

JUNE 2005 AGENDA

Revised
6-120-05

The Administrative Rules Review Committee will hold its regular, statutory meeting on Tuesday, June 14, 2005, at 9 a.m. in Room 22, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

BULLETINS NEEDED FOR THIS MEETING: No. 24, 25 (5/11/05, 5/25/05)

Also refer to: [2/2/05](#), [2/16/05](#), [3/2/05](#), [3/16/05](#), [3/30/05](#), [3/13/05](#), [6/8/05](#) Bulletin Page

9:00	LSA OVERVIEW Jennifer Vermeer		
9:10	HUMAN SERVICES DEPARTMENT[441] Nancy Freudenberg (281-8438)		
	Technical changes to reflect implementation of Iowa Medicaid enterprise, amendments to chs 9, 15, 54, 75 to 83, 85 to 88, 185, <u>Filed Without Notice</u> ARC 4185B	5/25/05	1550
	Resolution of legal settlement disputes, ch 15, 29.4, ch 30 title, 30.1(1), 30.3, <u>Notice</u> ARC 4169B	5/11/05	1440
	Disability services management—reporting of personally identifiable data, 25.41, 25.41“1” to “4,” <u>Filed</u> ARC 4184B	5/25/05	1555
	Food assistance—electronic application form, 65.2(1), 65.2(1)“a” and “d,” <u>Notice</u> ARC 3760B , <u>Terminated</u> ARC 4183B	5/25/05	1520
	Food assistance eligibility and benefits—increase in utility and telephone allowances, 65.8(1)“a” and “b,” 65.8(3), <u>Filed</u> ARC 4139B	5/11/05	1499
	Medicaid eligibility requirements—inmates; furnishing of social security number, 75.7, 75.12, <u>Notice</u> ARC 4168B	5/11/05	1443
	Preferred drug list, 78.1(2)“a”(3), 78.1(2)“f”(1), 78.28(1)“a,” “b” and “d,” 79.1(8), 79.1(8)“a” and “b,” <u>Notice</u> ARC 4134B , also <u>Filed Emergency</u> ARC 4138B	5/11/05	1480
	Dispensing of drugs limited to 30–day supply, 78.1(2)“d,” 78.1(2)“d”(1) to (9), 78.1(2)“f”(2), <u>Notice</u> ARC 4199B	5/25/05	1520
	Family–centered services, 182.1, 182.2(1), <u>Notice</u> ARC 4013B <u>Terminated</u> ARC 4133B	5/11/05	1445
	Family–centered services, 150.3(1)“b” and “c,” 150.3(1)“d”(2) and (3), 150.3(1)“e”(2), 150.3(2)“c,” 150.3(3)“g” to “j,” “m” and “p,” 150.3(4), 150.3(4)“c,” 150.3(5)“d,” 150.3(6)“a” and “c,” 150.3(8), 150.3(9)“b” and “c,” 150.5(1)“b” to “d,” 150.5(1)“d”(2), 150.5(5), 150.5(6)“b” and “c,” 150.7(1), 150.7(1)“a”(2) and (3), 150.7(2)“a,” 152.2(16), 152.2(19), 152.2(26)“a” and “b,” 152.22(2), 152.22(3), 152.22(4)“b” and “c,” 152.23(1), 152.23(3), ch 182, 185.3(5)“a”(1), 185.112, 185.112(1), 185.112(14), 185.121, <u>Notice</u> ARC 4133B , also <u>Filed Emergency</u> ARC 4135B	5/11/05	1481
	Reporting requirements for dependent adult abuse, 176.1, 176.4, 176.16(3), <u>Filed Emergency After Notice</u> ARC 4137B	5/11/05	1492
	Subsidized adoptions—nonrecurring expenses, 201.2, 201.3(1)“c,” 201.6(1)“a”(7), <u>Notice</u> ARC 4198B	5/25/05	1521
	Subsidized adoptions, 201.3(2)“b,” 201.5(2)“a” and “b,” <u>Filed Emergency After Notice</u> ARC 4136B	5/11/05	1493
	SPECIAL REVIEW –rules to be reviewed prior to July 1st		
	Respite care services, amendments to chs 180, 182, <u>Filed Emergency</u>		special
	transfers of assets and in disbursing income from Miller trusts, 75.23(3), 75.24(3)'b'.....		special
	3% increase in reimbursement rates for most Medicaid providers and limits on supplemental reimbursement for physicians and nursing facilities, 79.1(2), 79.1(7)'b,' 79.1(8)'g'		special
	Implement eligibility determination for Medicare drug subsidy, Ch 91		special
	Increase foster family maintenance, increase maximum POS reimbursement 3%, change method of payment for shelter care, clarify contract initiation under RFP, 150.3, 156.1, 150.156.6, 156.8, 156.9, 156.10, 156.11, 156.20.....		special
	Increase RTSS reimbursement rates by 3%, 185.112(1).....		special
	Child abuse revisions, Ch 175		special
	IowaCare, amendments to ch. 85, new ch. 92.....		special
9:50	PHARMACY EXAMINERS BOARD[657] Lloyd Jessen (281-5944)		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
	Fees, 2.3(1), 2.6, 2.9(4), 2.11, 3.10(1), 3.10(2), 8.35(4), 10.3, 10.11(2)“b,” 10.11(3)“b,” 10.11(4), 12.7(2)“a,” 17.3(2), 17.3(4)“b,” <u>Notice</u> ARC 4153B	5/11/05	1454
	Dispensing of pseudoephedrine—containing drug products, 10.31(2), 10.31(4), 10.31(5), 10.31(7), <u>Notice</u> ARC 4182B , also <u>Filed Emergency</u> ARC 4181B	5/25/05	1548
10:00	DENTAL EXAMINERS BOARD[650] Jennifer Hart (281-0997)		
	PUBLIC HEALTH DEPARTMENT[641]“umbrella”		
	Registered dental assistants—provision of intraoral suctioning, 1.1, 20.4(2), <u>Filed</u> ARC 4166B	5/11/05	1494
	Discipline—mandatory reporting of acts or omissions, 10.6(4), 30.4“24,” 31.13(2)“a,” 31.13(3), 31.14, <u>Filed</u> ARC 4165B	5/11/05	1494
	Temporary permit for provision of volunteer services, 13.3, 15.1(16), 15.1(17), <u>Filed</u> ARC 4167B	5/11/05	1495

