

DECEMBER 2008 AGENDA

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, December 9, 2008, at 9 a.m. and Wednesday, December 10, 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: 11/5/08, 11/19/08

		Bulletin	Page
Tuesday, December 9th			
9:00	LSA Overview--Sue Lerdal		
9:10	INSURANCE DIVISION[191]		
	COMMERCE DEPARTMENT[181]"umbrella"		
	Insurance producers, 10.2 to 10.26 <u>Filed ARC 7350B</u>	11/19/08	1313
	Continuing education for insurance producers, 11.1(3), 11.2 to 11.4, 11.10(8) <u>Filed</u>		
	ARC 7351B	11/19/08	1313
	Prohibited designation, 15.8(3)"e" <u>Filed ARC 7353B</u>	11/19/08	1314
	Independent review of benefit trigger determinations, 39.1, 39.41 to 39.55 <u>Filed ARC</u>		
	7347B	11/19/08	1314
	Premium rate increase—protection to consumers, 39.29(4) <u>Filed ARC 7348B</u>	11/19/08	1315
	Viatical and life settlements, amendments to ch 48 <u>Filed ARC 7317B</u>	11/5/08	1234
	Use of senior-specific certificates and professional designations, 50.16(2)"j,"		
	50.38(1)"y," 50.54 <u>Filed ARC 7349B</u>	11/19/08	1316
	Annual financial reporting requirements, ch 98 <u>Filed ARC 7304B</u>	11/5/08	1235
	Sales of cemetery merchandise, funeral merchandise and funeral services, chs 100 to		
	106 <u>Filed ARC 7318B</u>	11/5/08	1236
9:45	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Pesticides—airial applicators and aerial applicator supervisors, 45.1, 45.22(17) <u>Notice</u>		
	ARC 7339B	11/19/08	1260
	Designations for ethanol blended gasoline, 85.48 <u>Notice ARC 7370B</u>	11/19/08	1262
	Electronic warehouse receipts and credit-sale contracts, amendments to chs 90, 91		
	<u>Notice ARC 7338B</u>	11/19/08	1263
	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
10:00	IOWA FINANCE AUTHORITY[265]		
	Second amended 2009 qualified allocation plan, 12.1 <u>Notice ARC 7294B</u> , also <u>Filed</u>		
	<u>Emergency ARC 7293B</u>	11/5/08	1218
	Waiver of up-to-date title plant requirement, 9.7 <u>Filed ARC 7403B</u>	12/3/08	1387
	First amended 2009 qualified allocation plan, 12.1 <u>Notice of Termination ARC 7402B</u>	12/3/08	1369
	Trust fund allocation plan for project-based housing program, 19.1 <u>Filed ARC 7404B</u>	12/3/08	1388
10:20--10:30 break			
10:30	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]		
	CDBG contingency fund, 23.4, 23.10 <u>Filed Emergency ARC 7314B</u>	11/5/08	1209
	Waiver of wage and nonstatutory program requirements under certain limited		
	conditions, 68.2(6), 68.4(7)"a"(1), 174.4, 175.4 <u>Notice ARC 7315B</u> , also <u>Filed</u>		
	<u>Emergency ARC 7316B</u>	11/5/08	1210

