



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

January 8, 2013

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/arfiscal_notes.htm.

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

Department on Aging

ARC 0508C

Rule Summary Adds and updates definitions in Chapter 23 of Iowa Department on Aging's Administrative Code related to the federal Older Americans Act and the Aging And Disability Resource Center (ADRC).

Fiscal Impact No fiscal impact.

ARC 0506C

Rule Summary Updates the mission statement and organizational structure of the Department.

Fiscal Impact No fiscal impact.

ARC 0505C

Rule Summary Clarifies the source of nutrition information, gives the Area Agencies on Aging (AAA) flexibility to plan menus, and details guidance for the AAAs on providing notification of opening, relocation, or termination of a nutrition site.

Fiscal Impact No fiscal impact.

ARC 0507C

Rule Summary Establishes the structure of the Aging and Disability Resource Center (ADRC) as directed by Iowa Code section 231.64.

Fiscal Impact No fiscal impact.

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ARC 0516C

Rule Summary Eliminates the Chapter on the Iowa Senior Living Program Home-and Community-Based Services for seniors. This Chapter is related to the Senior Living Trust Fund and since the Fund no longer exists, this Chapter is now obsolete. No services are being eliminated.

Fiscal Impact No fiscal impact.

ARC 0498C and 0499C

Rule Summary Establishes the procedure to be followed by AAAs during the process to reduce the number of agencies, as mandated by HF 2320 (FY 2013 Area Agency Reorganization Act).

Fiscal Impact No fiscal impact.

STAFF CONTACT: Jess Benson (Ext. 14611)

Agricultural Development Authority

ARC 0515C

Rule Summary Amends the definition of eligible applicant for the Beginning Farmer Loan Program and the Beginning Farmer Tax Credit Program. Sets a maximum allowable net worth of \$691,000 in 2013 for the Beginning Farmer Loan Program. Increases the 2013 maximum allowable net worth for the Beginning Farmer Tax Credit from \$343,000 to \$366,000. The maximum allowable net worth will be adjusted annually on January 1 to match inflation.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

Educational Examiners Board

ARC 0494C

Rule Summary Removes first class mail as an option for delivery of notice of hearing.

Fiscal Impact No fiscal impact.

ARC 0509C

Rule Summary Addresses the issue of applicants that have completed a nontraditional teacher preparation program and have one or more years of teaching experience that apply for a substitute license or for full licensure. Currently, in many cases, such applicants can only obtain a substitute authorization. This amendment allows an applicant in these circumstances to be issued a substitute license.

Fiscal Impact No fiscal impact.

ARC 0492C

Rule Summary Removes a reference to the conditional career and technical license that was eliminated in 2009.

Fiscal Impact No fiscal impact.

ARC 0493C

Rule Summary Requires an applicant to complete one year of administrative experience to convert an initial administrator license to a professional administrator license.

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Fiscal Impact	No fiscal impact.	
		ARC 0491C
Rule Summary	Updates the wording of the rules regarding evaluator licensure requirements to better align with the rules regarding administrator licensure requirements.	
Fiscal Impact	No fiscal impact.	
		ARC 0446C
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 is required to determine the test and the minimum passing score for HQT status.	
Fiscal Impact	No fiscal impact.	
		ARC 0448C
Rule Summary	Creates a ninth grade math endorsement. This change authorizes middle school teachers to give ninth grade math credit to middle school students. This rule is in response to school districts moving algebra into the middle school.	
Fiscal Impact	No fiscal impact.	
		ARC 0449C
Rule Summary	Defines requirements to obtain a basic science (grade 5-12) endorsement. Removes an endorsement for a physical science (grade 5-12) option that has been incorporated in other endorsement areas. Removes an all science (grade 5-8) endorsement rule. Clarifies the requirements for an all science (grade 9-12) endorsement. Decreases the total number of credit hours in science needed for an all science endorsement from 48 to 36.	
Fiscal Impact	No fiscal impact.	
		ARC 0450C
Rule Summary	Changes terminology from mental disabilities to intellectual disabilities.	
Fiscal Impact	No fiscal impact.	
		ARC 0444C
Rule Summary	Allows out-of-state applicants seeking an administrator license in Iowa to obtain a Class A administrator exchange license valid for one year if certain conditions are met. Addresses an existing inconsistency between an administrator exchange license and a Class A license for administrators.	
Fiscal Impact	No fiscal impact.	
		ARC 0451C
Rule Summary	Changes language from “will” to “may” to clarify when an administrator license extension can be given. Eliminates a sunset date that is no longer needed.	
Fiscal Impact	No fiscal impact.	

