



ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

Section 17A.4(3) Iowa Code Supplement 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.

Environmental Protection Commission

ARC 7039B

Rule Summary Provides water quality certification pursuant to Section 401 of the federal Clean Water Act. The Act requires the Army Corps of Engineers to issue a permit prior to the discharge of dredged or fill materials into the nation’s waters and requires the State water agency to certify that the proposed activity will not violate the State’s water quality standards.

Fiscal Impact No fiscal impact.

ARC 7038B

Rule Summary Establishes criteria for awarding grants to independent redemption centers for improvement processing as a result of the passage of HF 2700 (FY 2009 Standing Appropriations Act). Dedicates \$1.0 million from the General Fund to an Independent Redemption Center Grant Fund to independent redemption centers in existence prior to July 1, 2008. Permits up to 3.5% of the Fund to pay administrative costs related to the management of the Grant Fund in the Department of Natural Resources (DNR).

Fiscal Impact No fiscal impact to the State beyond what was allocated in the statute.

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Held over from July - ARC 6921B and 6922B

Rule Summary Modifies the voting requirements for the Environmental Protection Commission (EPC). Provides that the number of votes needed for approval varies depending on the number of Commissioners currently appointed by the Governor, and specifies that four votes are sufficient for approval when there are only seven appointed members.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Department of Economic Development

ARC 6944B

Rule Summary Makes sustainable community projects an eligible activity within the Iowa Community Development Block Grant (CDBG) Contingency Fund Program. Changes the amount of the Contingency Fund from 5.0% of all Block Grant Funds to \$1.0 million. Revises the rating criteria for the Program to include considerations relating to sustainability and site design criteria. Authorizes current funding to be used for the CDBG Downtown Revitalization Fund to assist in the revitalization of downtown areas.

Fiscal Impact No fiscal impact.

ARC 6943B

Rule Summary Adds new definitions and incorporates new green development standards and criteria into the Housing Program that consists of CDBG and Home Investment Partnerships Program funding. Adds a new eligible activity development subsidy to cover some of the additional costs of green development, and increases the maximum award amounts for housing activity categories.

Fiscal Impact No fiscal impact.

ARC 6942B

Rule Summary Allows Regional Sports Authority district applications to be accepted, reviewed and certified on an annual basis, and clarifies that the Department of Economic Development will certify no more than 10 districts each year.

Fiscal Impact No fiscal impact.

ARC 6941B

Rule Summary Redefines the formats allowed for networking events established in HF 829 (Commercialization of Businesses in Targeted Industry Areas Act) supported by the Targeted Industries Networking Fund. Adds the requirement of specified topics for discussion. Opens the events to participation by venture capitalists and community colleges. Increases the maximum award to \$5,000 per event.

Fiscal Impact Approximately \$160,000 is available from loan repayments or other recaptures of awards from federal economic stimulus funds. The funds are expended on sponsorship of connectivity events to bring together private industry and public sector researchers to facilitate technology transfer.

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ARC 6940B

Rule Summary Implements three programs authorized by HF 829 (Commercialization of Businesses in Targeted Industry Areas Act). Describes the purpose of the programs; the application submittal, review, and approval procedures; and the contract administration provisions.

Fiscal Impact Approximately \$880,000 will be available from loan repayments or other recaptures of awards from federal economic stimulus funds and expended on:

- Studying and planning for the creation of a statewide lean manufacturing institute to provide executive level, in-depth training assistance to manufacturing companies in the State at an estimated annual cost of \$100,000.
- Studying, planning, and the creation of a statewide supplier capacity and product database at an estimated annual cost of \$500,000.
- Recruitment of personnel from out of state to fulfill the executive-level management and operations needs of new and expanding companies in the targeted industries at an estimated annual cost of \$280,000.