DECEMBER 2008 AGENDA

	Bulletin	Page
10:45 HUMAN SERVICES DEPARTMENT[441]		
Medicaid and FIP—eligibility; alignment of procedures across programs, amendments to chs 40, 41, 43, 45, 46, 75, 76 <u>Filed Emergency After Notice ARC 7295B</u>	11/5/08	1214
Iowa disaster aid individual assistance grant program, 58.3(2), 58.4(4), 58.5, 58.6 <u>Filed ARC 7296B</u>	11/5/08	1226
Assignment of rights to medical payments from third parties, 75.2(2), 75.2(4) <u>Notice ARC 7356B</u>	11/19/08	1275
Medicaid—continuous eligibility for children, 75.19, 75.54(4) <u>Filed Emergency After Notice ARC 7298B</u>	11/5/08	1215
State-funded family planning program, 76.1(2)“d,” ch 87 <u>Notice ARC 7367B</u>	11/19/08	1276
Medicaid—health care data match program; payment from other sources, 76.13, 80.3, 80.5(2) <u>Notice ARC 7355B</u>	11/19/08	1279
Medicaid coverage—behavioral health services, 77.26, 78.29, 79.1(2), 79.3(2)“d” <u>Filed Emergency After Notice ARC 7300B</u>	11/5/08	1216
Supplemental rebates for diabetic supplies, 78.6, 78.9, 78.10, 78.28 <u>Notice ARC 7369B</u>	11/19/08	1281
Medicaid—local education agency expenses for transportation, 78.6(6), 78.25(2)“e,” 78.50(1) <u>Filed ARC 7301B</u>	11/5/08	1227
Medicaid—reimbursement for nursing facilities related to performance, 81.6(16)“g,” 81.36(5) <u>Filed ARC 7302B</u>	11/5/08	1227
HAWK-I program, amendments to ch 86 <u>Filed ARC 7336B</u>	11/19/08	1310
Child care centers, child development homes—staff training, 109.2(6)“b,” 109.7, 110.5 <u>Filed ARC 7303B</u>	11/5/08	1229
In-home health related care, 177.4(5), 177.6(3), 177.11(1) <u>Notice ARC 7371B</u>	11/19/08	1283
Food assistance program administration, amendments to ch 65 <u>Filed ARC 7385B</u>	12/3/08	1382
Medical assistance for children in court-approved subsidized guardianship homes, 75.1(11), 75.57(6)“s” <u>Filed ARC 7386B</u>	12/3/08	1384
Medicaid for children with disabilities, 75.1(43) <u>Filed Emergency After Notice ARC 7388B</u>	12/3/08	1379
Case management services—compliance with federal regulations, amendments to chs 77, 78 <u>Filed ARC 7394B</u>	12/3/08	1384
Medicaid coverage of periodontal and endodontic dental services, 78.4 <u>Filed Emergency After Notice ARC 7396B</u>	12/3/08	1379
Foster care and adoption policies, 108.8(1)“c”(13), 113.4(1), 113.13, 113.17(1), 156.8(1), 156.11, 200.4(1)“b” <u>Notice ARC 7372B</u>	12/3/08	1365
Donation of funds to department; elimination of provider advisory committee, amendments to ch 150 <u>Filed ARC 7397B</u>	12/3/08	1386
Family support subsidy, 184.9 <u>Filed ARC 7399B</u>	12/3/08	1386
SPECIAL REVIEW		
Iowa Care Program		

12:00 -- 1:00 Lunch

1:00 PUBLIC SAFETY DEPARTMENT[661]		
Commercial explosive licensing, rescind 5.7, 5.851, 5.865, 5.866; adopt ch 235 <u>Notice ARC 7312B</u>	11/5/08	1190
Reduced ignition propensity cigarettes, ch 61 <u>Filed ARC 7344B</u>	11/19/08	1318
Electrical installations—update of National Electrical Code reference, 201.3 <u>Filed ARC 7342B</u>	11/19/08	1319
Fire fighter certification standards, 251.202 <u>Filed ARC 7345B</u>	11/19/08	1320
Electrical requirements—adoption of National Electrical Code by reference, 301.5 <u>Filed ARC 7343B</u>	11/19/08	1321