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Department of Education

ARC 0525C

Rule Summary Grants school districts and accredited nonpublic schools the authority to award high school credit to students based on their proven ability to demonstrate competency in a given subject area. The change is in response to section one of SF 2284 (Education Reform Act).

Fiscal Impact No fiscal impact.

ARC 0522C

Rule Summary Rescinds and replaces Iowa Administrative Code 281-Chapter 15 with a new chapter to implement sections 13 through 17 of Senate File 2284 (Education Reform Act). Provides guidance and direction for the use of online learning or telecommunication in instruction. Additionally, guidance is provided to students and school districts regarding Iowa Learning Online.

Fiscal Impact No fiscal impact.

ARC 0521C

Rule Summary Implements section 37 of SF 2284 (Education Reform Act) by making Project Lead the Way courses eligible for supplementary weighting for school aid funding.

Fiscal Impact The combined impact of ARC 0519C, 0520C, and 0521C rulemaking efforts will increase State school aid by \$1.5 million and local property taxes by approximately \$200,000 beginning in FY 2014.

ARC 0531C

Rule Summary Establishes a three-year process to phase out the Associate of Science-Career Option degree and implement an Associate of Professional Studies pilot. The Associate of Professional Studies degree will be awarded upon completion of 62 to 68 semester credit hours in a program of study intended to prepare students for transfer and upper division coursework in aligned baccalaureate programs or immediate entry into the workforce. The Department of Education will study the effectiveness of the pilot after five years and make recommendations to the State Board of Education regarding continuation.

Fiscal Impact No fiscal impact.

ARC 0526C

Rule Summary Changes proficiency requirements for the Senior Year Plus Program in accordance with SF 2284 (Education Reform Act). Previously, all applicants in all coursework in the Program needed to be proficient in math, science, and reading on the Iowa Assessment. Students in defined Career and Technical coursework are not subject to the proficiency requirements. Students in all other Senior Year Plus coursework must continue to demonstrate proficiency. The terms Iowa Tests of Basic Skills (ITBS) and Iowa Tests of Educational Development (ITED) have been updated to reflect the change to the current term of such testing, the Iowa Assessments. Finally, clarity is given that entry to Advanced Placement coursework is not subject to the proficiency requirements that must be met under the Senior Year Plus section.

Fiscal Impact No fiscal impact.

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	ARC 0519C
Rule Summary	Implements section 37 of SF 2284 (Education Reform Act) by making Project Lead the Way courses eligible for supplementary weighting for school aid funding.
Fiscal Impact	The combined impact of ARC 0519C, 0520C, and 0521C rulemaking efforts will increase State school aid by \$1.5 million and local property taxes by approximately \$200,000 beginning in FY 2014.
	ARC 0510C
Rule Summary	Updates policies concerning Iowa High School Equivalency Diplomas. The current rule requires applicants to satisfactorily complete a specific test to qualify for the diploma. While the current vendor of what is commonly known as the “GED” will continue to be able to bid on this service, it also opens up the process to other vendors that are now providing such services in other states. In addition, student test scores will now be valid for five years to gain a diploma and age requirements for taking the test are established. Finally, applicant costs have changed from a set dollar figure to an amount designed to cover actual test costs. This prevents multiple changes in the rules to cover cost changes as they occur over time.
Fiscal Impact	No fiscal impact.
	ARC 0517C
Rule Summary	Requires school districts, in the hiring process of school bus drivers, to use the Iowa Court Information System (ICIS) to review the driving record of all applicants and current drivers. In addition, the district must check the statewide registries of child abuse, dependent adult abuse, and sexual abuse. If the drivers or applicants are listed on any of the three state abuse registries they cannot be employed. There is an appeal process for those found on such registries. The change is in response to SF 2221 (Bus-Driver Background Check Act) enacted during the 2012 Session.
Fiscal Impact	No fiscal impact.
	ARC 0479C
Rule Summary	Establishes standards and procedures for the approval of programs that train persons seeking authorization from the Iowa Board of Educational Examiners for employment as school business officials responsible for the financial operations of a school district.
Fiscal Impact	No fiscal impact.
	ARC 0524C
Rule Summary	Requires a formal evaluation every three years for non-probationary teachers, and informal evaluations done by a peer review group of educators performed in the two non-formal years. Requires School Boards to perform annual formal evaluations of administrators. These changes are in response to sections 6 and 7 of SF 2284 (Education Reform Act).
Fiscal Impact	No fiscal Impact.