ARC 6939B

Rule Summary Incorporates the new River Enhancement Community Attraction and Tourism (RE-CAT) Fund established by SF 2430 (River Enhancement Community Attraction and Tourism Act) into the existing Community Attraction and Tourism rules. Permits the Department Director to name a designee to the Vision Iowa Board.

Fiscal Impact Senate File 2430 (Economic Stimulus Act) appropriated \$2.0 million in interest or earnings on moneys in the federal economic stimulus and jobs holding fund to the RE-CAT Fund, and SF 2432 (FY 2009 Infrastructure Appropriations Act) appropriated an additional \$10.0 million from the Rebuild Iowa Infrastructure Fund (RIIF) to the RE-CAT Fund. The \$12.0 million is expected to be expended during FY 2009.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Board of Educational Examiners

ARC 6980B and 6959B

Rule Summary Permits the Board of Educational Examiners to designate an attorney other than the Attorney General to represent the public interest in hearings. Currently, only the Attorney General is authorized to do so.

Fiscal Impact Fiscal impact cannot be determined. The fees charged by other attorneys who may be designated to represent the Board are unknown and may be higher or lower than the fees charged by the Attorney General.

STAFF CONTACT: Robin Madison (Ext. 15270)

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Iowa Public Employees' Retirement System

ARC 6975B and 6976B

- Rule Summary** Implements provisions of SF 2424 (2008 Public Retirement Systems Act). Includes the following changes to the Iowa Public Employees' Retirement System (IPERS).
- Removes the current 0.4% cap on IPERS investment management expenses.
 - Permits IPERS staff to adjust member contribution rates based on actuarial valuation.
 - Adds county jailers, military installation officers, emergency medical providers, and county attorney special investigators to the IPERS protection occupation class.
 - Eliminates bonuses and allowances from the definition of IPERS-covered wages except for legislative pay.
 - Implements a free military service credit to qualified beneficiaries.
 - Expands choices for buying service time for IPERS members.
 - Clarifies eligibility for disability benefit payments for regular class members.
 - Allows non-spouse beneficiaries to roll over a deceased member's death benefit to Roth Individual Retirement Accounts (IRAs) for IPERS lump sum distributions.

Fiscal Impact The cost of moving four employee categories from regular member class to protection occupation class will have a fiscal impact of \$7.8 million in increased employee and employer contributions for FY 2010. The impact of eliminating bonuses and allowances cannot be determined, as they were not reported separately from salaries. Other changes will not have a fiscal impact to the State.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Iowa Department of Veterans Affairs

ARC 7021B and 7022B

Rule Summary Makes multiple changes to eligibility for the Veterans Trust Fund benefit. Allows individuals injured on active duty prior to reaching 90 days of service to be eligible for assistance. Increases the income guidelines from 200.0% to 300.0% of the Federal Poverty Level. Removes burial accounts as an asset for eligibility purposes. Modifies the travel expenses provision to include spouses of eligible veterans.

Permits funding for plane tickets, hotel charges, and per diems for out-of-State needs, and provides that hotel charges and a per diem are available for in-state needs when a spouse is visiting a veteran in a hospital. Provides that educational payments are made to the educational institution. Permits that financial assistance may be paid for veterans who are under-employed due to a service-connected injury or illness, and creates a lifetime assistance limit of \$6,000 for unemployment assistance.

Allows funds to be used for the purchase of durable equipment or services to help veterans remain in their home. Eliminates the nursing home and home healthcare payment provisions. Eliminates funding to children of disabled or deceased veterans. Provides financial assistance for hearing, dental, vision, and prescription drug needs. Permits expenses related to ambulance and emergency room services for trauma patients who are veterans.

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Allows vehicle repair assistance, housing repair assistance, and temporary housing assistance in emergency situations. Allows Veteran Service Organizations to receive up to 20.0% of the interest balance at the end of a fiscal year or \$150,000 (whichever is less) for maintaining accredited veteran service officers. Permits expenses related to establishing that a minor child is a dependent of a deceased veteran. Modifies the counseling provisions to set guidelines for those costs. Permits start-up funds for veteran service organizations desiring to create a new honor guard within their post.