DECEMBER 2008 AGENDA

		Bulletin	Page
	PUBLIC SAFETY DEPARTMENT[661] continued		
	Installation requirements—update of National Electrical Code reference, 504.1 <u>Filed</u> ARC 7341B	11/19/08	1322
1:30	PUBLIC HEALTH DEPARTMENT[641]		
	Plumbing and mechanical systems examining board—administrative and regulatory authority, ch 27 <u>Filed</u> ARC 7332B	11/5/08	1243
	Plumbing and mechanical systems licensure fees, ch 28 <u>Notice</u> ARC 7328B	11/5/08	1182
	Plumbing and mechanical systems professionals—application, licensure, and examination, ch 29 <u>Notice</u> ARC 7330B	11/5/08	1184
	Out-of-hospital do-not-resuscitate orders, ch 142, appendix A <u>Notice</u> ARC 7357B	11/19/08	1287
	Maintenance of AED device, 143.10 to 143.12 <u>Notice</u> ARC 7358B	11/19/08	1288
	Immunizations, 7.1, 7.3, 7.4, 7.6 to 7.8, 7.11(4), 7.12 <u>Filed</u> ARC 7389B	12/3/08	1389
	Water treatment systems, ch 14 <u>Filed</u> ARC 7390B	12/3/08	1396
	EMS providers—inactive status, discipline, 131.4, 131.7 <u>Filed</u> ARC 7391B	12/3/08	1397
	EMS—air medical services, driver training, employee termination, 132.1, 132.8 <u>Filed</u> ARC 7392B	12/3/08	1398
	Smokefree air, ch 153 <u>Filed</u> ARC 7393B	12/3/08	1399
	Wednesday, December 10th		
8:45	REVENUE DEPARTMENT[701]		
	Tax return extension in disaster areas, 6.8 <u>Filed</u> ARC 7364B	11/19/08	1325
	Interest rate—calendar year 2009, 10.2(28) <u>Notice</u> ARC 7334B	11/5/08	1194
	Bonding procedure, 11.10 <u>Notice</u> ARC 7331B	11/5/08	1195
	Update of revenue rules pertaining to motor fuel, amend chs 18, 67, 68, 231; rescind chs 63 to 65 <u>Filed</u> ARC 7363B	11/19/08	1325
	Use tax exemption, 32.3, 33.9, 33.10 <u>Notice</u> ARC 7327B	11/5/08	1197
	Individual and corporate income tax; charitable conservation contribution tax credits, 38.19, 41.5(15), 42.23, 42.38, 52.12, 52.37 <u>Filed</u> ARC 7361B	11/19/08	1326
	Individual and corporation tax, amendments to chs 40 to 42, 52, 53 <u>Filed</u> ARC 7359B	11/19/08	1327
	Individual, corporation, and franchise tax, amendments to chs 42, 43, 52, 58 <u>Filed</u> ARC 7360B	11/19/08	1328
	Inheritance tax exemption for qualified tuition plans, 86.5(14) <u>Notice</u> ARC 7326B	11/5/08	1201
	Inheritance and estate tax—applicability dates, 86.15, 87.1, 87.6 <u>Notice</u> ARC 7333B	11/5/08	1202
	License sanctions for collection of state debt, ch 153 <u>Notice</u> ARC 7335B	11/5/08	1203
	Audit limitation for lawn care, landscaping and tree trimming and removal services, 12.10 <u>Filed</u> ARC 7383B	12/3/08	1406
	Replacement tax and property tax exemptions, 70.12, 80.5, 80.26, 80.27 <u>Filed</u> ARC 7382B	12/3/08	1406
	Web search portal business and its exemption, 230.11 <u>Filed</u> ARC 7384B	12/3/08	1407
XX:00	ENVIRONMENTAL PROTECTION COMMISSION[567]		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Air quality, 22.1(2)“r,” 22.8(1), 23.1 <u>Notice</u> ARC 7306B	11/5/08	1130
	Fee schedule—water use permit program, 50.4(2), 55.5(2) <u>Notice</u> ARC 7307B	11/5/08	1137
	Iowa antidegradation implementation procedure, 61.2(2), 61.3 <u>Notice</u> ARC 7368B	11/19/08	7368
	Private sewage disposal systems, 64.15(4), ch 69 <u>Notice</u> ARC 7308B	11/5/08	1139
	Solid waste comprehensive planning requirements, amendments to ch 101 <u>Notice</u> ARC 7310B	11/5/08	1173