	ARC 0523C
Rule Summary	Reestablishes the financial incentives for Iowa teachers to become certified by the National Board for Professional Teaching Standards. Incentives were phased out in 2007 because of a sunset date in legislation. Teachers that passed the National Board Certification process and actively taught in Iowa received a ten-year financial incentive of \$2,500 per year and one-half of their registration fee. If an applicant for this funding did not submit an application prior to December 31, 2007, they did not qualify for this funding. This rule change allows those that qualified after December 31, 2007, and before July 1, 2012, to apply for funding prior to May 1, 2013. In addition, all future applicants that submit paperwork within one year of qualification will also be eligible for the funding. The changes are in response to SF 2284 (Education Reform Act).
Fiscal Impact	Senate File 2321 (Education Appropriations Act) allocated \$500,000 to provide reimbursements to teachers seeking National Board Certification. The number of teachers applying to the Department of Education for fee reimbursements and annual awards will not be known until the application process ends (May 13, 2013) for teachers that registered after December 31, 2007, but before July 1, 2012. If the number of eligible teachers that apply for the fee reimbursement and annual awards exceeds the funds available, the Department can prorate the amount of the registration fee reimbursement and annual awards among all eligible teachers.

	ARC 0520C
Rule Summary	Implements section 37 of SF 2284 (Education Reform Act) by making Project Lead the Way courses eligible for supplementary weighting for school aid funding.
Fiscal Impact	The combined impact of ARC 0519C, 0520C, and 0521C rulemaking efforts will increase State school aid by \$1.5 million and local property taxes by approximately \$200,000 beginning in FY 2014.

	ARC 0518C
Rule Summary	Modifies rules pertaining to the Statewide Voluntary Preschool Program as specified in HF 2465 (FY 2013 Standing Appropriations Act) and the Returning Dropout and Dropout Prevention Program as specified in SF 451 (School Dropout Prevention Program Act).
Fiscal Impact	There is no General Fund impact. There may be an impact on local property taxes as a result of changes to the Returning Dropout and Dropout Prevention Program, but the amount, if any, is unknown.

STAFF CONTACT: John Parker (Ext. 52249), Shawn Snyder (Ext. 17799), and Robin Madison (Ext. 15270)

Environmental Protection Commission

	ARC 0529C
Rule Summary	Revises Chapter 64, Wastewater Construction and Operation Permits, to implement provisions of Iowa Code sections 455B.199A and 455B.199B. These sections provide compliance options to disadvantaged communities related to state and federal water pollution control laws. Establishes two new subrules defining disadvantaged communities.
	The first subrule creates criteria for disadvantaged communities, and sets criteria to determine disadvantaged status. To be considered for disadvantaged community status, communities must submit a Disadvantaged Community Analysis. The DNR will score the Analysis to determine if an entity qualifies for disadvantaged community

status. The second subrule creates criteria to define unsewered disadvantaged communities. To be considered, unsewered communities must submit a Disadvantaged Unsewered Community Analysis. The DNR will score the Analysis to determine if an entity qualifies for unsewered disadvantaged community status. Compliance agreements will be established under both rules.