Permits the Veteran Affairs Commission to create a subcommittee for acting upon Trust Fund benefit applications. Delegates the responsibility of approving honor guard applications to the Department of Veteran Affairs without Commission approval.

Fiscal Impact The amount expended from the Trust Fund is limited to the interest earned. It is expected that these rule changes will increase the amount of expenditures from the interest. Additional interest is expected to be earned from the sale of veteran-related lottery tickets.

Rule Summary **ARC 7002B**
Eliminates the requirement that the protections for veteran commemorative property be placed in a cemetery and be at least 75 years old. Adds active veteran organizations to the definition of veteran organizations for the veteran commemorative property protections.

Fiscal Impact No fiscal impact.

Rule Summary **ARC 7018B and 7019B**
Adds veterans previously denied access to the Vietnam Veteran Bonus Program due to residency requirements.

Fiscal Impact During the 2008 General Assembly, it was estimated that 50 additional current lowans may benefit from this residency requirement change. The FY 2008 carryforward of funds from the Vietnam Veteran Bonus Program appropriation into FY 2009 is expected to be adequate for this cost of \$25,000 in addition to remaining bonuses that may be applied for by those eligible prior to this change.

STAFF CONTACT: Sue Lerdal (Ext. 17794)

Labor Services Division – Department of Workforce Development

Rule Summary **ARC 6948B**
Adopts the U.S. Department of Labor Occupational Safety and Health Administration (OSHA) standards and updates the OSHA standards.

Fiscal Impact No fiscal impact.

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ARC 6946B and 6947B

Rule Summary Establishes procedures and fees for construction personnel hoists that are used to move employees between floors, installation inspection and permit fees of between \$500 and \$600 each, alteration or re-inspection fees of \$150 each, and a consultation work fee of \$100 per hour.

Fiscal Impact Minimal fiscal impact. The Division of Labor Services expects to perform additional inspections each year. The estimated annual fee revenue of less than \$100,000 will be used for the additional costs. The Elevator Revolving Fund will be used for the additional revenue and expenses. There should be fewer than 50 construction personnel hoists in operation during a year.

ARC 6935B

Rule Summary Clarifies and expands options available to provide combustion air to boilers and pressure vessels (a closed container designed to hold gases or liquids at a pressure different from the ambient pressure).

Fiscal Impact No fiscal impact.

ARC 6979B

Rule Summary Allows notice of asbestos abatement projects to be submitted electronically and abatement work in disaster zones to begin prior to notifying the Labor Commissioner. Authorizes certain individuals to perform asbestos abatement work without applying for an Iowa license.

Fiscal Impact No fiscal impact.

Held Over from July - ARC 6853B and 6852B

Rule Summary Provides temporary rules for lifts in wind towers.

Fiscal Impact Minimal fiscal impact. The Division of Labor Services expects to perform additional inspections each year. The estimated fees generated from permits and inspections will be used for the additional costs. The Elevator Revolving Fund will be used for the additional revenue and expenses. The rules provide for various fees including \$250 for the installation inspection and permit fee, with a \$150 re-inspection fee. Currently there are approximately 600 wind towers. The number containing lifts is not known.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Department of Human Services

ARC 7012B

Rule Summary Clarifies that the 60-month limit on Family Investment Program (FIP) assistance applies when an adult has received assistance from the FIP or from another Iowa assistance program or in another State that is funded by the federal Temporary Assistance for Needy Families (TANF) funds.

Fiscal Impact No fiscal impact.

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ARC 6995 and 6994B

Rule Summary Extends scheduled reporting, review, recertification, and redetermination requirements for certain counties affected by disasters for the months of June, July, and August for the Family Investment Program (FIP), State Supplementary Assistance, Food Assistance, Medicaid, Healthy and Well Kids in Iowa (hawk-i) Program, IowaCare, and Child Care Subsidy Assistance. For affected households the next report, review, recertification, or redetermination is scheduled as if the June, July or August 2008 report, review, recertification, or redetermination had occurred.

