

# NOVEMBER 2008 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Friday, November 7, 2008, at 8:30 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

## BULLETINS NEEDED FOR THIS MEETING: 10/8/08, 10/22/08

		Bulletin	Page
8:30	LSA OVERVIEW Sue Lerdal		
8:35	SECRETARY OF STATE[721] Sarah Reisetter (282-5071)		
	Voting centers for certain elections, 21.75 <u>Notice of Termination ARC 7209B</u> .....	10/8/08	908
	Voting systems, amendments to ch 22 <u>Notice ARC 7266B</u> , also <u>Filed Emergency ARC 7264B</u> .....	10/8/08	922
8:45	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261] Melanie Johnson 2-4862		
	Sustainable community projects; downtown revitalization funds, 23.2, 23.4, 23.5(7), 23.6(4)“c,” 23.7(1)“k,” 23.10, 23.15, 23.16 <u>Filed ARC 7276B</u> .....	10/22/08	1111
	CDBG program—reallocation of funds for disaster recovery business assistance projects, 23.4(4) <u>Filed Emergency ARC 7275B</u> .....	10/22/08	1102
	Physical infrastructure assistance program (PIAP) eligibility, 23.7(1), 61.1(2), 61.3(1), 61.4(2), 61.5, 61.7(2), 174.3(5) <u>Filed ARC 7231B</u> .....	10/8/08	930
	Housing fund, amendments to ch 25 <u>Filed ARC 7232B</u> .....	10/8/08	930
	Home funds—waiver of match requirement to facilitate disaster recovery housing projects, 25.6(7) <u>Filed Emergency ARC 7274B</u> .....	10/22/08	1102
	Film, television, and video project promotion program, 36.1 to 36.9 <u>Filed ARC 7247B</u> .....	10/8/08	931
	Regional sports authority districts, 38.1 to 38.8 <u>Filed ARC 7237B</u> .....	10/8/08	932
	Targeted jobs withholding tax credit program, 71.1 to 71.6 <u>Notice of Termination ARC 7248B</u> .....	10/8/08	847
	Targeted jobs withholding tax credit program, 71.1 to 71.6 <u>Notice ARC 7249B</u> .....	10/8/08	848
	Small business disaster recovery financial assistance program, ch 78 <u>Notice ARC 7236B</u> , also <u>Filed Emergency ARC 7235B</u> .....	10/8/08	910
	Small business disaster recovery financial assistance program, amendments to ch 78 <u>Filed Emergency ARC 7273B</u> .....	10/22/08	1103
	Information technology training program, 103.1 to 103.13 <u>Filed ARC 7234B</u> .....	10/8/08	933
	Targeted industries networking fund, 107.1 to 107.8 <u>Filed Emergency After Notice ARC 7245B</u> .....	10/8/08	912
	Targeted industries student competition fund, 108.1 to 108.8 <u>Filed ARC 7233B</u> .....	10/8/08	933
	Targeted industries career awareness fund, 109.1 to 109.9 <u>Filed ARC 7246B</u> .....	10/8/08	934
	Lean manufacturing institute, supplier capacity and product database, and management talent recruitment programs, chs 110 to 112 <u>Filed Emergency After Notice ARC 7243B</u> .....	10/8/08	912
	River enhancement community attraction and tourism fund, amendments to chs 211, 212 <u>Filed Emergency After Notice ARC 7244B</u> .....	10/8/08	914
	Wage waivers, Ch. 68, 174, 175	selective	
9:30	AGRICULTURE & LAND STEWARDSHIP DEPT.[21] Margaret Thomson 1-5322		
	Voluntary CWD program, 64.104, 64.106(3), 65.9(1)“a” <u>Filed ARC 7283B</u> .....	10/22/08	1110
	Meat and poultry program—adoption of federal regulations, 76.1 to 76.4, 76.13, 76.14 <u>Filed ARC 7282B</u> .....	10/22/08	1111

