



## Fiscal Services Division

### ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

**August 14, 2012**

*Iowa Code section 17A.4(4) requires the Legislative Services Agency (LSA) to analyze the fiscal impact of all administrative rules with an impact of \$100,000 or more and provide a summary of the impact to the Administrative Rules Review Committee (ARRC). Fiscal Impact Statements filed by State agencies can be found on our website at [http://staffweb.legis.state.ia.us/lfb/docs/Admin\\_Rules/artfiscal\\_notes.htm](http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/artfiscal_notes.htm)*

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**\*Agencies with a blue border have one or more rules with a significant fiscal impact.**

#### Department of Public Safety

**ARC 0218C**

**Rule Summary**      Adopts a new chapter setting out procedures and requirements for issuance of identification cards and annual firearms qualification certification cards to qualified former peace officers of the Iowa Department of Public Safety.

**Progress**            Minimal fiscal impact.

**ARC 0219C**

**Rule Summary**      Amends several existing rules related to the operations of the State Criminalistics Laboratory, including the following rules:

- The distribution of forfeited firearms to other crime laboratories.
- Video processing services by the Photography Section.
- The use of the online Laboratory Information Management System to document submission of evidence to the laboratory.
- The date of publication of a reference document that establishes guidelines for analysis of DNA samples.
- Updates statutory references related to the expungement of DNA samples.
- The deletion of several outdated references to Web addresses.
- Updates references to a new edition of a federal standard for detectable levels of drugs other than alcohol.

**Fiscal Impact**      No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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### Department of Transportation

|                      |   |
|----------------------|---|
|                      | <b>ARC 0187C</b>  |
| <b>Rule Summary</b>  | Establishes a Rest Area Sponsorship Program and a Highway Helper Sponsorship Program. Sponsors will provide monetary contribution to the Department of Transportation in exchange for sponsorship opportunities. The monetary contribution will help support the rest areas and highway helper program. Sponsors will be determined through a fair and transparent procurement process. Iowa has 40 rest areas. |
| <b>Fiscal Impact</b> | The Department of Transportation states that the fiscal impact will vary depending on the success of an RFP. The Department estimates it may secure approximately \$30,000 annually from a sponsor for the highway fleet and bid proposals totaling between \$100,000 and \$200,000 annually. The Department estimates publicly acknowledging sponsors will cost \$32,000.                                      |

|                     |  |
|---------------------|--|
|                     | <b>ARC 0201C</b>   |
| <b>Rule Summary</b> | Modifies the requirements for obtaining a new driver's license or nonoperator's identification card, a renewal license or card, or a duplicate license or card to comply with established minimum standards set by federal rulemaking. Changes include a modified list of primary documents required to establish identity and date of birth, clarification of the documents needed to verify a social security number, establishment of rules existing in practice regarding proof of and verification of Iowa residency, establishment of rules existing in practice regarding proof and verification of lawful status in the United States, modification of the documents necessary to prove lawful status to conform to the approved federal documents, and clarification of procedures for establishing a change of name, date of birth, or sex. In addition, the change allows a military member or dependent family member of a military member that is stationed out of state to use their residence address for the state of station as the residence address for an Iowa driver's license or nonoperator's identification card when the military member and dependent family member are residents of Iowa but do not maintain an Iowa residence during the period they are stationed out of state. |

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Estelle Montgomery (Ext. 52261)

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### Alcoholic Beverages Division

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|                     | <b>ARC 0205C &amp; 0204C</b>  |
| <b>Rule Summary</b> | Establishes the requirements for mixing, storing, dispensing, and disposing of mixed drinks or cocktails that are not for immediate consumption (commonly called infused liquor). The rules specify labeling and reporting requirements, prohibition of certain ingredients, and require compliance with all applicable state and federal alcohol and food safety laws. The changes are in response to section 22 of House File 2465 (Standings Appropriations Act) passed during the 2012 Session. These rules were adopted and filed emergency in order to be effective on July 1, 2012, when the law went into effect. |

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

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**Environmental Protection Commission**

**ARC 0208C**

**Rule Summary** Revises Iowa Administrative Code (IAC) 567 chapter 68, Commercial Septic Tank Cleaners, and chapter 69, Private Sewage Disposal Systems. Revisions to Chapter 68 are necessary to implement SF 321 (On-Farm Food Commodity Processing Operations Wastewater Disposal Act) enacted in 2011. These revisions allow new methods for disposal of on-farm food processing wastewater. New disposal options will apply to on-farm food processing operations producing less than 1,500 gallons of wastewater per day. Minor language changes and new definitions are included to make the Chapter consistent with current practices.