Fiscal Impact The Department of Human Services estimates that these rules may cost the General Fund between \$0 and \$5.5 million dollars.

ARC 7011B

Rule Summary Makes the following changes:

- Exempts income from temporary employment by the U.S. Census Bureau in determining Medicaid eligibility and amount of benefits.
- Removes references to obsolete policies related to suspensions of eligibility and retrospective budgeting.
- Updates terminology referring to persons eligible for Medicaid and the locations where the Department of Human Services conducts the eligibility for centralization of certain duties.

Fiscal Impact No fiscal impact.

ARC 6929B

Rule Summary Adds Medicaid coverage for behavioral health services provided by a licensed marital and family therapist (LMFT), a licensed independent social worker (LISW), or a licensed masters social worker (LMSW) practicing under the supervision of an LISW.

Fiscal Impact Minimal fiscal impact. Although the change will provide greater access to providers, it is not expanding services and is not expected to greatly increase Medicaid expenditures.

ARC 7017B and 7016B

Rule Summary Reduces additional Medicaid reimbursement for nursing facilities related to facilities' performances as measured by indicators of quality care.

Fiscal Impact Estimated General Fund savings is \$750,000 in FY 2009 and \$737,000 in FY 2010 and was required by SF 2425 (FY 2009 Health and Human Services Appropriations Act). The savings were included in the estimated Medicaid appropriation for FY 2009.

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	ARC 7015B
Rule Summary	Makes the following changes regarding the Healthy and Well Kids in Iowa (hawk-i) Program: <ul style="list-style-type: none">• Adds language regarding the recovery of overpayments.• Clarifies the length of an enrollment period for a child added to an existing enrollment period.• Establishes the first month for which a premium is due based on the approval of an initial application as the third month following the month of the eligibility decision.• Clarifies policies regarding reinstatement due to late payment of a premium.• Adds language that will allow electronic signatures to be accepted.
Fiscal Impact	Minimal fiscal impact.
	ARC 6926B
Rule Summary	Adds two new categories of exempt income from federal and state earned income tax credit payments and income received by employment as a federal temporary census worker for eligibility for the Healthy and Well Kids in Iowa (hawk-i) Program. Modifies the definition of a timely-reported income change when determining eligibility.
Fiscal Impact	No fiscal impact.
	ARC 7013B
Rule Summary	Adds Medicaid coverage for a new type of managed health care, the Program for All-Inclusive Care for the Elderly (PACE).
Fiscal Impact	No fiscal impact. The Department is required to assure the federal Centers for Medicare and Medicaid Services (CMS) that the PACE will be budget-neutral. An actuarial analysis has been completed to ensure that PACE capitation payments are less than the amount that would otherwise have been paid under the Medicaid State plan if the members were not enrolled under the PACE.
	ARC 7014B
Rule Summary	Allows IowaCare members to obtain smoking cessation drugs from community pharmacies. Currently members can obtain these drugs only from the University of Iowa Hospitals and Clinics and Broadlawns Medical Center in Des Moines.
Fiscal Impact	The State costs for community pharmacies to provide the smoking cessation drug Chantix are estimated to total \$34,438 for FY 2008 and \$125,029 for FY 2009. Funding was not provided for this additional cost.
	ARC 6928B
Rule Summary	Provides changes in licensing and registration standards for child care facilities as required by the House File 2212 (Smoke Free Air Act).
Fiscal Impact	No fiscal impact.

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ARC 6930B

Rule Summary Updates childcare provider reimbursement rates by increasing the rate ceiling 2.00% starting October 1.

