



**January 2018 ARRC agenda
 Administrative Rules Review Committee
 Friday, January 5, 2018
 9 a.m.
 Room 116, State Capitol, Des Moines, Iowa**

MEMBERS

Mark Chelgren, Chair
 Mark Costello, Vice Chair
 Jim Carlin
 Wally E. Horn
 Pam Jochum

Dawn E. Pettengill, Chair
 Megan Jones
 Amy Nielsen
 Rick Olson
 Guy Vander Linden

BULLETINS NEEDED FOR THIS MEETING: 12/6/17, 12/20/17, 1/3/18

NOTICE

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

	Bulletin	Page
9:00 Committee Business		
• New ARRC member		
• Approve minutes		
• Friday, February 9th meeting: 9am?		
• Rulemaking preamble change		
• 2017 rule tracking update		
• Miscellaneous		
9:05 Fiscal Overview - Christin Mechler 515.281.6561		
9:10 NATURAL RESOURCE COMMISSION[571] <small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small> Christina Iams, 515.725.8240 SPECIAL REVIEW: Nonresident deer hunting and tagging, ch. 94		
9:25 ENVIRONMENTAL PROTECTION COMMISSION[567] <small>NATURAL RESOURCES DEPARTMENT[561]"umbrella"</small> Christina Iams, 515.725.8240 Air quality, amendments to chs 20, 22, 23, 25, 30, 33, 34 <u>Notice</u> <u>ARC 3520C</u>	12/20/17	1395

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9:35 HUMAN SERVICES DEPARTMENT[441]

Nancy Freudenberg, 515.281.8438		
Mandatory ARRC review, approval not required: State supplementary assistance—cost-of-living adjustments		
Health insurance premium payment (HIPP) program, 75.21		
<u>Filed ARC 3493C</u>	12/6/17	1335
Medicaid—qualified Medicare beneficiary (QMB) providers, health insurance premium		
payment (HIPP) providers, 77.53, 77.54, 78.58, 78.59, 79.1, 79.14(1), 80.2(2)		
<u>Filed ARC 3494C</u>	12/6/17	1341
Child abuse prevention program, amendments to ch 155		
<u>Filed ARC 3495C</u>	12/6/17	1344
Appeals to managed care organizations, 73.12(2)		
<u>Notice ARC 3514C</u>	12/20/17	1409
Employee background checks—department as requesting entity, 119.1		
<u>Notice ARC 3515C</u>	12/20/17	1410
Juvenile detention reimbursement, amendments to ch 167		
<u>Notice ARC 3546C</u>	1/3/18	1519
Weapons present in child care settings, 109.10(17), 110.891“t,” 120.8(1)“q”		
<u>Notice of Termination ARC 3547C</u>	1/3/18	1519
Iowa health and wellness plan, 74.1		
<u>Filed ARC 3548C</u>	1/3/18	1556
Family planning services, 75.1, 75.70, 76.2, 76.14(2)		
<u>Filed ARC 3550C</u>	1/3/18	1563
HCBS waivers—home-delivered meals, 78.34(11), 78.37(8), 78.38(6)		
<u>Filed ARC 3552C</u>	1/3/18	1567
Hospice services election statement—Medicare election of hospice benefits, 78.36		
(4)“b”(1)		
<u>Filed ARC 3553C</u>	1/3/18	1568
Medicaid providers—alternative means for providing documentation of services, 79.3(2)		
<u>Filed ARC 3554C</u>	1/3/18	1569
Child care centers—allowable exemptions, 109.1		
<u>Filed ARC 3555C</u>	1/3/18	1570
Child care settings—sleep practices, professional development training, definition of		
“relative,” amendments to chs 109, 110, 120		
<u>Filed ARC 3556C</u>	1/3/18	1571
Crisis response services; subacute mental health services, 77.55, 77.57, 78.60, 78.61, 79.1		
(2), 79.3(2)“d”		
<u>Filed ARC 3551C</u>	1/3/18	1565
Elimination of three-month retroactive Medicaid coverage benefit, amendments to chs 74,		
75, 76		
<u>Filed ARC 3549C</u>	1/3/18	1557
Tiered-rate reimbursement methodology for supported community living, day habilitation		
and adult day care services under intellectual disability waiver, 78.41, 79.1, 83.67(4)“i”		
<u>Notice ARC 3476C</u> , also		
<u>Filed Emergency ARC 3481C</u>	12/6/17	1300