In 2010, House File 2437 "Property Transfers, Private Sewage Disposal System Inspections, And Groundwater Hazard Statements Act" was signed in to law. Revisions to Chapter 69 will clarify 'time of transfer' requirements. Other minor changes will be made to correct technical language, improve consistency and clarify rules adopted in 2009 relating to time of transfer inspections and current inspection practices.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

**Natural Resource Commission**

**ARC 0190C**

**Rule Summary** Combines and then amends Chapters 61 "State Parks and Recreation Areas" and 62 "State Forest Camping." New Chapter 61 will be divided into two divisions and will address several issues. Changes include:

- Updates definitions to accommodate the combination of Chapters 62, 63 and the amendments of this action.
- Removes definitions that are no longer valid.
- Eliminates use of the business rule manual and adopts relevant business rules.
- Clarifies walk-in camper registration process.
- Opens new lodge facilities for public rental and establishes rental rates.
- Sets a damage deposit for cabins, lodges and open shelters.
- Changes stay requirements for the multifamily cabin at Springbrook State Park.
- Requires pets on state parks to be attended to.
- Prohibits pets from park buildings with the exception of assistance animals and in designated cabins.
- Removes requirement to provide a certificate from a doctor stating a person meets the criteria for a physical disability if they wish to get a permit to use a motorized vehicle.
- Updates language regarding deer population control hunts.

**Fiscal Impact** Estimated fiscal impact will be an increase in revenue of \$101,000 to the Land and Water Conservation Fund. Of the increase, \$87,000 will be rental income from new lodge facilities. The remaining \$15,000 is from the retention of damage deposits.

**ARC 0225C**

**Rule Summary** Amends Administrative Code Chapter 63 "Keg Beer Rules". Establishes new definitions and removes the definition of kegger from the IAC. Updates outdated year and date references. Clarifies references to rental deposits and updates the rule that waives the keg beer deposit in lieu of the rental facility damage deposit.

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**Fiscal Impact** No fiscal impact.

### Rule Summary

Revises regulations regarding resident deer hunting. Changes will reduce license options, revise quotas, and make changes to antlerless seasons. Hunters purchasing any-sex early muzzleloader licenses are restricted to buying a regular season antlerless license for either the first and second regular gun season. Reduces the Statewide total quota for antlerless-deer-only licenses by 13,000. The November antlerless season will be eliminated. Four counties will be removed from the January antlerless season and the season's length will be reduced by one week.

**ARC 0189C**

### Fiscal Impact

Reduces annual revenue to the Fish and Game Protection Fund by \$155,600 beginning in FY 2013. The number of antlerless licenses available is reduced by 13,000. Roughly 5,000 of these licenses were not purchased in 2011. Based on these numbers it is estimated approximately 8,000 fewer licenses will be purchased in FY 2013. Approximately 43.0% of these licenses were issued for \$28 and approximately 57.0% for \$13 in 2011.

### Rule Summary

Increases hunting quotas for bobcats from 350 to 450 and river otters from 650 to 850.

**ARC 0188C**

### Fiscal Impact

Minimal fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

## Board of Educational Examiners

### Rule Summary

Incorporates the highly qualified teacher (HQT) language into the elementary classroom endorsement. Applicants from non-Iowa institutions that have completed the requirements for this endorsement must verify their HQT status. The Board must determine the test and minimum passing score for HQT status.

**ARC 0236C**

### Fiscal Impact

No State fiscal impact.

### Rule Summary

Creates a ninth grade math endorsement that gives middle school teachers the authority to give ninth grade math credit to middle school students. This rule is in response to school districts moving algebra to middle schools.

**ARC 0235C**

### Fiscal Impact

No State fiscal impact.

### Rule Summary

Changes terminology from "mental disabilities" to "intellectual disabilities."

**ARC 0229C**

### Fiscal Impact

No State fiscal impact.

STAFF CONTACT: John Parker (Ext. 52249)

## Board of Medicine

### Rule Summary

Establishes provisions for permanent physician licensure. Updates language throughout Iowa Administrative Code 653-Chapter 9, applies existing continuing education requirements for licensure reinstatement, and streamlines the application process.

**ARC 0215C**

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**Fiscal Impact** Minimal fiscal impact.