Fiscal Impact Fiscal impact to the State is estimated at \$1,546,486. Senate File 2425 (FY 2009 Health and Human Services Appropriations Act) appropriated this amount from the General Fund for FY 2009.

STAFF CONTACT: Jess Benson (Ext. 14611) Phillip Kauffman (Ext. 52062)

Secretary of State

ARC 7046B and 7047B

Rule Summary Defines procedures for the establishment of voting centers, authorized in HF 2620 (School Board and Other Election Law Changes Act). A “voting center” is defined as a voting location for the purpose of providing ballots to all registered voters who are qualified to vote in a particular jurisdiction for the regular city election, city primary election, city runoff election, regular school election, or a special election.

Fiscal Impact No fiscal impact. The establishment of voting centers by county commissioners of elections is permissive and not mandatory.

ARC 6991B and 6992B

Rule Summary Implements HF 2663 (State Sales and Use Tax for School Infrastructure Act). Eliminates the requirements for elections to approve or disapprove imposition or changes in the local option sales and services tax for school infrastructure purposes. The local option tax has been replaced with a statewide penny sales tax that will be used for similar purposes. Requires elections to extend or amend revenue purpose statements adopted to specify the uses of this sales tax revenue. Rescinds the obsolete rules regarding School Infrastructure Local Option (SILO) sales tax elections and replaces them with rules for the form of ballot to be used when adopting, amending, and extending the revenue purpose statements.

Fiscal Impact No fiscal impact.

ARC 6945B

Rule Summary Provides updates to reflect current Code of Iowa voter registration references. Designates additional voter registration agencies, as required by the National Voter Registration Act of 1993.

Fiscal Impact No fiscal impact.

STAFF CONTACT: David Reynolds (Ext. 16934)

Homeland Security and Emergency Management Division – Department of Public Defense

ARC 6972B

Rule Summary Adopts the updated Part C of the Iowa Disaster Recovery Plan, that is a comprehensive plan for homeland security, disaster response, recovery, mitigations, and emergency resource management for the State.

Fiscal Impact No fiscal impact

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Public Health

ARC 7023B

Rule Summary Provides definitions and responsibilities for State Dental Director and the Oral Health Bureau.

Fiscal Impact No fiscal impact.

ARC 7024B

Rule Summary Defines dental screening requirements for children and screening definitions. Adds documentation, records, and reporting requirements for providers. Permits the Department of Public Health to develop a screening database.

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Phillip Kauffman (Ext. 17846)

Board of Nursing

ARC 7009B

Rule Summary Prohibits registered nurses and advanced registered nurse practitioners from administering anesthetic agents.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Phillip Kauffman (Ext. 52062)

Historical Division – Department of Cultural Affairs

ARC 6927B and 6925B

Rule Summary Clarifies the Historic Preservation and Cultural and Entertainment District Tax Credits provisions.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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Department of Public Safety

ARC 6999B and 6986B

Rule Summary Provides that the currently required 24-hour period for completing an inventory of an impounded vehicle may be extended in emergency conditions, either because officers are urgently needed for duties directly related to an emergency or because a large number of vehicles may be impounded in a short period of time during an emergency.

Fiscal Impact No fiscal impact.

ARC 7000B and 6987B

Rule Summary Clarifies the deadline of “two working days” for fingerprint submissions to specify that it does not include a Saturday, Sunday, State holiday, or federal holiday during which the administrative office of the submitting agency is closed, or a day that office is closed because of emergency conditions.

Fiscal Impact No fiscal impact.

ARC 6998B and 6985B

Rule Summary Provides for free replacement licenses for bail enforcement, private investigative, and private security licensees whose licenses were lost or destroyed due to conditions which are the basis of a Governor’s disaster emergency proclamation.

Fiscal Impact Minimal fiscal impact. The replacement fee for a duplicate license is \$5.00 and the Department will not be impacted by the no-cost duplicate.