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10:50 PUBLIC HEALTH DEPARTMENT[641]		
Susan Dixon, 515.725.2183		
Newborn testing for cytomegalovirus, 3.1, 3.2, 3.13		
<u>Notice</u> <u>ARC 3519C</u>	12/20/17	1451
State medical examiner—autopsy fee, 126.3(1)		
<u>Filed</u> <u>ARC 3499C</u>	12/6/17	1366
11:05 AGING, DEPARTMENT ON[17]		
Brian Majeski, 515.240.8264		
Department organization, 2.5		
<u>Notice</u> <u>ARC 3478C</u>	12/6/17	1235
Access to residents—restrictions on visits, 8.6(10)“c”		
<u>Notice</u> <u>ARC 3479C</u>	12/6/17	1236
Training requirement for options counselors, 23.7		
<u>Filed</u> <u>ARC 3485C</u>	12/6/17	1308
Staffing ratio for substitute decision maker, 22.5		
<u>Filed</u> <u>ARC 3484C</u>	12/6/17	1307
11:15 INSURANCE DIVISION[191]		
COMMERCE DEPARTMENT[181]“umbrella”		
Angela Burke Boston, 515.281.4119		
Term and universal life insurance reserve financing, ch 112		
<u>Filed</u> <u>ARC 3496C</u>	12/6/17	1346
11:20 WORKFORCE DEVELOPMENT BOARD AND WORKFORCE DEVELOPMENT CENTER ADMINISTRATION DIVISION[877]		
WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”		
David Steen, 515.725.5492		
Workforce development board; regional advisory boards, amendments to chs 1, 6		
<u>Notice</u> <u>ARC 3480C</u>	12/6/17	1294
11:25 WORKFORCE DEVELOPMENT DEPARTMENT[871]		
David Steen, 515.725.5492; Emily Chafa, 515.725.1201		
Claims and benefits—reporting by claimants, 24.2(1)“e”		
<u>Notice</u> <u>ARC 3521C</u>	12/20/17	1461
Subpoenas for witnesses and documents, 26.13		
<u>Filed</u> <u>ARC 3530C</u>	12/20/17	1501
Employer records, reports, contribution and charges—fees, collection of covered unemployment compensation, 22.9(3), 23.68, 23.82(1)		
<u>Filed</u> <u>ARC 3529C</u>	12/20/17	1501
Taxable wages; employer penalties; claims; federal payment offset, 23.6(2), 23.60, 24.3, 25.17		
<u>Notice</u> <u>ARC 3522C</u>	12/20/17	1460
Employer contribution and charges; claims and benefits, 23.69, 23.70, 23.72(1), 24.1, 24.39, 24.40		
<u>Filed</u> <u>ARC 3562C</u>	1/3/18	1592
12:05 LUNCH		

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1:05 IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495] Greg Schochenmaier, 515.281.0054 Organization; investment board; benefits advisory committee; protection occupations; employers; benefits, amendments to chs 1 to 5, 11, 31 <u>Notice ARC 3537C</u>	1/3/18	1521
1:15 HOMELAND SECURITY AND EMERGENCY MANAGEMENT DEPARTMENT[605] John Benson, 515.725.3231 Transfer of duties from Iowa emergency response commission to department, rescind chs 100, 102; amend chs 102, 103 <u>Notice ARC 3531C</u>	1/3/18	1516
1:20 UTILITIES DIVISION[199] COMMERCE DEPARTMENT[181]"umbrella" Matthew Oetker, 515.725.7349 Rule making, amendments to ch 3 <u>Filed ARC 3502C</u>	12/6/17	1378
Cogeneration and small power production, 15.1, 15.10 <u>Notice ARC 3538C</u>	1/3/18	1552
1:30 DENTAL BOARD[650] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Jill Stuecker, 515.281.6935 Review of applications for license, permit, registration or qualification, 11.8, 20.18 <u>Notice ARC 3477C</u>	12/6/17	1236
Dental hygienists—provision of educational services without supervision, 10.3, 10.4 <u>Filed ARC 3487C</u>	12/6/17	1309
Dentists and dental hygienists—alternative examination for licensure, amendments to chs 11, 12, 15 <u>Filed ARC 3488C</u>	12/6/17	1310
Licensure and registration—renewal, reinstatement, dental assisting, continuing education, amend chs 14, 20; adopt ch 25 <u>Filed ARC 3489C</u>	12/6/17	1315
Fees, amendments to ch 15 <u>Filed ARC 3490C</u>	12/6/17	1328
Sedation and nitrous oxide inhalation analgesia, 29.1, 29.3 to 29.5 <u>Filed ARC 3491C</u>	12/6/17	1331