DECEMBER 2008 AGENDA

		Bulletin	Page
	ENVIRONMENTAL PROTECTION COMMISSION[567]- continued		
	Emission standards—Brick and Boiler MACTs, 23.1(4)“dd” and “dj” <u>Notice ARC 7395B</u>	12/3/08	1354
	Assessment policy and procedure for underground storage tank owners and operators, 135.2, 135.8(1)“e,” 135.9(4)“f,” 135.10 <u>Notice ARC 7400B</u>	12/3/08	1356
	Held Over from October		
	Wastewater disposal systems, amendments to chs 60, 62 to 64 <u>Notice ARC 7152B</u>	9/10/08	567
10:00	MANAGEMENT DEPARTMENT[541]		
	DAS customer council, ch 12 <u>Filed ARC 7313B</u>	11/5/08	1237
	10:10--10:20 break		
10:20	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]		
	Duplication of committee name, 4.2(2) <u>Notice ARC 7377B</u>	12/3/08	1359
	Legitimate expenditures of campaign funds, 4.25(1)“e” <u>Notice ARC 7373B</u>	12/3/08	1359
	Legitimate expenditures of campaign funds, 4.25(1)“t” <u>Filed Without Notice ARC 7376B</u>	12/3/08	1381
	Corporate political activity—prohibited use of property, 4.44(4) <u>Filed Without Notice ARC 7379B</u>	12/3/08	1382
	Payment of penalty for late-filed campaign report, 4.62(2) <u>Notice ARC 7380B</u>	12/3/08	1360
	Executive branch ethics—definitions of “employee” and “official,” 6.2 <u>Notice ARC 7378B</u>	12/3/08	1361
	Prohibition of sales to state agency in which employee or official serves or is employed, 6.10 <u>Notice ARC 7375B</u>	12/3/08	1361
	Prohibition of campaign contributions by lobbyists during legislative session, 8.15 <u>Notice ARC 7374B</u>	12/3/08	1362
10:40	PAROLE BOARD[205]		
	<small>CORRECTIONS DEPARTMENT[201]“umbrella”</small>		
	Certificates of employability, ch 9 <u>Notice ARC 7337B</u>	11/19/08	1284
10:50	UTILITIES DIVISION[199]		
	<small>COMMERCE DEPARTMENT[181]“umbrella”</small>		
	Electronic filing requirements, amend chs 1, 6, 7, 10, 11, 13; adopt ch 14 <u>Filed ARC 7366B</u>	11/19/08	1330
	Clarification of status of regulated, deregulated, and unregulated telecommunications services, amendments to ch 22 <u>Notice ARC 7365B</u>	11/19/08	1300
	Unauthorized changes in telecommunications service, 22.23 <u>Notice of Termination ARC 7362B</u>	11/19/08	1308
11:15	Committee business:		
	---Approve December Minutes		
	---January 2009 meeting		
	---Miscellaneous business		