ARC 7020B

Rule Summary Eliminates the names and models of evidentiary breath testing devices approved for use in Iowa from administrative rules. Provides that these device names and models will appear in a document published by the Department of Public Safety, available upon request and on the Department’s web site.

Fiscal Impact No fiscal impact.

ARC 6949B and 6967B

Rule Summary Permits temporary storage of flammable liquids in aboveground storage tanks at motor fuel dispensing facilities where normal storage is inoperable due to flooding.

Fiscal Impact No fiscal impact.

ARC 7005B and 6984B

Rule Summary Provides for a free change of business location to a Fire Extinguishing System Contractor certification if the relocation was a result of disaster emergency conditions in an area subject to a Governor’s disaster emergency proclamation. The usual charge for this change is \$100.00 and is retained by the State Fire Marshal.

Fiscal Impact The fiscal impact cannot be determined as the number of Fire Extinguishing System Contractors affected by recent disasters is not known.

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ARC 7008B and 7007B

Rule Summary Permits temporary support systems for manufactured housing to be installed in disaster emergency areas. Allows temporary commercial use of modular structures without permanent foundations. Limits the temporary units installed to be used for up to 18 months unless reinstalled in compliance with all of the standards which normally apply to the installations.

Fiscal Impact No fiscal impact.

ARC 6969B and 6970B

Rule Summary Provides for the temporary suspension of installation requirements for manufactured homes installed subsequent to a disaster. Allows temporary occupancy of manufactured housing without compliance with all of the normal requirements for installation. Provides for temporary use of the homes unless reinstalled in compliance with all of the permanent standards.

Fiscal Impact No fiscal impact.

ARC 7006B and 6988B

Rule Summary Requires the Building Code Commissioner to issue a free amended license that permits the relocation of a manufactured housing distributor or manufacturer if the relocation is disaster emergency related.

Fiscal Impact Minimal fiscal impact. A specific fiscal estimate cannot be determined since an estimate for the number of free amended licenses is not available. The current fee for a new license is \$100, and a new license is required when a manufacturer or distributor relocates.

ARC 6965B and 6966B

Rule Summary Permits a temporary emergency certification for manufactured housing installers when evidence of certification or licensing as installers from other states and proof of liability insurance coverage is provided. Provides that the temporary emergency certification is valid for 90 days and may be renewed once.

Fiscal Impact The fiscal impact cannot be determined as the number of out-of-State manufactured home installers that may seek the temporary certification is not known. Requires a \$50 non-refundable certification fee be paid to the Department of Public Safety.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

Department of Administrative Services

ARC 6982B

Rule Summary Allows the Technology Governance Board to elect a chair and vice chair annually. Authorizes the Board to conduct audits of previously approved fees. Specifies the auditing process and method to offer recommendations to the IOWAccess Advisory Council based on audit results.

Fiscal Impact No fiscal impact to the State.

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ARC 6983B

Rule Summary Clarifies the State agencies that are exempt from participating in the Department of Administrative Service's technology procurement process. Clarifies the purpose of using information technology operational standards.

Fiscal Impact No fiscal impact to the State.

Held over from July - ARC 6809B

Rule Summary Authorizes the Director of the Department of Administrative Services (DAS) to enter into contractual agreements for the procurement of information technology that may limit the liability of the vendor. Requires that contractual limitations of vendor liability be provided in the competitive selection documents initiating the procurement.

Fiscal Impact Fiscal impact to the State cannot be determined. This process may attract vendors with lower prices for goods that were otherwise unwilling to participate in a competitive selection process that did not offer the possibility of limited vendor liability negotiations. However, limiting the liability of a vendor creates risk for the State.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Educational Examiners Board

ARC 6950B

Rule Summary Broadens the categories of stakeholders who can file a complaint to include employees of the Department of Education.

Fiscal Impact No fiscal impact.

ARC 6971B

Rule Summary Changes requirements for adding an endorsement at a different level to reflect current practice. Includes student teaching and completion of a methods class in the requirements.