**ARC 0216C**

**Rule Summary** Establishes provisions for resident, special, and temporary physician licensure. Applies continuing education and training requirements for renewal of a special license.

**Fiscal Impact** Minimal fiscal impact.

**ARC 0217C**

**Rule Summary** Establishes continuing medical education and training requirements for renewal or reinstatement of a permanent physician license or renewal of a special physician license. Updates language throughout Iowa Administrative Code 653 chapter 11 and grants continuing medical education credits to active physician members of the Board, active alternate physician members of the Board, active physician members of the Iowa Physician Health Committee, and physicians that complete peer reviews for the Board.

**Fiscal Impact** Minimal fiscal impact.

STAFF CONTACT: Aaron Todd (Ext. 16764)

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### Professional Licensure Division – IDPH

**ARC 0211C**

**Rule Summary** Specifies the conditions for online instruction to qualify for “live” continuing education credit for chiropractors.

**Fiscal Impact** No fiscal impact.

**ARC 0223C**

**Rule Summary** Defines the practice of occupational therapy, updates supervision requirements, removes outdated language concerning renewals to be consistent with Iowa Code chapter 14, and clarifies that conviction of a crime includes when judgment of conviction or sentence was deferred.

**Fiscal Impact** Minimal fiscal impact.

**ARC 0221C**

**Rule Summary** Adds certifications that can be used towards meeting the continuing education requirements for renewal of a respiratory therapy license. Clarifies what is considered respiratory care when personnel engage in the setup, delivery, testing, or demonstration of respiratory therapy equipment.

**Fiscal Impact** No fiscal impact.

**ARC 0228C**

**Rule Summary** Replaces Iowa Administrative Code 345 section 361.2(1) to correct existing examination names and add new examinations that the Board of Sign Language Interpreters and Translitterators now accepts for licensure.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Aaron Todd (Ext. 16764)

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### Department of Public Health

**ARC 0226C**  
**Rule Summary** Adds a heading for the Maternal and Child Health Advisory Council as a subrule, incorporates the Council's current bylaws in the rules, clarifies services provided through the maternal and child health programs, and updates references.

**Fiscal Impact** No fiscal impact.

**ARC 0227C**  
**Rule Summary** Outlines requirements and procedures to conduct tuberculosis screening for health care workers or facility staff members and residents of residential, inpatient, and halfway house facilities regulated by the Department.

**Fiscal Impact** Minimal fiscal impact.

STAFF CONTACT: Aaron Todd (Ext. 16764)

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### Board of Pharmacy

**ARC 0155C**  
**Rule Summary** Authorizes a pharmacist or pharmacist-intern, upon the request of a patient, to transfer one or more prescriptions to the pharmacy of the patient's choice. A transfer must be initiated by direct communication between a pharmacist or pharmacist-intern at the transferring pharmacy and a pharmacist or pharmacist-intern at the receiving pharmacy. Following direct communication between authorized individuals, the transfer of prescription information may be accomplished by facsimile transmission in compliance with the record requirements of the rule.

**Fiscal Impact** No fiscal impact.

**ARC 0172C**  
**Rule Summary** Excludes nonmedicated intravenous solutions from the definition of "drug" and specifies that required records of an emergency medical services program are to be maintained and made available for inspection and copying by the Board, the Board's representative, or other authorized individual. Permits the monthly inspection of drug supplies maintained at the primary emergency medical services program site to be performed by a pharmacist, pharmacist-intern, certified pharmacy technician, or the service director if the program is a pharmacy-based service or by the medical director, service director, or other designated emergency medical services personnel if the program is a medical director-based program. Clarifies the content and format of the required record following the administration of a controlled substance.

**Fiscal Impact** No fiscal impact.

**ARC 0153C**  
**Rule Summary** Adds "probation or parole officer" to the list of agents included in the definition of "law enforcement officer," provides validity to written records of pseudoephedrine transactions when the Pseudoephedrine Tracking System (PTS) is unavailable provided that the transaction information is entered into the PTS within 72 hours of the PTS becoming available, and clarifies the processes for release of information from the PTS to law enforcement officers.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Aaron Todd (Ext. 16764)

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## Board of Regents

### ARC 0220C

**Rule Summary** Removes detailed admission requirements for each university and individual colleges within the universities. Admission requirements are readily available to prospective students in print and online sources.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

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## Department of Revenue

### ARC 0232C

**Rule Summary** Makes numerous changes as a result of 2012 legislation: HF 2150, SF 2038, SF 2097, SF 2202, SF 2212, SF 2247, SF 2325, and SF 2328.