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<b>9:40</b>	<b>EDUCATION DEPARTMENT[281]</b> Carol Greta (281-8661)		
	Competent private instruction and dual enrollment, 31.1 to 31.10 <u>Notice ARC 7211B</u> .....	10/8/08	851
	Physical restraint; confinement and detention, 103.1 to 103.8 <u>Filed ARC 7212B</u> .....	10/8/08	935
<b>10:00</b>	<b>PHARMACY BOARD[657]</b> Lloyd Jessen (281-5944)		
	<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
	Pharmacist licenses, 2.11(2), 2.12, 2.13(1) <u>Notice ARC 7230B</u> .....	10/8/08	890
	Prescription processing documentation, 6.8 <u>Notice ARC 7241B</u> .....	10/8/08	891
	Emergency room visit—drugs dispensed to patients, 7.12 <u>Notice ARC 7228B</u> .....	10/8/08	892
	Centralized prescription filling and processing, 18.5(1) <u>Notice ARC 7229B</u> .....	10/8/08	894
	Nonpayment of state debt; discipline, ch 32, 36.1(4) <u>Notice ARC 7242B</u> .....	10/8/08	895
<b>10:20 to 10:30 break</b>			
<b>10:30</b>	<b>IOWA FINANCE AUTHORITY[265]</b> Mark Thompson (281-4868)		
	Trust fund allocation plan for project-based housing program, 19.1 <u>Notice ARC 7257B</u> .....	10/8/08	885
	Jump-start housing assistance program, ch 29 <u>Notice ARC 7254B</u> , also <u>Filed</u> <u>Emergency ARC 7253B</u> .....	10/8/08	918
	Jump-start housing assistance program, 29.3(5), 29.5(2) <u>Filed Emergency ARC 7281B</u> .....	10/22/08	1107
<b>10:45</b>	<b>REVENUE DEPARTMENT[701]</b> Dave Casey (281-6163)		
	Audit limitation for lawn care, landscaping and tree trimming and removal services, 12.10 <u>Notice ARC 7256B</u> .....	10/8/08	901
	Replacement tax and property tax exemptions, 70.12, 80.5, 80.26, 80.27 <u>Notice ARC</u> <u>7255B</u> .....	10/8/08	902
	Web search portal business and its exemption, 230.11 <u>Notice ARC 7259B</u> .....	10/8/08	906
<b>11:00</b>	<b>ENVIRONMENTAL PROTECTION COMMISSION[567]</b> Marla Gallardo (281-8678)		
	<small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small>		
	Maximum annual Title V operating permit fee, 22.106(1) <u>Notice ARC 7220B</u> .....	10/8/08	861
	Reissued Regional Permit 7—water quality certification, 61.2(2)"h" <u>Filed ARC 7218B</u> .....	10/8/08	940
	Independent redemption center grant program, 107.16 <u>Filed Emergency After Notice</u> <u>ARC 7210B</u> .....	10/8/08	915
	Used oil and used oil filters, 119.1 to 119.9 <u>Notice ARC 7219B</u> .....	10/8/08	862
<b>11:20</b>	<b>HUMAN SERVICES DEPARTMENT[441]</b> Nancy Freudenberg (281-8438)		
	FIP recipients—semiannual reporting of earned income, amendments to chs 7, 40, 41, 46 <u>Notice ARC 7267B</u> .....	10/8/08	867
	Risk pool funds, 25.61, 25.62(5), 25.63, 25.64, 25.65(1) <u>Filed Emergency ARC 7261B</u> .....	10/8/08	915
	Emergency mental health crisis services system, ch 26 <u>Notice ARC 7263B</u> .....	10/8/08	871
	Mental health services for children and youth, ch 27 <u>Notice ARC 7265B</u> .....	10/8/08	880
	Updates to requirements for participation in PROMISE JOBS, amend chs 40, 41, 47, 58; adopt ch 93 <u>Notice ARC 7287B</u> .....	10/22/08	1043
	Rent subsidy program, rescind ch 53 <u>Filed Without Notice ARC 7223B</u> .....	10/8/08	940
	HCBS waivers, amendments to ch 77 <u>Notice of Termination ARC 7269B</u> .....	10/8/08	885
	New Medicaid provider category for occupational therapists in independent practice, 77.31, 78.35, 79.1(2) <u>Notice ARC 7272B</u> .....	10/22/08	1085
	Medicaid reimbursement rates, amendments to chs 78, 79, 83 <u>Filed ARC 7224B</u> .....	10/8/08	941

