



# 2020 ANNUAL REPORT

## *Administrative Rules Review Committee*

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### **I. Introduction**

This report summarizes actions taken by the Administrative Rules Review Committee (ARRC) of the General Assembly in 2020. The ARRC was created to provide oversight of the executive branch rulemaking process established in Iowa Code chapter 17A, the Iowa Administrative Procedure Act. The powers and procedures of the ARRC are largely provided in Iowa Code §§17A.4 and 17A.8. The ARRC meets on a monthly basis to review noticed and adopted rules recently published in the Iowa Administrative Bulletin (IAB) and may selectively review existing rules and consider other rulemaking matters as well.

This report covers rule filings published in the IAB from January through December 2020. Because the ARRC typically reviews rule filings published in the previous month's issues of the IAB, this report covers the ARRC's February 2020 meeting through its January 2021 meeting.

Agendas and minutes of ARRC meetings can be found here:

[www.legis.iowa.gov/committees/meetings/meetingsListComm?groupID=705](http://www.legis.iowa.gov/committees/meetings/meetingsListComm?groupID=705).

Archives of the Iowa Administrative Code and IAB can be found here:

[www.legis.iowa.gov/law/administrativeRules](http://www.legis.iowa.gov/law/administrativeRules).

### **II. Formal ARRC Actions**

The ARRC took the following actions at the following meetings:

#### **March 2020**

**Human Services Department**, Medical Assistance—Drug Policies, Prior Authorization for Medication-Assisted Treatment, Prescription Refills, 02/12/20 IAB, ARC 4899C.  
Session delay pursuant to Iowa Code §17A.8(9).

## **May 2020**

**Racing and Gaming Commission**, Sports Wagering; Fantasy Sports Contests, 04/08/20 IAB, ARC 5016C.

Session delay of rule 491 IAC 13.2(7)(i) pursuant to Iowa Code §17A.8(9).

## **August 2020**

**Human Services Department**, Medical Assistance—Drug Policies, Prior Authorization for Medication-Assisted Treatment, Prescription Refills, 02/12/20 IAB, ARC 4899C.

Session delay lifted except with respect to amendments to rule 441 IAC 78.2(6).

**Utilities Division**, Electric Lines, 07/29/20 IAB, ARC 5121C.

70-day delay pursuant to Iowa Code §17A.8(10).

## **November 2020**

**Revenue Department**, Sale, Transfer or Exchange of Tangible Personal Property or Taxable Enumerated Services Between Affiliated Corporations, 10/07/20 IAB, ARC 5201C.

Session delay pursuant to Iowa Code §17A.8(9).

## **December 2020**

**Educational Examiners Board**, Substitute Authorizations, 12/02/20 IAB, ARC 5303C.

Session delay pursuant to Iowa Code §17A.8(9).

**Public Safety Department**, Standards for Electrical Work—2020 National Electrical Code, 11/18/20 IAB, ARC 5287C.

70-day delay pursuant to Iowa Code §17A.8(10).

### **III. ARRC Approval to File Certain Emergency Rules**

Iowa Code §17A.4(3) provides that the ARRC may approve adoption and filing of rules by an agency without first having a notice of intended action published in the IAB, a form of emergency rulemaking. Approval requires six votes. Filings that are not approved can still proceed using the regular rulemaking process. Approved emergency rulemaking documents can be found here prior to publication in the IAB:

[www.legis.iowa.gov/law/administrativeRules/emergencyDocs](http://www.legis.iowa.gov/law/administrativeRules/emergencyDocs).

Emergency rulemaking authorized by statute, and rules that have completed the notice portion of the rulemaking process and are adopted and filed emergency after notice pursuant to Iowa Code §17A.5(2), do not require prior ARRC approval.

The ARRC approved the following emergency filings at the following meetings:

**July 2020**

**Workforce Development Department**, Unemployment Availability Notifications, CARES Act.

**October 2020**

**Secretary of State**, Notary Public Training.

**November 2020**

**Revenue Department**, Signature Requirements.

**IV. Enacted Legislation Relating to Rulemaking Process**

The following legislation relating to the rulemaking process was enacted:

2020 Iowa Acts, chapter 1090, House File 2389, providing for a variety of technical changes and updates relating to the rulemaking process.

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