Corrects three rule references. Extends the National Pollutant Discharge Elimination System (NPDES) permits timeframe for interim compliance schedule dates from nine months to one year. This will match the Code of Federal Regulations.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

Homeland Security and Emergency Management Division

	ARC 0512C
Rule Summary	Implements SF 2332 (Enhanced 911 Emergency Communications Act) enacted during the 2012 Legislative Session. The Act modified the E911 surcharge formula to eliminate wireless carrier cost recovery and increased the percentage of the surcharge administered to the Public Safety Answering Points (PSAPS) from 25.0% of the surcharge collected to 46.0% of the surcharge collected. The Act broadened language related to the funding for the PSAPS to allow expenditure for items other than equipment within the PSAPS. The existing surcharge on prepaid wireless service was replaced with a new surcharge collected at the point of retail sale. The Act placed a temporary moratorium on any new wireline surcharges over \$1.00 until task force recommendations have been submitted to the General Assembly or approximately until May 1, 2013.
Fiscal Impact	The administrative rule does not increase or decrease the wireless surcharge rate so the net effect is zero. However, it does redistribute the revenues collected. Senate File 2332 removed cost recovery from wireless carriers that amounted to approximately \$3.6 million annually and allowed those funds to flow to local E911 service boards. This increased the annual amount available to the PSAPS by \$3.6 million and will allow expenditure for more than just the equipment in the PSAPS.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Human Services

	ARC 0487C
Rule Summary	Requires a perpetrator's name to be removed from the child abuse registry after 10 years if there is no subsequent child abuse reported within that 10-year period. Allows only an individual accused of the abuse to file an appeal regarding a child abuse report. If an appeal is filed, then all other subjects are notified of their right to file a motion to intervene in the appeal proceedings. All parties have the right to request that an administrative law judge (ALJ) stay the hearing if adjudication or district court decisions related to the data or findings are pending. All parties have the right to appeal the ALJ's decision to the director of the Department within 10 days of the proposed decision. Only an individual accused of the abuse may appeal the final decision to the higher courts.
Fiscal Impact	It is estimated that it will take 570 hours to update information technology systems in FY 2013 at a cost of \$48,500. The Department will use existing resources to make the system changes.

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	ARC 0488C and 0489C
Rule Summary	Implements the January 1, 2013, cost of living increases to several State Supplementary Assistance categories.
Fiscal Impact	This change is estimated to cost the General Fund \$94,000 in FY 2013 and \$192,000 in FY 2014. This change is required by federal law and funding has been provided in SF 2336 (FY 2013 Health and Human Service Appropriations Act).

	ARC 0485C
Rule Summary	Implements an average Actual Acquisition Cost (AAC) reimbursement methodology for all drug ingredient costs, replacing the Average Wholesale Price (AWP) and state-set maximums, using a survey of pharmacy invoices to determine the average AAC. Enrolled pharmacies are required to provide drug acquisition cost invoice information. In cases where AAC is not available, the Wholesale Acquisition Cost (WAC) published by Medi-Span will be used. The dispensing fee will be set based on cost of dispensing surveys of Iowa Medicaid participating pharmacies. All participating pharmacies will be required to complete the survey. Based on a survey conducted in June through September 2012, the initial dispensing fee will be \$10.02 for all pharmacies. Any dispensing or acquisition cost information required to be submitted to the Department that specifically identifies a pharmacy's individual costs will be held confidential. Licensure requirements for out-of-state pharmacies delivering drugs in Iowa are clarified, pursuant to Board of Pharmacy rules.
Fiscal Impact	This change is estimated to save the General Fund \$583,000 in FY 2013 and \$1.4 million in FY 2014.

	ARC 0497C
Rule Summary	Makes the following changes to the Medicaid Program: <ul style="list-style-type: none">• Clarifies dental coverage criteria.• Reduces exceptions to policy requests by adding coverage for nitrous oxide under certain circumstances and establishing prior authorization requirements for tissue grafts, antimicrobial agents, denture replacements, and denture rebase.• Increases the frequency of topical fluoride applications provided by dentists.• Adds prior authorization requirements for crowns, anterior partial dentures, an oral appliance for obstructive sleep apnea, and occlusal guards.• Removes prior authorization requirements for periodontal surgical procedures.
Fiscal Impact	Minimal fiscal impact.

