C</u> .....  | 10/25/17 | 1071 |
| <b>12:05 BREAK</b>   |          |      |
| <b>12:20 MEDICINE BOARD[653]</b>   |          |      |
| <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>   |          |      |
| Mark Bowden, 515.242.3268  |          |      |
| Standards of practice—experimental treatments for patients with a terminal illness, 13.13  |          |      |
| <u>Notice</u> <u>ARC 3360C</u> .....   | 10/11/17 | 814  |
| Standards of practice—tick-borne disease diagnosis and treatment, 13.14  |          |      |
| <u>Notice</u> <u>ARC 3361C</u> .....   | 10/11/17 | 816  |
| Permanent and administrative medicine physician licensure, amendments to ch 9  |          |      |
| <u>Notice</u> <u>ARC 3368C</u> .....   | 10/11/17 | 803  |
| <b>12:35 PHARMACY BOARD[657]</b>   |          |      |
| <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>   |          |      |
| Therese Witkowski, 515.281.6676  |          |      |
| Pharmacist licensure by examination—provision of ITIN and proof of presence, 2.2(1)  |          |      |
| <u>Notice</u> <u>ARC 3369C</u> .....   | 10/11/17 | 819  |
| Registration of services programs that provide controlled substances; update of cross references, 5.17, 11.3, 11.26(2), 11.27, 11.33 |          |      |
| <u>Notice</u> <u>ARC 3370C</u> .....   | 10/11/17 | 820  |
| End of prescriber/patient relationship—dispensing of remaining prescription refills, 8.20  |          |      |
| <u>Notice</u> <u>ARC 3371C</u> .....   | 10/11/17 | 821  |
| Agency procedure for rule making, ch 28  |          |      |
| <u>Notice</u> <u>ARC 3373C</u> .....   | 10/11/17 | 822  |
| <b>12:50 PUBLIC SAFETY DEPARTMENT[661]</b>   |          |      |
| Barb Edmondson, 515.725.6188   |          |      |
| 2012 life safety code—adoption by reference, 205.1, 205.5, 205.10, 205.15, 205.20, 205.25  |          |      |
| <u>Notice</u> <u>ARC 3411C</u> .....   | 10/25/17 | 1006 |

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| <b>12:55 REVENUE DEPARTMENT[701]</b>  |          |      |
| Tim Reilly, 515.725.2294  |          |      |
| Electronic filing of W-2 and 1099 forms—extension of deadline, 46.3(3)  |          |      |
| <u>Filed</u> <u>ARC 3429C</u> .....   | 10/25/17 | 1072 |
| Property assessment appeal board, amendments to ch 126  |          |      |
| <u>Filed</u> <u>ARC 3430C</u> .....   | 10/25/17 | 1073 |
| Optional designations of funds by taxpayer, 43.4  |          |      |
| <u>Notice</u> <u>ARC 3413C</u> .....  | 10/25/17 | 1013 |
| <br>  |          |      |
| <b>1:05 TRANSPORTATION DEPARTMENT[761]</b>  |          |      |
| Tracy George, 515.239.1358  |          |      |
| Emergency filing, ARRC authorization required: Planting and harvesting periods, commercial motor vehicle regulations, 520.8 |          |      |
| Holiday rest stops and rest areas; rest area sponsorship program, amend chs 105, 106; rescind ch 123                        |          |      |
| <u>Notice</u> <u>ARC 3366C</u> .....  | 10/11/17 | 840  |
| Improvements and maintenance on primary road extensions, 150.1 to 150.5   |          |      |
| <u>Notice</u> <u>ARC 3367C</u> .....  | 10/11/17 | 843  |
| Highway project planning, rescind ch 110  |          |      |
| <u>Filed</u> <u>ARC 3399C</u> .....   | 10/11/17 | 918  |
| General requirements and covenants for highway and bridge construction, rescind ch 125                                      |          |      |
| <u>Filed</u> <u>ARC 3400C</u> .....   | 10/11/17 | 919  |
| <br>  |          |      |
| <b>1:20 WORKFORCE DEVELOPMENT DEPARTMENT[871]</b>   |          |      |
| David Steen, 515.725.5492; Emily Chafa, 515.725.1201  |          |      |
| Employer records, reports, contribution and charges; claims; benefits, amendments to chs 22 to 24                           |          |      |
| <u>Filed</u> <u>ARC 3401C</u> .....   | 10/11/17 | 920  |
| Employer contribution and charges; cash value of room and board, amendments to chs 23, 25                                   |          |      |
| <u>Filed</u> <u>ARC 3402C</u> .....   | 10/11/17 | 923  |
| Subpoenas for witnesses and documents, 26.13  |          |      |
| <u>Notice</u> <u>ARC 3421C</u> .....  | 10/25/17 | 1038 |
| Employer contribution and charges; claims and benefits, 23.69, 23.70, 23.72(1), 24.1, 24.39, 24.40                          |          |      |
| <u>Amended Notice</u> <u>ARC 3380C</u> .....  | 10/11/17 | 848  |
| Employer contribution and charges; claims and benefits, 23.69, 23.70, 23.72(1), 24.1, 24.39, 24.40                          |          |      |
| <u>Amended Notice</u> <u>ARC 3432C</u> .....  | 10/25/17 | 1038 |
| <br>  |          |      |
| <b>1:30 LABOR SERVICES DIVISION[875]</b>  |          |      |
| WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"   |          |      |
| Kathleen Uehling, 515.725.5615  |          |      |
| OSHA civil penalty structure, amendments to ch 3  |          |      |
| <u>Notice</u> <u>ARC 3415C</u> .....  | 10/25/17 | 960  |