- Updates the name of the federal alcohol and cellulosic biofuels fuels credit that allows a deduction on Iowa individual income tax.
- Replaces the phrase “mental retardation” with “intellectual disability.”
- Makes wording changes related to the exclusion of distributions from retirement plans by certain military members for Iowa individual income tax.
- Eliminates the exclusion of Vietnam Conflict veterans’ bonuses from Iowa individual income tax after January 1, 2013, due to the repeal of this provision.
- Updates Iowa’s coupling date for changes to the federal research activities credit, the basis for the Iowa research activities credit, and updates the date Iowa is coupled with changes to the federal research activities credit.
- Provides guidance on how the Iowa child and dependent care credit is computed.
- Rescinds various rules to reflect the repeal of obsolete refund provisions.
- Extends the individual income tax checkoffs for 2012 and 2013.
- Specifies that Illinois employees working in Iowa cannot claim the new jobs credit from withholding.
- Changes the method of allocating joint estimated payments made by married taxpayers if these taxpayers later elect to file separate returns or file separately on a combined form for Iowa individual income tax.
- Requires domestic corporations incorporated in Iowa to attach a copy of their federal return with their Iowa corporation income tax return.
- Makes other technical changes.

**Fiscal Impact** Minimal fiscal impact.

### ARC 0199C

**Rule Summary** Provides more specific rules for sourcing sales of services that are taxable in Iowa under Iowa Code section 423.2, defines relevant terms, clarifies and provides examples of where a sale of services performed on tangible personal property should be sourced and where a sale of personal care services should be sourced.

**Fiscal Impact** Minimal fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

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## Fair Board

### ARC 0163C

**Rule Summary** Makes changes and updates language pertaining to general practices conducted during the yearly and year-round activities at the Iowa State Fair. Changes include:

- Increasing the number of elected board members from 10 to 12.

- Electing all board officers by the board instead of just the office of president.
- Increasing the cost of copying State Fair records, including board minutes, from ten cents to 15 cents per page; the first 10 pages are free.
- Permitting the Board to retain an administrative law judge for hearings and appeals.
- Increasing the fee for a returned check from \$10 to \$20.
- Increasing required minimum general liability insurance by licensees from \$500,000 to \$1.0 million.
- Setting selected fees at a daily rate instead of hourly or other lengths of time.
- Other issues such as appeals, ticket refunds, and technical changes.

This rule was first published as ARC 0049C on March 21, 2012, and came before the Administrative Rules Review Committee in April 2012. Changes were made as a result of comments by the Committee:

- The per page copy price was reduced to 15 cents from the proposed 50 cents;
- In case of an exhibitor’s appeal, the Fair Board may retain an administrative law judge for an evidentiary hearing;
- A violation of campground rules is grounds for expulsion for the remainder of the fair and/or indefinitely without refunds; and,
- The change to prohibited containers from “glass bottles and cans” to “bottles and cans” was eliminated.

**Fiscal Impact** Minimal fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

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**Department of Human Services**

**ARC 0192C**

**Rule Summary** Makes the following changes related to institutional care:

- Updates the statewide average cost of nursing facility services to a private-pay person. This figure is used to determine a period of ineligibility when an applicant or member transfers assets for less than fair market value. The period of ineligibility is determined by dividing the difference between the amount transferred and the market value of the transfer by the statewide average cost of nursing facility services to a private-pay person.
- Updates the average charges for nursing facility care, Mental Health Institutes, and Psychiatric Mental Institutions for Children, and the maximum Medicaid rates for care in an intermediate care facility for persons with an intellectual disability, formerly Intermediate Care Facilities for individuals with Mental Retardation (ICF/MR). These figures are used to determine the disposition of the income of medical assistance income trust (Miller-type trust).

**Fiscal Impact** Minimal fiscal impact.

**ARC 0198C**

**Rule Summary** Adds a health home service to the Medicaid program by defining the service, specifying the Medicaid members eligible to receive the service and the providers eligible to provide the service, and establishing a reimbursement methodology.

**Fiscal Impact** This change was required by SF 2336 (FY 2013 Health and Human Services Appropriations Act) and is estimated to save the General Fund \$4.2 million in FY 2013 and \$4.7 million in FY 2014. The savings are largely due to an enhanced Federal Medical Assistance Percentage (FMAP) rate. Health home services will be reimbursed at a 90.0% federal match rate for the first eight quarters that the state plan amendment is in effect, then transition to current FMAP rates.