10:20 to 10:30 break

JUNE 2005 AGENDA

10:30	EDUCATION DEPARTMENT[281] Carol Greta (281-5296)		
	Petitions for rule making, 2.7(1), 2.18, <u>Filed</u> ARC 4143B	5/11/05	1495
	Certificate of need, 96.1, 96.4 to 96.8, <u>Filed</u> ARC 4142B	5/11/05	1496
10:40	INSPECTIONS AND APPEALS DEPARTMENT[481] David Werning (281-7376)		
	Electrical and mechanical amusement devices, 104.1, 104.2, 104.6“4” to “11,” 105.1, 105.2, 105.3“3,” 105.5 to 105.7, 105.7“6,” “8,” “10” and “11,” 105.9, 105.10, <u>Notice</u> ARC 4144B	5/11/05	1446
11:00	PUBLIC SAFETY DEPARTMENT[661] Mike Coveyou (281-5042)		
	Licensure of bail enforcement, private investigation, and private security businesses, 2.4(5), 2.4(7) to 2.4(10), <u>Filed Emergency</u> ARC 4180B	5/25/05	1548
	Special review		
	Fire fighter training and certification, Ch. 251, <u>Filed</u> ARC 4230B	6/8/05	

11:45 COMMITTEE BUSINESS
 July ARRC meeting; Review of General Referral—Lottery Division; miscellaneous