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1:45	PHARMACY BOARD[657] PUBLIC HEALTH DEPARTMENT[641]"umbrella" Therese Witkowski, 515.281.6676 Cannabidiol investigational products; Iowa prescription monitoring program, 10.38(3), 37.3(3), 37.4(9) <u>Notice</u> <u>ARC 3505C</u> 12/20/17	1445
	Imitation controlled substances, 1.2, 3.29, 3.30(1), 4.10, 4.11(1), 5.24, 5.26(1), 10.44, 17.18, 19.11, 41.6 <u>Notice</u> <u>ARC 3506C</u> 12/20/17	1414
	Registration—medical director-based service program, 11.3(1) <u>Notice</u> <u>ARC 3507C</u> 12/20/17	1446
	Telepharmacy practice—functions of pharmacy support person, 13.8(7) <u>Notice</u> <u>ARC 3508C</u> 12/20/17	1447
	Practice standards, amend chs 4, 8, 13, 18, 19; adopt ch 39 <u>Notice</u> <u>ARC 3509C</u> 12/20/17	1416
	Repackaging of VA medications, 22.6 <u>Notice</u> <u>ARC 3510C</u> 12/20/17	1450
	Care facility pharmacy practice, amendments to chs 10, 23 <u>Notice</u> <u>ARC 3511C</u> 12/20/17	1439
	Centralized prescription filling and processing, 18.3, 18.5(2), 18.10, 18.15 <u>Notice</u> <u>ARC 3512C</u> 12/20/17	1448
	Nuclear pharmacy practice, 16.1 to 16.4, 16.6, 16.8 <u>Filed</u> <u>ARC 3525C</u> 12/20/17	1478
2:05	PUBLIC SAFETY DEPARTMENT[661] 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>Filed</u> <u>ARC 3526C</u> 12/20/17	1481
	Carbon monoxide alarms, ch 211 <u>Notice</u> <u>ARC 3545C</u> 1/3/18	1531
2:15	REVENUE DEPARTMENT[701] Tim Reilly, 515.725.2294 Optional designations of funds by taxpayer, 43.4 <u>Filed</u> <u>ARC 3527C</u> 12/20/17	1487
	Deduction for contributions to Iowa education savings plan trust, 40.53, 41.5(18), 53.21 <u>Notice</u> <u>ARC 3542C</u> 1/3/18	1536
2:20	SECRETARY OF STATE[721] Carol Olson, 515.242.5071 Fee increase to fund technology modernization fund—sunset provision, 2.3 <u>Notice</u> <u>ARC 3518C</u> 12/20/17	1452

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2:25 TRANSPORTATION DEPARTMENT[761]

Tracy George, 515.239.1358

Holiday rest stops and rest areas; rest area sponsorship program, amend chs 105, 106;
rescind ch 123

Filed ARC 3561C 1/3/18 1590

Improvements and maintenance on primary road extensions, 150.1 to 150.5

Filed ARC 3501C 12/6/17 1374

Motor vehicle and travel trailer dealers, manufacturers, distributors and wholesalers,
amendments to ch 425

Notice ARC 3513C 12/20/17 1453

Commercial driver licensing—period of validity, amendments to ch 607

Notice ARC 3532C 1/3/18 1539

Coordination of public transit services, amendments to ch 910

Notice ARC 3533C 1/3/18 1540

School transportation services provided by regional transit systems, ch 911

Notice ARC 3534C 1/3/18 1543

Federal transit assistance, ch 922

Notice ARC 3536C 1/3/18 1548

Capital match revolving loan fund, ch 923

Notice ARC 3535C 1/3/18 1549

Planting and harvesting period, 520.8

Notice ARC 3482C, also

Filed Emergency ARC 3483C 12/6/17 1304

2:55 COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]"umbrella"

Julie Leeper, 515.725.3420

Meetings of the commission—special meetings, affirmative votes, 1.2(3)

Notice ARC 3516C 12/20/17 1394

Student loan debt collection, 37.4, 37.5(1)

Notice ARC 3517C 12/20/17 1395

Commission-approved interstate reciprocity agreement—criteria for participation, 21.15

Notice ARC 3540C 1/3/18 1515

3:05 LABOR SERVICES DIVISION[875]

WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"

Kathleen Uehling, 515.725.5615

Wind tower lifts; wind turbine tower elevators; update of references to ASME code,
71.11, 71.14(1)"b," 72.1, 72.13(2), 73.8(2)