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| <b>1:35</b> | <b>AGING, DEPARTMENT ON[17]</b><br>Brian Majeski, 515.725.2065<br>Training requirement for options counselors, 23.7<br><u>Notice</u> <u>ARC 3376C</u> ..... | 10/11/17 | 774 |
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**NO REPRESENTATIVE REQUESTED TO APPEAR**

|              |   |          |      |
|--------------|---|----------|------|
| <b>XX:00</b> | <b>ACCOUNTANCY EXAMINING BOARD[193A]</b><br>PROFESSIONAL LICENSING AND REGULATION BUREAU[193]<br>COMMERCE DEPARTMENT[181]"umbrella"<br>Attest services; CPA firm licensure; definition of "state"; review of rules, amendments to<br>chs 1, 6 to 8, 10, 13, 14, 20, 21<br><u>Filed</u> <u>ARC 3422C</u> ..... | 10/25/17 | 1040 |
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| <b>XX:00</b> | <b>INSURANCE DIVISION[191]</b><br>COMMERCE DEPARTMENT[181]"umbrella"<br>Term and universal life insurance reserve financing, ch 112<br><u>Notice</u> <u>ARC 3362C</u> .....             | 10/11/17 | 796 |
|              | Regulation of securities offerings and those who engage in the securities business, 50.66,<br>50.91, 50.92<br><u>Filed</u> <u>ARC 3391C</u> .....                                       | 10/11/17 | 902 |
|              | Health insurance sales—protections for seniors moving between a Medicare supplement<br>policy and a Medicare Part C policy, 15.5<br><u>Notice of Termination</u> <u>ARC 3404C</u> ..... | 10/25/17 | 960 |
|              | Iowa stopgap measure, 82.7 to 82.14<br><u>Notice</u> <u>ARC 3348C</u> , also<br><u>Filed Emergency</u> <u>ARC 3349C</u> .....   | 10/11/17 | 861 |

|              |   |          |     |
|--------------|---|----------|-----|
| <b>XX:00</b> | <b>PUBLIC HEALTH DEPARTMENT[641]</b><br>Medical cannabidiol program, amendments to ch 154 – review deferred to Dec. ARRC<br>meeting<br><u>Notice</u> <u>ARC 3420C</u> ..... | 10/25/17 | 971 |
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