Lunch 12:00 to 1:30

1:30	ENVIRONMENTAL PROTECTION COMMISSION[567] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Definition of “biodiesel fuel,” “diesel fuel,” “number 1 fuel oil,” and “number 2 fuel oil,” 20.2, <u>Notice</u> ARC 4159B	5/11/05	1425
	Controlling air pollution—exemptions from permit requirements, 22.1(2), 22.1(2)“x” to “ii,” <u>Notice</u> ARC 4160B	5/11/05	1427
	Emissions standards—road maintenance activities considered ordinary travel, 23.3(2)“c”(1), <u>Notice</u> ARC 4158B	5/11/05	1429
	Animal feeding operations—construction permits, master matrix, location of groundwater tables, 65.1, 65.7(1)“b,” 65.7(5), 65.9(1)“p,” 65.10(3)“b”(3), 65.15(7)“c,” <u>Filed</u> ARC 4161B	5/11/05	1496
	Manure management plan records—date and rate of application of commercial nitrogen and phosphorus, 65.17(13)“e,” <u>Filed</u> ARC 4162B	5/11/05	1498
	Underground storage tanks, amendments to ch 135, <u>Notice</u> ARC 4164B	5/11/05	1430
2:00	NATURAL RESOURCE COMMISSION[571] Marla Gallardo (281-8678)		
	NATURAL RESOURCES DEPARTMENT[561]“umbrella”		
	Game management areas, 51.3(1)“j,” 51.3(2), <u>Notice</u> ARC 4163B	5/11/05	1453
	SPECIAL REVIEW		
	Deer hunting season, use of rifles		
2:10	UTILITIES DIVISION[199] Amy Christensen (281-6326) Sharon Mayer (281-5256)		
	COMMERCE DEPARTMENT[181]“umbrella”		
	Telecommunications providers, 22.1(1), 22.1(3), 22.1(4), 22.1(6), 22.2(3), 22.2(5)“a,” “b,” “f,” “m” and “t,” 22.2(6), 22.3(1) to 22.3(4), 22.3(8), 22.3(9), 22.3(13), 22.4(1), 22.4(2), 22.4(2)“a,” “b” and “h,” 22.4(3)“c”(4), 22.4(3)“d” and “l,” 22.4(6), 22.4(7)“b” and “i,” 22.5(13)“a,” 22.6(1)“c,” 22.6(2)“a,” “c” and “d,” 22.10, 22.11, 22.12(1), 22.13(1)“a” and “b,” 22.21, 22.23(2), 22.23(2)“a”(5), <u>Notice</u> ARC 4157B	5/11/05	1472
	Link-up and lifeline rate assistance, 39.3(4), 39.3(5), <u>Filed</u> ARC 4156B	5/11/05	1501

No Representative Requested to Appear

XX:00	AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]		
	Animal and livestock importation, ch 65, <u>Filed</u> ARC 4196B	5/25/05	1550
XX:00	EDUCATIONAL EXAMINERS BOARD[282]		
	EDUCATION DEPARTMENT[281]“umbrella”		
	Penalty for failure to have appropriate licensure, 14.121(7), <u>Notice</u> ARC 4197B	5/25/05	1520
	Renewal of initial license, 17.8(1), <u>Notice</u> ARC 4147B	5/11/05	1425
XX:00	ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]		
	Requests for advisory opinions—referral to senate and house ethics committees, 1.2(1), <u>Notice</u> ARC 4170B	5/11/05	1439
	Official committee address and telephone number, 4.4(2), <u>Notice</u> ARC 4171B	5/11/05	1440
XX:00	INSURANCE DIVISION[191]		
	COMMERCE DEPARTMENT[181]“umbrella”		
	Licensing of insurance producers, 10.4(6), 10.7(1), 10.7(2), <u>Filed</u> ARC 4152B	5/11/05	1499

