



Administrative Rules Review Committee

# THE RULES DIGEST

October  
2016

**Scheduled for Committee review**  
Tuesday, October 11, 2016  
Room #116

Reference  
XXXVIII IAB No. 6 (09/14/16)  
XXXVIII IAB No. 7 (09/28/16)

**HIGHLIGHTS IN THIS ISSUE:**

POLYSOMNOGRAPHIC TECHNOLOGISTS AND RESPIRATORY CARE AND POLYSOMNOGRAPHY PRACTITIONERS—FEES, <i>Professional Licensure Division</i>	1
WITHHOLDING—VERIFIED SUMMARY OF PAYMENTS REPORT, ELECTRONIC FILING OF W-2 AND 1099 FORMS, <i>Revenue Department</i>	3
UNCLAIMED PROPERTY, <i>Treasurer of State</i>	3

## Professional Licensure Division

9:55

*Polysomnographic technologists and respiratory care and polysomnography practitioners—fees, 07/14/16 IAB, ARC 2717C, ADOPTED.*

These rules by the Board of Respiratory Care and Polysomnography set fees for the new polysomnography technologist license, set fees for the new dual respiratory care and polysomnographic practitioner license, and increase the initial license and renewal fees for the respiratory care license. Licensure of polysomnographic technologists and respiratory care and polysomnography practitioners starts on January 1, 2017. Iowa Code §147.80 requires each licensing board to set its fees at a level which will be sufficient to cover its ongoing expenditures, and the board is not currently bringing in sufficient revenue to meet this requirement.

## Pharmacy Board

10:05

*Universal practice standards—opioid antagonists, epinephrine auto-injectors, 09/28/16 IAB, ARC 2721C, NOTICE.*

This rulemaking implements 2016 Iowa Acts, Senate File 2218, as amended by House File 2460, division XIV, which permits the possession and administration of opioid antagonist medications by certain eligible persons and allows the distribution of such medications by pharmacists pursuant to a standing order or collaborative agreement or pursuant to a prescription issued in the name of a law enforcement agency, fire

department, or emergency medical service program. Opioid antagonists are medications that can block the effects of drug overdoses.

The rulemaking also removes the requirement for a pharmacy to include the address of a facility, school district, or accredited nonpublic school on the label of epinephrine dispensed to those entities.

## **Public Health Department**

10:15

*Special supplemental nutrition program for women, infants, and children (WIC), 09/28/16 IAB, ARC 2735C, NOTICE.*

This rulemaking includes a variety of changes to make the department's rules on the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) consistent with the Iowa WIC Policy and Procedure Manual and WIC USDA federal regulations. Updates are made to reflect that WIC participants now receive food benefits via an EBT (electronic benefits transfer) eWIC card instead of paper checks. Several undefined terms are defined. Updates are made to the rule pertaining to food packages to ensure that the rule is consistent with how WIC foods are approved and which foods are approved. The rules pertaining to appeals and fair hearings are reorganized. A rule about confidentiality of participant, applicant, and vendor information is added. The rulemaking also includes additional compliance measures.

## **Real Estate Appraiser Examining Board**

10:45

*Organization and administration; definitions; supervision by superintendent of banking, 09/14/16 IAB, ARC 2710C, NOTICE.*

This rulemaking implements 2016 Iowa Acts, House File 2436, which moved the board under the Banking Division of the Department of Commerce and subjected the board to the supervision and authority of the Superintendent of the Banking Division. The rulemaking sets out the standards and procedures by which supervision by the superintendent will occur. The rulemaking provides standards of review for ministerial and nondiscretionary board actions as well as discretionary board actions, preclearance of certain board actions by the superintendent, appeals of board actions to the superintendent, and review by the superintendent of proposed contested case decisions by the board.

## **Revenue Department**

10:55

*Withholding—verified summary of payments report, electronic filing of W-2 and 1099 forms, 09/28/16 IAB, ARC 2739C, ADOPTED.*

These rules require W-2 and 1099 forms to be filed electronically with the department on an annual basis for the purpose of combating tax fraud. For tax year 2016, only withholding agents with at least 50 employees are required to electronically file W-2 forms with the department, and employers with at least 50 1099 forms are permitted to electronically file 1099 forms with the department. For tax year 2017, all withholding agents will be required to electronically file W-2 and 1099 forms with the department. In addition, annual verified summary of payment reports will be due on or before the last day of January following the tax year. A withholding agent may request in writing an extension to electronically file due to hardship.

## **Treasurer of State**

11:15

*Unclaimed property, 09/14/16 IAB, ARC 2716C, NOTICE.*

This rulemaking rescinds and rewrites the Treasurer's rules relating to unclaimed property, primarily for the purpose of addressing changes that will be implemented in providing an online claims process for Great Iowa Treasure Hunt claimants. The rulemaking also provides other revisions, updates, and clarifications to unclaimed property rules. These rules address dormancy fees for unclaimed property; reporting requirements for various forms of property; documentation, approval, and payment of claims; and other matters.