Notice ARC 3503C 12/20/17 1411

Boilers and pressure vessels, 81.5, 82.1, 83.1(1), 84.1(1), 85.3(1), 90.15(1), 91.1(2), 91.13
(3), 93.2

Notice ARC 3504C 12/20/17 1412

Amusement rides and devices—operator requirements, inspections and payments, 61.3

(4)"a," 61.4(1)"a," 61.8

Notice ARC 3539C 1/3/18 1526

OSHA civil penalty structure, amendments to ch 3

Filed ARC 3557C 1/3/18 1575

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3:15	WORKERS' COMPENSATION DIVISION[876] <small>WORKFORCE DEVELOPMENT DEPARTMENT[871]"umbrella"</small> 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>Filed ARC 3528C</u>	12/20/17	1492
3:25	EDUCATIONAL EXAMINERS BOARD[282] <small>EDUCATION DEPARTMENT[281]"umbrella"</small> Kimberly Cunningham, 515.281.5849 Teacher leadership and compensation model for mentoring; computer science endorsement, 13.7, 13.28 <u>Notice ARC 3470C</u> Licensure; authorizations; endorsements; conversion information, amend chs 13, 15, 16, 18, 22, 27; rescind ch 21 <u>Notice ARC 3471C</u>	12/6/17 12/6/17	1243 1238
3:35	INSPECTIONS AND APPEALS DEPARTMENT[481] David Werning, 515.281.7376 Residential care facilities for persons with an intellectual disability, 57.1, 57.6 <u>Notice ARC 3472C</u> Prohibition of mechanical restraints in residential care facilities, 57.1, 57.33(8) <u>Notice ARC 3473C</u> Residential care facilities for persons with mental illness, ch 62 <u>Notice ARC 3474C</u> Residential care facility—three- to five-bed specialized license, ch 63 <u>Notice ARC 3475C</u> 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 <u>Filed ARC 3523C</u> Iowa code of administrative judicial conduct, 10.1, 10.29, ch 15 <u>Filed ARC 3524C</u>	12/6/17 12/6/17 12/6/17 12/6/17 12/20/17 12/20/17	1246 1249 1250 1254 1463 1468
4:05	PROFESSIONAL LICENSURE DIVISION[645] <small>PUBLIC HEALTH DEPARTMENT[641]"umbrella"</small> Tony Alden, 515.281.4401; Venus Vendoures-Walsh, 515.242.6529 Massage therapy—licensure, education, curriculum, 131.1 to 131.6, 131.8(2), 132.2, 132.3 <u>Notice ARC 3541C</u> Cosmetology arts and sciences—licensure of practitioners and establishments, continuing education, amendments to chs 60, 61, 64 <u>Filed ARC 3558C</u> Licensure procedures for hearing aid specialists, amendments to chs 121 to 124 <u>Filed ARC 3559C</u> Licensure of athletic trainers, amendments to ch 351 <u>Filed ARC 3560C</u>	1/3/18 1/3/18 1/3/18 1/3/18	1527 1578 1586 1588

NO REPRESENTATIVE REQUESTED TO APPEAR

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XX:00 AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
Vegetable seed labeling, 40.3		
<u>Filed</u> <u>ARC 3486C</u>	12/6/17	1309
XX:00 REAL ESTATE COMMISSION[193E]		
PROFESSIONAL LICENSING AND REGULATION BUREAU[193]		
COMMERCE DEPARTMENT[181]"umbrella"		
Branch offices, licensure, prelicense and continuing education, courses and attendance		
certificates, amendments to chs 7, 16, 17		
<u>Filed</u> <u>ARC 3500C</u>	12/6/17	1367
XX:00 EDUCATION DEPARTMENT[281]		
General transfer rule—exception to ensure homeless student access to extracurricular		
activities, 36.15(3)		
<u>Filed</u> <u>ARC 3492C</u>	12/6/17	1333
XX:00 PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD, IOWA COMPREHENSIVE[591]		
Environmental protection charge (EPC); insurance fund; aboveground petroleum storage		
tank fund, rescind chs 5, 6, 10, 12, 14		
<u>Filed</u> <u>ARC 3498C</u>	12/6/17	1365
XX:00 NURSING BOARD[655]		
PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
Kathy Cornwell,		
Nursing education programs, amendments to ch 2		
<u>Filed</u> <u>ARC 3497C</u>	12/6/17	1352