DECEMBER 2008 AGENDA

Bulletin Page

No Representative requested to appear

XX:00 ADMINISTRATIVE SERVICES DEPARTMENT[111]		
Customer councils, rescind ch 10 <u>Filed ARC 7292B</u>	11/5/08	1220
Information technology—board membership, audit of fees, 20.5, 20.8(6) <u>Filed ARC 7290B</u>	11/5/08	1220
Information technology—participating agencies, operational standards, 25.1, 25.5(5) <u>Filed ARC 7289B</u>	11/5/08	1221
Eligibility of charitable agencies—criteria included in campaign, 71.6(1)“f” and “h” <u>Filed ARC 7291B</u>	11/5/08	1222
 XX:00 BANKING DIVISION[187]		
COMMERCE DEPARTMENT[181]“umbrella”		
Mortgage bankers and mortgage brokers, 18.1 to 18.5, 18.6(4), 18.8, 18.10(1), 18.23 <u>Filed ARC 7340B</u>	11/19/08	1309
 XX:00 CORRECTIONS DEPARTMENT[201]		
Institutions and administration, amendments to ch 20 <u>Filed ARC 7398B</u>	12/3/08	1381
 XX:00 CREDIT UNION DIVISION[189]		
COMMERCE DEPARTMENT[181]“umbrella”		
Update of references to Iowa Code, amendments to chs 1, 3, 6, 7, 9 to 17, 19, 23, 25 <u>Notice ARC 7319B</u>	11/5/08	1123
 XX:00 CULTURAL AFFAIRS DEPARTMENT[221]		
Iowa community cultural grants program, 6.3, 6.5, 6.6 <u>Notice ARC 7311B</u>	11/5/08	1127
 XX:00 EDUCATIONAL EXAMINERS BOARD[282]		
EDUCATION DEPARTMENT[281]“umbrella”		
Adding endorsements to licenses, 14.106 <u>Filed ARC 7321B</u>	11/5/08	1223
Administrator licenses, 14.114 <u>Filed ARC 7322B</u>	11/5/08	1224
Two-year teacher exchange license, 14.120(1) <u>Filed ARC 7324B</u>	11/5/08	1224
Substitute authorization for preschool special education, 14.143 <u>Notice ARC 7329B</u>	11/5/08	1129
Special education instructional endorsements, 15.1(2) <u>Filed ARC 7323B</u>	11/5/08	1225
 XX:00 HISTORICAL DIVISION[223]		
CULTURAL AFFAIRS DEPARTMENT[221]“umbrella”		
Historical resource development program funding policies, 49.2, 49.3 <u>Notice ARC 7387B</u>	12/3/08	1363
 XX:00 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]		
Covered wages; reemployment earnings limit, contributions and interest, 6.3, 12.8(4)“e” <u>Filed ARC 7381B</u>	12/3/08	1389
 XX:00 MEDICINE BOARD[653]		
PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
Physical, mental, and clinical competency evaluations, 24.4 <u>Filed ARC 7305B</u>	11/5/08	1241

DECEMBER 2008 AGENDA

	Bulletin	Page
XX:00 NATURAL RESOURCE COMMISSION[571]		
<small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small>		
Zoning of Mississippi River, city of Burlington, 40.56 <u>Notice ARC 7309B</u>	11/5/08	1180
 XX:00 PROFESSIONAL LICENSURE DIVISION[645]		
<small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small>		
Respiratory care—fees, 5.17(1), 5.17(4) <u>Notice ARC 7354B</u>	11/19/08	1286
Board of optometry, rescind chs 179, 184; amend chs 180 to 183 <u>Filed ARC 7297B</u>	11/5/08	1241
Board of podiatry, rescind chs 219, 221, 225; amend chs 220, 222, 224 <u>Filed ARC</u>		
7320B	11/5/08	1242
Podiatry—residency programs, 220.2(11), 220.7(3) <u>Notice ARC 7325B</u>	11/5/08	1181
Board of respiratory care, rescind chs 260, 264; amend chs 261 to 263 <u>Filed ARC</u>		
7352B	11/19/08	1317
Board of barbering, rescind chs 20, 26; amend chs 21 to 25 <u>Notice ARC 7401B</u>	12/3/08	1369
 XX:00 PUBLIC SAFETY DEPARTMENT[661]		
Electrical inspection program, chs 550 to 553, 559 <u>Filed ARC 7346B</u>	11/19/08	1324
 XX:00 RACING AND GAMING COMMISSION[491]		
<small>INSPECTIONS AND APPEALS DEPARTMENT[481]"umbrella"</small>		
Horse racing; licensure; monitoring activities; progressive slot machines, amendments to chs 5, 6, 10 to 12 <u>Filed ARC 7288B</u>	11/5/08	1244
 XX:00 REAL ESTATE COMMISSION[193E]		
<small>Professional Licensing and Regulation Bureau[193] COMMERCE DEPARTMENT[181]"umbrella"</small>		
Time period for completion of required education, 4.1(10), 16.2(3) <u>Filed ARC 7299B</u>	11/5/08	1244
 XX:00 TREASURER OF STATE[781]		
Fairgrounds infrastructure grant program, ch 20 <u>Notice ARC 7405B</u>	12/3/08	1375