JUNE 2005 AGENDA

XX:00	IOWA FINANCE AUTHORITY[265]		
	ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]"umbrella"		
	Multifamily housing, 3.5(1)"d," "e" and "i," 3.6 to 3.8, <u>Notice ARC 4189B</u>	5/25/05	1522
	Home and community-based services revolving loan program—partial refund of fee, 21.5(4)"c," <u>Filed ARC 4188B</u>	5/25/05	1556
XX:00	IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM[495]		
	Contribution rates for sheriffs and deputy sheriffs, 4.6(2), 4.6(3), 4.6(6), <u>Filed ARC 4195B</u>	5/25/05	1566
XX:00	MEDICAL EXAMINERS BOARD[653]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	License procedures, 9.1, 9.2(2)"d" to "f," 9.5(2)"g" to "p," 9.11(3)"a," 9.11(6), 9.12(1)"c," 9.13(2)"a"(5) and (7), 9.15, 10.3(1)"b," 10.3(2)"d," 10.3(3)"b"(7) and (9), 10.4(3)"b"(5), (6) and (8), 10.4(4)"c" to "h," 10.5(1)"d"(5) and (7), 10.5(2)"d"(5) and (7), <u>Notice ARC 4132B</u>	5/11/05	1450
XX:00	NURSING BOARD[655]	Lorinda Inman	(281-4822)
	Held over until July		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	RN and LPN licensure, 3.1, 3.4(3)"a"(2), 3.4(3)"b"(1) to (8), 3.4(4)"a"(2)"2" to "9," 3.4(4)"b"(1), (2) and (11), 3.4(6)"c," 3.4(7), 3.5(2)"a"(2), 3.5(2)"b"(1) to (7), 3.5(3), 3.5(4), 3.7(5)"d"(1) and (3), 4.6(3)"f" and "g," 4.11, <u>Notice ARC 4106B</u>	4/13/05	1347
	RN and LPN license renewal fee, 3.1, <u>Notice ARC 4105B</u>	4/13/05	1349
	Nurse licensure compact—examinations, evidence of residency for military personnel, 16.2(1), 16.2(2), 16.2(2)"d," 16.2(3) to 16.2(6), <u>Filed ARC 4104B</u>	4/13/05	1374
XX:00	PAROLE BOARD[205]		
	CORRECTIONS DEPARTMENT[201]"umbrella"		
	Executive clemency applications, 14.3, <u>Notice ARC 4186B</u>	5/25/05	1523
XX:00	PETROLEUM UST FUND BOARD, IOWA COMPREHENSIVE[591]		
	Aboveground storage tanks—deadline for reimbursement of claims, 14.8, 14.9, <u>Notice ARC 4187B</u>	5/25/05	1523
XX:00	PROFESSIONAL LICENSURE DIVISION[645]		
	PUBLIC HEALTH DEPARTMENT[641]"umbrella"		
	Barber examiners, 21.1, 21.5(6), 21.9(1) to 21.9(5), 21.10, 21.11, 21.15 to 21.17, 24.1, 24.2(3), 24.2(4), 24.3, 24.3(1), 24.3(1)"c," 24.3(1)"e"(2) and (3), 24.4 to 24.10, 26.1(12) to 26.1(14), <u>Notice ARC 4174B</u>	5/25/05	1524
	Barber examiners, 21.2(1)"d" and "f" to "j," 24.3(2), 25.2(33), <u>Notice ARC 4173B</u>	5/25/05	1527
	Chiropractic examiners, 41.1, 41.6(12)"e," 41.8(1), 41.8(3), 41.8(5), 41.8(7), 41.8(8), 41.9, 41.10, 41.13 to 41.15, 44.1, 44.2(3) to 44.2(5), 44.3, 44.3(1), 44.3(1)"c," 44.3(1)"e"(2) and (3), 44.3(2)"a"(1) and (5), 44.3(2)"b" to "d," 44.3(3), 44.4 to 44.11, 46.1(5) to 46.1(7), <u>Notice ARC 4176B</u>	5/25/05	1528
	Chiropractic examiners, 41.2(1)"c," 44.2(2), 44.3(2)"a"(4), 45.2(5), 45.2(30), <u>Notice ARC 4175B</u>	5/25/05	1531
	Cosmetology arts and sciences examiners, 60.1, 60.7"2," 60.8, 60.13, 60.14, 60.16 to 60.18, 62.1(4), 64.1, 64.2(3), 64.2(4), 64.3, 64.3(1), 64.3(1)"c," 64.3(1)"e"(2) and (3), 64.4 to 64.11, <u>Notice ARC 4190B</u>	5/25/05	1532
	Cosmetology arts and sciences examiners, 64.2(1), 64.3(2)"b," "d," "g" to "i," 65.2(35), <u>Notice ARC 4191B</u>	5/25/05	1535
	Hearing aid dispensers examiners, 121.1, 121.6(4), 121.9(1), 121.9(2), 121.9(4) to 121.9(7), 121.10, 121.11, 121.13 to 121.15, 122.1, 122.2(3), 122.2(4), 122.3, 122.3(1), 122.3(1)"c," 122.3(1)"e"(2) and (3), 122.4 to 122.11, 125.1(6), 125.1(7), <u>Notice ARC 4177B</u>	5/25/05	1536
	Hearing aid dispensers examiners, 121.2(4)"d," 121.3, 121.3(1)"g," 121.4(5) to 121.4(9), 121.6(6), 122.3(2), 124.2(36), <u>Notice ARC 4178B</u>	5/25/05	1540
	Optometry examiners, 180.1, 180.3(3)"i," 180.5(1), 180.5(3), 180.5(5), 180.5(7), 180.5(8), 180.6, 180.7, 180.10 to 180.12, 181.1, 181.2(3), 181.2(4), 181.3, 181.3(1), 181.3(1)"c," 181.3(1)"e"(2) and (3), 181.4 to 181.11, 184.1(4) to 184.1(6), <u>Notice ARC 4141B</u>	5/11/05	1455
	Optometry examiners, 180.2(1)"c," 180.3(3)"a," 181.3(2)"a"(1), 181.3(2)"b"(1) and (7), 183.2(30), <u>Notice ARC 4140B</u>	5/11/05	1459
	Podiatry examiners, 220.1, 220.7(1)"5" and "6," 220.9(1), 220.9(3), 220.9(5), 220.9(7), 220.9(8), 220.10, 220.11, 220.14 to 220.16, 222.1, 222.2(3), 222.3, 222.3(1), 222.3(1)"c," 222.3(1)"e"(2) and (3), 222.4 to 222.7, 222.9, 222.10, 225.1(4) to 225.1(6), <u>Notice ARC 4145B</u>	5/11/05	1459