	ARC 0496C
Rule Summary	Expands prior authorization requirements for diabetic equipment and supplies not covered by rebate agreements under Medicaid. If the Department has a current agreement for a rebate with at least one manufacturer of a particular category of diabetic equipment or supplies such as blood glucose monitors, blood glucose test strips, lancing devices, lancets, or diabetic syringes, prior authorization will be required for any equipment or supplies in that category produced by manufacturers that have not contracted with the Department to provide a rebate. However, this requirement will not apply to supplies for members receiving care in a nursing facility or an intermediate care facility for the intellectually disabled. Prior authorization will be granted when medically necessary.
Fiscal Impact	This change is estimated to save the General Fund \$43,000 annually.

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ARC 0486C

Rule Summary Clarifies when an evaluation must be requested for current employees or students (trainees) that have been previously evaluated for health care programs. Revises documents that are to be included with requests for child abuse record checks.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Jess Benson (Ext. 14611)

Department of Inspections and Appeals

ARC 0484C

Rule Summary Creates new requirements and procedures to conduct tuberculosis (TB) screenings for health care workers in licensed hospitals and health care workers and residents of health care facilities. The rules address the screening process, risk classifications, and who may conduct TB screenings. Technical changes are made to update related chapters. The proposed language provides uniformity in the requirements and procedures to conduct TB screening. This rule was filed on October 3, 2012, as ARC 0353C and has not been changed.

Fiscal Impact No fiscal impact.

ARC 0513C

Rule Summary Makes technical changes to reflect the adoption of the new Chapter 481—59 that deals with screening and testing for TB.

Fiscal Impact No fiscal impact.

ARC 0514C

Rule Summary Rescinds Chapter 481-61 and replaces it with a new Chapter 481-61. Removes the design and construction standards from the Chapter and incorporates by reference generally accepted design and construction standards for the construction and renovation of state-licensed nursing facilities. The proposed changes bring the focus of the Chapter to physical standards directly related to the care of nursing home residents, including the preparation of foods, and the maintenance of specialized units or rooms.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Iowa Finance Authority

ARC 0500C

Rule Summary Changes the name of the HOME Partnership Program to the HOME Investment Partnerships Program and makes other policy and technical changes to bring the program into better conformity with federal statutes and regulations. The most substantive of these changes prohibits the use of an installment contract or leasehold interest for property in the Program.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Kenneth Ohms (Ext. 52200)

Board of Medicine

ARC 0532C

Rule Summary Requires licensees - M.D. and D.O. physicians and licensed acupuncturists - to report to the Board of Medicine the following:

- Any adversarial action taken against a licensee's hospital privileges.
- Any voluntary action by a licensee to relinquish or restrict privileges to avoid a hospital privileges investigation.
- An adversarial action against the licensee's privileges by the hospital.

Fiscal Impact No fiscal impact.

ARC 0533C

Rule Summary Establishes as grounds for discipline a licensee's failure to provide timely reports and documentation of any adversarial action against a licensee's hospital privileges or any voluntary action taken by the licensee to relinquish or restrict privileges to avoid a hospital investigation or hospital action.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Estelle Montgomery (Ext. 16764)

Department of Public Health

ARC 0481C

Rule Summary Updates the childhood vaccination schedule, requiring a Tetanus, Diphtheria, and Pertussis Tdap vaccine for students in secondary school, based upon recommendations from the Centers for Disease Control and Prevention (CDC). Updates language related to the transition of the immunization registry to a web based system.

Fiscal Impact No fiscal impact.

ARC 0482C

Rule Summary Updates the definition of "minor repair and maintenance activities" for purposes of lead-based paint regulations.

Fiscal Impact Minimal fiscal impact.

ARC 0483C

Rule Summary Creates new Chapters 95 to 100 as the result of reorganizing vital records currently contained in Chapters 95 and 96. Rescinds Chapters 98 to 107. The new Chapters also include some new and updated information.

Fiscal Impact No fiscal impact.