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<b>HUMAN SERVICES DEPARTMENT[441] continued</b>		
Child care centers and child development homes—prohibition of smoking, 109.10(11), 110.5(1)“o” <u>Filed ARC 7227B</u> .....	10/8/08	943
Child care assistance—reimbursement rate increase for providers, 170.4(7)“a” <u>Filed Emergency After Notice ARC 7225B</u> .....	10/8/08	917
Department visits to children in foster care, 202.3(3), 202.11 <u>Filed ARC 7226B</u> .....	10/8/08	944
<b>SPECIAL REVIEW FROM OCTOBER</b>		
Medicaid coverage of periodontal and endodontic dental services, 78.4(14) <u>Notice ARC 7137B</u> .....	9/10/08	616
Medicaid reimbursement rate for nonemergency medical transportation by car, 78.13(5) <u>Notice ARC 7123B</u> , also <u>Filed Emergency ARC 7122B</u> .....	9/10/08	663
PROMISE JOBS mileage reimbursement rate increase, 93.110(6)“b” <u>Notice ARC 7126B</u> , also <u>Filed Emergency ARC 7125B</u> .....	9/10/08	664
Preferred Drug List-Mental Health medications		
 <b>12:00 COMMITTEE BUSINESS</b>		
Approve November minutes		
December 9th meeting and CHRISTMAS PARTY		
Miscellaneous		
 <b>NO REPRESENTATIVES REQUESTED TO APPEAR</b>		
<b>XX:00 COLLEGE STUDENT AID COMMISSION[283]</b>		
EDUCATION DEPARTMENT[281]“umbrella”		
All Iowa opportunity foster care grant program—awards, 9.4(5) <u>Notice ARC 7251B</u> .....	10/8/08	847
 <b>XX:00 EDUCATIONAL EXAMINERS BOARD[282]</b>		
EDUCATION DEPARTMENT[281]“umbrella”		
Chapter reorganization, rescind chs 14 to 22; adopt chs 12 to 24 <u>Notice ARC 7284B</u> .....	10/22/08	962
Class A license requirements, 14.115 <u>Notice ARC 7252B</u> .....	10/8/08	851
Superintendent endorsement—administrative experience, 14.142(4)“c” <u>Filed ARC 7250B</u> .....	10/8/08	935
 <b>XX:00 HISTORICAL DIVISION[223]</b>		
CULTURAL AFFAIRS DEPARTMENT[221]“umbrella”		
State historical society of Iowa—award programs, 21.2, 21.3 <u>Notice ARC 7278B</u> .....	10/22/08	1041
Historic tax credits—application sequencing process, 48.8 <u>Filed Emergency ARC 7270B</u> .....	10/22/08	1106
 <b>XX:00 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]</b>		
Covered wages; reemployment earnings limit, contributions and interest, 6.3, 12.8(4)“e” <u>Notice ARC 7262B</u> .....	10/8/08	887
 <b>XX:00 MEDICINE BOARD[653]</b>		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Update of citations, amendments to chs 1 to 3, 8 to 11, 13, 16, 17, 23, 26 <u>Filed ARC 7240B</u> .....	10/8/08	945
Definition and supervision of an observer, 9.1, 9.2 <u>Filed ARC 7239B</u> .....	10/8/08	945

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Nonpayment of state debt; grounds for discipline, ch 12, 23.1 <u>Filed ARC 7238B</u> .....	10/8/08	946
<b>XX:00 NATURAL RESOURCE COMMISSION[571]</b> NATURAL RESOURCES DEPARTMENT[561]"umbrella"		
Point values assigned to convictions, 15.6(3)"a"(22) <u>Filed ARC 7216B</u> .....	10/8/08	947
Horsepower limitations—Lake Icaria, Adams County, 45.4(3)"b" <u>Notice ARC 7217B</u> .....	10/8/08	889
<b>XX:00 NURSING BOARD[655]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Administration of anesthetic agents—requirements and exceptions, 6.2(6), 6.4 <u>Notice of Termination ARC 7215B</u> .....	10/8/08	889
<b>XX:00 PROFESSIONAL LICENSING AND REGULATION BUREAU[193]</b> COMMERCE DEPARTMENT[181]"umbrella"		
Certificates of noncompliance; nonpayment of debt, 7.43 to 7.45, 8.1(1), 8.2(1), 8.3 <u>Filed ARC 7213B</u> .....	10/8/08	948
<b>XX:00 PROFESSIONAL LICENSURE DIVISION[645]</b> PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Reactivation fee for certified health service providers in psychology, 5.16(12) <u>Notice ARC 7268B</u> .....	10/8/08	898
Board of behavioral science, rescind chs 30, 34; amend chs 31 to 33 <u>Notice ARC 7286B</u> .....	10/22/08	1086
Board of cosmetology arts and sciences, rescind chs 59, 62; amend chs 60, 61, 63 to 65 <u>Notice ARC 7221B</u> .....	10/8/08	898
Board of mortuary science, rescind chs 99, 105; amend chs 100 to 103 <u>Filed ARC 7214B</u> .....	10/8/08	948
Board of massage therapy, rescind chs 130, 135; amend chs 131, 133, 134 <u>Filed ARC 7258B</u> .....	10/8/08	949
Board of nursing home administrators, rescind chs 140, 145; amend chs 141, 143, 144 <u>Notice ARC 7285B</u> .....	10/22/08	1095
Board of speech pathology and audiology, rescind chs 299, 305; amend chs 300, 303, 304 <u>Notice ARC 7280B</u> .....	10/22/08	1096
<b>XX:00 PUBLIC SAFETY DEPARTMENT[661]</b>		
Smoke detector requirements for single and multifamily residential buildings, 210.2 <u>Filed Emergency ARC 7277B</u> .....	10/22/08	1108
<b>XX:00 REAL ESTATE COMMISSION[193E]</b> Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella"		
Trust accounts—tax identification number and depository address modified, 13.1(2) <u>Notice ARC 7271B</u> .....	10/22/08	1099
<b>XX:00 TREASURER OF STATE[781]</b>		
Iowa educational savings plan trust—payment schedules, 16.4(2), 16.7(1) <u>Notice ARC 7279B</u> .....	10/22/08	1100

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<b>XX:00 VETERANS AFFAIRS, IOWA DEPARTMENT OF[801]</b>		
War orphans educational assistance fund, 9.3, 9.4, 9.5(1)“b” <u>Filed ARC 7222B</u> .....	10/8/08	X