JUNE 2005 AGENDA

PROFESSIONAL LICENSING DIVISION{645} CONT'D

Podiatry examiners, 220.2(3), 220.2(5), 220.2(8), 220.3(1), 220.3(3), 220.3(5), 220.6(2)“b” and “d,” 220.6(2)“f”(1) to (3), 220.6(4), 220.7(2), 220.7(4), 222.3(2)“c,” 222.3(2)“e,” 224.2(31), <u>Notice ARC 4146B</u>	5/11/05	1462
Physician assistant examiners, 326.1, 326.4(5), 326.9(1), 326.9(3), 326.9(5), 326.9(7), 326.9(8), 326.10, 326.11, 326.14, 326.19, 326.20, 328.1, 328.2(3), 328.2(4), 328.3, 328.3(1), 328.3(1)“c,” 328.3(1)“e”(2) and (3), 328.4 to 328.10, 330.1(5) to 330.1(7), <u>Notice ARC 4149B</u>	5/11/05	1463
Physician assistant examiners, 329.2(31), <u>Notice ARC 4148B</u>	5/11/05	1466
Interpreter for the hearing impaired examiners, adopt ch 361, <u>Filed ARC 4179B</u>	5/25/05	1557

XX:00 PUBLIC HEALTH DEPARTMENT[641]

Center for congenital and inherited disorders, 4.3(2)“d,” 4.3(5), 4.3(6)“b,” 4.3(9)“b,” <u>Notice ARC 4192B</u>	5/25/05	1540
Immunizations, ch 7 title, 7.1, 7.2, 7.3(1), 7.4 to 7.8, 7.8(1), 7.8(2), 7.8(4), 7.9 to 7.11, 7.11(1), 7.11(4)“a”(4) and (5), 7.12, <u>Notice ARC 4194B</u>	5/25/05	1542
Lead hazard notification process, 69.10(1)“e” to “j,” 69.10(2), 69.10(3)“a” and “h,” 69.10(4)“a” to “k,” <u>Notice ARC 4193B</u>	5/25/05	1545

XX:00 RACING AND GAMING COMMISSION[491]

INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella” Occupational and vendor licensing; harness racing officials; thoroughbred racing, 6.16(5)“e,” 6.17(1), 6.19(1), 6.20(1), 6.23(1)“a,” 6.25“3,” 9.4(1)“i” and “j,” 10.4(5)“g”(4), <u>Filed ARC 4154B</u>	5/11/05	1499
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XX:00 REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Professional Licensing and Regulation Division[193] COMMERCE DEPARTMENT[181]“umbrella” Appraiser qualification board requirements, 3.2(5), 3.5(1), 3.5(10), 3.5(11), ch 4 note, 4.1(5) to 4.1(9), 4.2, 4.3, ch 5 note, 5.2(1), 5.3, ch 6 note, ch 9, 11.2(1)“c,” 11.2(9), 11.2(10), 11.6, 11.7(2), 12.1, chs 13 to 15, <u>Filed ARC 4155B</u>	5/11/05	1500
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XX:00 REVENUE DEPARTMENT[701]

Determination of value of railroad companies, 76.1(7), 76.1(10), 76.4(5), 76.4(6), 76.5, 76.7, 76.9(3), 76.9(4), <u>Notice ARC 4172B</u>	5/11/05	1467
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XX:00 TRANSPORTATION DEPARTMENT[761]

Temporary authority for registration, 500.9, <u>Notice ARC 4151B</u>	5/11/05	1469
Motor carrier regulations—reference to CFR updated, 529.1, <u>Filed ARC 4131B</u>	5/11/05	1500
Licensing—school bus endorsement, hazardous material endorsement, military extensions, 605.4(1), 605.10, 605.16, 607.3, 607.10(1)“c,” 607.16, 607.17, 607.20, 607.27, 607.28, 607.39(2), 607.49(6)“d,” <u>Notice ARC 4130B</u>	5/11/05	1469

XX:00 VOLUNTEER SERVICE, IOWA COMMISSION ON[555]

Retired and senior volunteer program (RSVP), adopt ch 7, <u>Notice ARC 4150B</u>	5/11/05	1478
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