ARC 0480C

Rule Summary Updates the Iowa Emergency Medical Care Scope of Practice to the April 2012 edits suggested by the EMS Advisory Council.

Fiscal Impact No fiscal impact.

ARC 0474C

Rule Summary Articulates how the Division of Acute Disease Prevention and Emergency Response Center for Disaster Operations and Response, establishes, registers, and approves public health response teams to supplement and support disrupted or overburdened local medical and public health personnel, hospitals, and resources in the event of a

disaster or threatened disaster or other incident as defined in Iowa Code section 135.143. Removes specific team language and replaces it with language that relates to all Public Health Response Teams.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Estelle Montgomery (Ext. 16764)

Professional Licensure Division

ARC 0537C

Rule Summary Adds certifications that may be used toward 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 0462C

Rule Summary Increases the number of physician assistants that can be supervised by a physician from two to five pursuant to SF 2185 (Supervision of Physicians Assistants Act) enacted during 2012 Legislative Session.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Estelle Montgomery (Ext. 16764)

Board of Pharmacy

ARC 0504C

Rule Summary Reduces, by at least 10.0%, most initial and renewal license and registration fees and most penalty fees for late applications that are currently assessed by the Board. After the 10.0% reduction is calculated, some of the fees are rounded down to the next lowest \$10 increment to simplify accounting. Clarifies the forms of payment currently accepted by the Board and provides that a late payment penalty fee is not to be imposed on an application for renewal of a delinquent pharmacy technician registration if the applicant has not been practicing as a pharmacy technician since the registration expired. Eliminates the surcharge that has been imposed on pharmacist, pharmacist-intern, and pharmacy technician license and registration fees. This surcharge funds the Impaired Pharmacy Professional and Technician Recovery Program (IPRN). The Board has determined that the surcharge is an unnecessary cost and burden to these individuals and that the Board will support the IPRN from retained fees.

Fiscal Impact No impact to the General Fund. Projected revenues at current fee schedules amount to approximately \$2.4 million annually that the Board retains. The proposed 10.0% reduction in fees will reduce the anticipated revenues to approximately \$2.2 million. Elimination of the IPRN surcharge will eliminate annual revenue, at current fees, of approximately \$72,000.

ARC 0511C

Rule Summary Requires all pharmacists to register with CPE Monitor, a free service that records evidence of pharmacists' successful completion of the American Council on Pharmaceutical Education (ACPE) accredited provider continuing education activities.

The CPE Monitor was developed, implemented, and maintained by the National Association of Boards of Pharmacy (NABP) and the ACPE. Beginning in 2013, ACPE-accredited providers will only report a pharmacist's successful completion of continuing education activities to CPE Monitor and certificates of completion will no longer be issued to pharmacists by those providers. A pharmacist may review his or her education through the CPE Monitor. The Board will be able to verify a pharmacist's successful completion of ACPE-accredited education activities by checking the pharmacist's record with CPE Monitor. Clarifies the recording and reporting requirements for non-ACPE provider activities that are not able to report those activities in CPE Monitor. Provides pharmacists with the option to complete and submit a continuing professional development (CPD) portfolio to fulfill the continuing education requirements for license renewal or license reactivation. Establishes the requirements for a CPD portfolio including the required content of the portfolio and the process for declaring to the Board the pharmacist's intention to complete and submit a CPD portfolio, identifies a prerequisite for a pharmacist's participation in and submission of a CPD portfolio, and states the Board's intention to review and respond to pharmacists that submit CPD portfolios.

Fiscal Impact No fiscal impact.

ARC 0501C

Rule Summary Clarifies that the pharmacist in charge of a general pharmacy is responsible for establishing, implementing, and periodically reviewing and revising written policies and procedures for pharmacy operations. The pharmacist is responsible for ensuring all pharmacy personnel are familiar with the pharmacy's established policies and procedures.

Fiscal Impact No fiscal impact.

ARC 0502C

Rule Summary Authorizes hospital pharmacies to contract with another licensed pharmacy for remote order entry and medication order preview and verification to supplement hospital pharmacy services.

Fiscal Impact No fiscal impact.