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|                      | <b>ARC 0193C &amp; 0191C</b>   |
| <b>Rule Summary</b>  | <p>Makes the following changes related to Medicaid:</p> <ul style="list-style-type: none"> <li>• Shifts the funding for the nonfederal share of the Medicaid Program to the State for services costs that were billed to counties for the following services provided in the fiscal year beginning July 1, 2012: <ul style="list-style-type: none"> <li>○ Habilitation.</li> <li>○ Targeted case management.</li> <li>○ Home-based and community-based services waiver services for persons with Intellectual Disabilities and Brain Injury.</li> <li>○ Community-based intermediate care facilities for persons with mental retardation (ICF/MR).</li> </ul> </li> </ul> <p>With the elimination of county funding for these services, the county role in provider certification, ICR/MR placement, and determination of need for waiver services is also eliminated.</p> <ul style="list-style-type: none"> <li>• Provides a 2.0% increase to home health agencies effective July 1, 2012, with the reimbursement methodology being amended to accurately reflect the method of reimbursement from retrospective cost related to interim fee schedule with retrospective cost settlement.</li> <li>• Increases the Home and Community-Based Services (HCBS) Elderly Waiver monthly cap from \$1,117 to \$1,300.</li> <li>• Adds Psychiatric Medical Institutions for Children (PMIC) as covered mental health services under the Iowa Plan managed care contract.</li> </ul> |
| <b>Fiscal Impact</b> | <p>The county Medicaid buyout is estimated to cost \$230.0 million in FY 2013. This will be funded by a redistribution of approximately \$189.6 million in State funds and an additional \$40.0 million General Fund appropriation provided in SF 2336 (FY 2013 Health and Human Services Appropriations Act).</p> <p>A 2.0% provider rate increase for home health agencies is estimated to cost \$761,000 in FY 2013 and \$784,000 in FY 2014. Funding for FY 2013 was provided in SF 2336.</p> <p>Increasing the Elderly Waiver cap from \$1,117 to \$1,300 per month is estimated to cost \$2.1 million in FY 2013 and \$2.2 million in FY 2014. Funding for FY 2013 was provided in SF 2336.</p> <p>Moving PMICs under the Iowa Plan contract will have a minimal fiscal impact.</p>  |

**Rule Summary** Adds a new provider type to the Medicaid program to enroll public health agencies that provide immunizations and testing for communicable diseases. **ARC 0231C**

**Fiscal Impact** No fiscal impact.

**Rule Summary** Creates a new Medicaid provider type for speech language pathologists in independent practice in accordance with SF 2158 (Speech Pathology, Qualified Medicaid Provider Act). **ARC 0203C**

**Fiscal Impact** Minimal fiscal impact. It is assumed that Medicaid members in need of speech therapy are already able to access these services through existing providers and there are very few providers practicing independently.

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|----------------------|---|
|                      | <b>ARC 0195C &amp; 0194C</b>  |
| <b>Rule Summary</b>  | Changes Medicaid reimbursement policy when a patient is readmitted to the hospital for the same or similar diagnosis within seven days of discharge, all claims will be combined allowing for only one Diagnosis-Related Group (DRG) payment. |
| <b>Fiscal Impact</b> | This change was required by SF 2336 (FY 2013 Health and Human Services Appropriations Act) and is estimated to save the State \$650,000 in FY 2013 and \$670,000 in FY 2014.  |

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|                      | <b>ARC 0197 &amp; ARC 0196C</b>   |
| <b>Rule Summary</b>  | Reduces payments for physician-administered drugs by 2.0% from the current payment methodology of average wholesale price AWP less 10.0%, effectively resulting in a new payment methodology of AWP less 12.0%. As a result of the change, drugs dispensed by a physician will be reimbursed at the same rate as drugs dispensed by a pharmacy. |
| <b>Fiscal Impact</b> | This change was required by SF 2336 (FY 2013 Health and Human Services Appropriations Act) and is estimated to save the State \$88,000 in FY 2013 and \$91,000 in FY 2014.  |

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|----------------------|--|
|                      | <b>ARC 0200C</b>   |
| <b>Rule Summary</b>  | Adds optometric services and durable medical equipment to the services allowed for reimbursement under the Broadlawns \$4.0 million pool for IowaCare members. |
| <b>Fiscal Impact</b> | Minimal fiscal impact. It is assumed that Broadlawns will be able to submit enough claims to reach the \$4.0 million cap with or without these added services. |