ARC 0503C

Rule Summary Clarifies requirements for prior notification to the Board when a pharmacy plans to remodel or relocate a pharmacy department, establishing that the notification be submitted to the Board at least 30 days prior to commencing the project. Clarifies that the Board may require inspection of the proposed remodel or relocation site. This includes inspection of a temporary pharmacy location, inspection of a barrier constructed or intended to be constructed to provide security when the pharmacy department is closed, and inspection of a proposed installation of sterile compounding facilities and equipment. The proposed amendment combines two subrules that address requirements for light, ventilation, temperature, and humidity into a single subrule.

Fiscal Impact No fiscal impact.

Department of Public Safety

ARC 0540C

Rule Summary Establishes procedures for issuing licenses to master electricians licensed in states that have entered into reciprocal licensing agreements with the Board. Establishes procedures for the issuance of renewal or new licenses to electricians and electrical contractors whose previous licenses have expired, and corrects the mailing address of the Board for submitting requests for waivers of administrative rules to the Board.

Fiscal Impact No fiscal impact.

ARC 0541C

Rule Summary Updates rules regarding postsecondary education requirements to clarify qualifications for a journeyman license, and to set qualifications for a residential electrician license.

Fiscal Impact No fiscal impact.

ARC 0542C

Rule Summary Implements Iowa Code section 103.24. Electrical inspectors in political subdivisions must be certified, based on national certification standards. Effective January 1, 2014, persons hired as inspectors by political subdivisions will have one year to obtain national certification. The rule imposes uniform certification standards across the State for all electrical inspectors.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Revenue

ARC 0527C

Rule Summary Clarifies and adds rules for telecommunications sourcing and for administration of the prepaid wireless service enhanced 911 surcharges to implement SF 2332 (Enhanced 911 Emergency Communications Act) enacted during the 2012 Legislative Session. Provides guidance on the sales tax exemption for central office and transmission equipment used by certain telecommunications providers to fully implement SF 2390 (Central Office Equipment Sales and Use Exemption Act) enacted during the 2006 Legislative Session to phase-in the exemption beginning in 2006 through July 1, 2012. Notice of intended action was published as ARC 0407C on October 17, 2012, and these amendments are identical to those published.

Fiscal Impact To receive the prepaid wireless surcharges from retailers, the Department of Revenue (DR) will need to modify its collection system (e-file & pay) and its Integrated Revenue Information System (IRIS), an estimated one-time cost of \$65,000. The DR is allowed to retain 2.0% of the prepaid wireless surcharges for administration, estimated to be \$43,000. Staff time for processing and deposit of the returns is projected to be \$44,000, slightly more than the amount retained for administration. Follow-up audits, enforcement, and collection activities will generate additional costs.

The prepaid wireless surcharges are projected to generate \$1.0 million in revenues for the E911 Emergency Communications Fund in FY 2013. This amount is projected to increase to \$2.2 million in FY 2014 and grow to \$2.6 million by FY 2017.

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Once fully implemented in FY 2013, the tax exemption for central office telecommunications and transmission equipment is projected to reduce General Fund revenues by \$1.4 million. The cost of the exemption is projected to steadily grow to \$1.6 million in FY 2017.

ARC 0452C

Rule Summary Sets an interest rate of 5.0% per annum (0.4% per month) for unpaid taxes and refunds owed for the 2013 calendar year.

Fiscal Impact No fiscal impact.

ARC 0467C

Rule Summary Exempts the value added to residential property by any new construction or refitted installation of a geothermal heating or cooling system from property tax if the geothermal heating or cooling system is constructed or installed on the residential property on or after July 1, 2012. This rule change was originally filed as ARC 0380C. The only change is the word “should” has been changed to “shall” in two examples.

Fiscal Impact Implements the statutory changes in HF 2342 (Geothermal, Solar, and Other Tax Changes Act) related to geothermal heating and cooling. The property tax exemption created in the Act is projected to reduce property taxes owed by the affected taxpayers by \$100,000 in FY 2015, and the reduction will grow in annual increments of approximately \$300,000 through FY 2020. State General Fund appropriations will replace approximately 15.1% of the property tax reduction through the school aid formula.