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|----------------------|---|
|                      | <b>ARC 0202C</b>  |
| <b>Rule Summary</b>  | Allows for issuance of a two-year foster home license unless the administrator determines that a one-year license is to be issued. Annual renewal is still required for the first two years of licensure. |
| <b>Fiscal Impact</b> | Minimal fiscal impact.  |

|                      |   |
|----------------------|---|
|                      | <b>ARC 0206C</b>  |
| <b>Rule Summary</b>  | Changes the licensing regulations of foster family homes, including eliminating requirements that all bedroom windows be of a specific dimension except for basement egress windows, requiring that homes have a fire safety plan, and requiring a standard bed be provided for foster children or crib for infants and toddlers that cannot safely use a standard bed. |
| <b>Fiscal Impact</b> | No fiscal impact to the State.  |

STAFF CONTACT: Jess Benson (Ext. 14611) or Aaron Todd (Ext. 16764)

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### Real Estate Appraiser Examining Board

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|---------------------|---|
|                     | <b>ARC 0209C</b>  |
| <b>Rule Summary</b> | Clarifies rules and adds factors the Board has historically considered that were not adequately reflected in the rules. Changes deal with disclosure of confidential information to the subject of an investigation, protection of a complainant's identity and when it is released to the licensee, mitigating and aggravating factors, the nature of the violation, and the public interest in determining discipline. Increases the minimum coverage requirements for specific continuing education courses from 14 of 28 credit hours to 21 of 28 credit hours. |

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**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

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### Department of Agriculture and Land Stewardship

**Rule Summary** Eliminates the one-year pesticide applicators license. Changes timing requirements for state-licensed warehouses to provide proof of replacement insurance. Creates conditions to be met when transferring grain from an in-State warehouse to an out-of-state warehouse. **ARC 0234C**

**Fiscal Impact** No fiscal impact.

**Rule Summary** Updates and modernizes the name of two animal diseases. Hog cholera will be referred to as classical swine fever. References to paratuberculosis have been replaced with Johne's disease. **ARC 0230C**

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

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### Banking Division

**Rule Summary** Rescinds rules that are no longer necessary because of statutory changes. Iowa Code chapter 533B dealt with the sale of certain instruments for payment of money and was repealed in October 2003. The corresponding administrative rule (187-2.11) requiring a surety bond is being rescinded. The administrative rule (187-3.1) that permitted the examination of a bank to be performed by the Federal Deposit Insurance Corporation is no longer necessary since Iowa Code section 524.217(1) now contains language specifically permitting appropriate federal banking agencies to perform an examination in lieu of examination by the Banking Division. These changes were originally published as ARC 9953B on January 11, 2012. **ARC 0210C**

**Fiscal Impact** No fiscal impact. There will be no changes in operation of the Banking Division as a result of these changes.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

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### Homeland Security and Emergency Management Division

**Rule Summary** Provides clarification to local emergency management commissions regarding membership and voting requirements. **ARC 0233C**

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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### Labor Services Division

**Rule Summary** Amends inspection rules pursuant to SF 2280 (2012 Boiler Inspections Act) to permit a four-year internal inspection schedule on unfired steam pressure vessels. Amendments also remove some provisions, adopt more recent versions of relevant national codes by reference, and make technical and editorial changes. **ARC 0207C**

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**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

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### Landscape Architectural Examining Board

**Rule Summary** Clarifies the status of landscape architect retired. This rule was published originally on April 18, 2012, as ARC 0086C. The only change is a grammatical correction to the last sentence of item five. **ARC 0213C**

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Dw ayne Ferguson (Ext. 16561)

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### Board of Nursing

**Rule Summary** Adds an additional testing option to verify English skills of an individual educated and licensed in another country. **ARC 0214C**

**Fiscal Impact** No fiscal impact to the State.

STAFF CONTACT: Aaron Todd (Ext. 16764)

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### Soil Conservation Division

**Rule Summary** Changes the definition of conservation cover, a phrase used when determining the eligibility for conservation cost-share funds. Land will be considered conservation cover if it has not been row cropped or plowed within the prior 15 years. Previously, land was conservation cover when row cropped between 1966 and 1981. **ARC 0224C**

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

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### Workers' Compensation Division

**Rule Summary** Updates by reference the tables that determine payroll taxes for purposes of determining the rate of weekly workers' compensation benefits. **ARC 0222C**

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

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