ARC 0466C

Rule Summary Exempts and defines snow blowers, rear- or front-mounted blades, and rotary cutters from sales tax if they are used in agricultural production and are to be attached to or towed by a self-propelled implement of husbandry. This rule clarifies that certain items are exempt only if they are directly and primarily used in agricultural production, dairy and livestock production, or flowering, ornamental, or vegetable plant production. These changes implement HF 2470 (Agricultural Equipment Sales Tax Exemption) that was enacted during the 2012 Legislative Session. This rule was originally filed as ARC 0379C.

Fiscal Impact The statutory changes being implemented by these rule changes will reduce State sales tax by \$810,000 in FY 2013, with reductions in General Fund revenue totaling \$670,000, SAVE Fund revenue totaling \$130,000, and LOST revenue of \$120,000. The reduction amounts will increase slightly in future fiscal years.

ARC 0468C

Rule Summary Adds a requirement that before a city can create a Local Option Sales Tax (LOST) urban renewal area by ordinance, the board of supervisors from which county LOST revenues will be diverted must first approve the city's collection and use of county LOST revenues. This rule change implements HF 2460 (Tax Increment Financing) enacted during the 2012 Legislative Session. These rules are the same as those filed as the ARC 0378C notice of intended action.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Soil Conservation Division

ARC 0477C

Rule Summary Establishes an incentive of up to \$25 per acre for planting cover crops. Removes two rules adopted for 2012 to address drought concerns. The first rule allowed haying and grazing during calendar year 2012 without loss of the summer construction incentive. The second rule extended the deadline for summer construction projects from October 15th to December 31st.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

Department of Agriculture and Land Stewardship

ARC 0538C

Rule Summary Amends a requirement for grain dealers to maintain information on cancelled credit-sale contracts by allowing an electronic list instead of individual paper copies.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Adam Broich (Ext. 18223)

Department of Transportation

ARC 0478C

Rule Summary Permits the Department of Transportation (DOT) to move forward with the Americans with Disabilities Act (ADA) transition plan requirement to provide additional participation in the cost of constructing curb ramps on existing sidewalks within the right of way of primary road extensions.

Fiscal Impact No fiscal Impact

STAFF CONTACT: Estelle Montgomery (Ext. 52261)

Voter Registration Commission

ARC 0539C

Rule Summary Provides procedures for maintaining, updating, and removing mailing addresses from voter registration records when the voter has a change of address or the address is no longer valid. The rule has been modified since it was first noticed to make technical corrections and to strike a provision related to absentee ballot mailings.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Secretary of State

ARC 0528C

Rule Summary Amends ARC 0271C. The Notice was published on August 8, 2012 and was also Filed Emergency as ARC 0272C. The amendment strikes new rule 21.100(39A,47) pertaining to the procedure for complaints concerning voting.

Amends new rule 28.5(47,48A), that establishes procedures for the Secretary of State to identify and communicate with non-citizens that may be registered to vote in Iowa. The amendments extend the timeframe for registrants to respond to a notice

from the Secretary of State. Clarifies the procedure to be followed by the Secretary of State's office when completing the match and communicating with registrants affected by the rule.

Fiscal Impact Minimal fiscal impact

STAFF CONTACT: Ron Robinson (Ext. 16256)

Engineering and Land Surveying Examining Board

ARC 0530C

Rule Summary Updates definitions to accommodate the computer-based engineering and land surveying examinations.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Professional Licensing and Regulation Bureau

ARC 0490C

Rule Summary Requires Professional Licensing and Regulation Bureau applicants to disclose social security numbers to receive licensure. Provides procedures for applicants who are legally present and not eligible for a social security number or who have applied for a social security number under a lawful visa but have not yet received the number at the time of application. This amendment is identical to the notice of intended action filed in October 2012 as ARC 0345C.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

Real Estate Appraiser Examining Board

ARC 0534C

Rule Summary Allows all continuing education to be taken via distance education (online). Redefines class attendance to be 50 minutes per hour instead of the current 90.0% of the scheduled class time in order to gain educational credit.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)