Fiscal Impact No fiscal impact.

ARC 6977B

Rule Summary Specifies the criteria for each standard that must be completed to obtain a school administrator's license.

Fiscal Impact No fiscal impact.

ARC 6973B

Rule Summary Requires applicants for endorsements on two-year exchange licenses to have completed at least 50.0% of the endorsement requirements through a two- or four-year institution.

Fiscal Impact No fiscal impact.

ARC 6956B

Rule Summary Adds the Statement of Professional Recognition to the list of items subject to a late fee if submitted after the date of expiration.

Fiscal Impact No fiscal impact.

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Rule Summary	Specifies that preparation in reading programs and integration of reading strategies into coursework is part of the professional education core requirements for licensure with an endorsement.	ARC 6957B
Fiscal Impact	No fiscal impact.	
Rule Summary	Changes the Class G license, for those needing to complete a school guidance counseling practicum or internship, from two years to one year in length.	ARC 6964B
Fiscal Impact	No fiscal impact.	
Rule Summary	Requires that Statements of Professional Recognition be renewed every five years.	ARC 6951B
Fiscal Impact	No fiscal impact.	
Rule Summary	Requires an endorsement to teach English as a Second Language (ESL).	ARC 6962B
Fiscal Impact	No fiscal impact.	
Rule Summary	Requires an endorsement to teach Talented and Gifted courses.	ARC 6968B
Fiscal Impact	No fiscal impact.	
Rule Summary	Requires an endorsement teach Business courses.	ARC 6963B
Fiscal Impact	No fiscal impact.	
Rule Summary	Requires student teaching and completion of a methods class for adding an endorsement at a different level of teaching. The change reflects current practice.	ARC 6978B
Fiscal Impact	No fiscal impact.	
Rule Summary	Eliminates rules related to the Educational Strategist endorsement that is no longer available.	ARC 6958B
Fiscal Impact	No fiscal impact.	

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ARC 6952B
Rule Summary Specifies the location of renewal requirements within the Iowa Administrative Code for Statements of Professional Recognition for audiologists.

Fiscal Impact No fiscal impact.

ARC 6953B
Rule Summary Specifies the location of renewal requirements within the Iowa Administrative Code for Statements of Professional Recognition for speech and language therapists.

Fiscal Impact No fiscal impact.

ARC 6954B
Rule Summary Specifies the location of renewal requirements within the Iowa Administrative Code for Statements of Professional Recognition for school social workers.

Fiscal Impact No fiscal impact.

ARC 6955B
Rule Summary Specifies the requirements for renewal of a Statement of Professional Recognition.

Fiscal Impact No fiscal impact

ARC 6960B
Rule Summary Adds sexual orientation and gender identity to the list of classes protected from discrimination in the Code of Conduct and Ethics, making the Code consistent with statute.

Fiscal Impact No fiscal impact

ARC 6961B
Rule Summary Adds sexual orientation and gender identity to the list of classes protected from discrimination in the Code of Rights and Responsibilities, making the Code consistent with statute.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

Department of Elder Affairs

ARC 7031B
Rule Summary Provides updates to Resident Advocate Committee by changing the membership process, requiring regular training, and removing outdated language.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Phillip Kauffman (Ext. 52062)

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Department of Inspections and Appeals

ARC 7010B

Rule Summary Clarifies that a resident may be seen and treated by health care professionals, other than the resident's personal physician, if the practitioners are working in collaboration with the resident's physician. Includes advanced registered nurse practitioners, clinical nurse specialists, and physician assistants as physician extenders if permitted to perform the specific task within State or federal law. Includes revisions to the initial ARC 6560B to clarify roles and duties of physician extenders in federally certified long-term facilities.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Iowa Finance Authority

ARC 7042B

Rule Summary Changes the standard of liability for the Title Guaranty Division from strict liability to negligence, in accordance with HF 2700 (FY 2009 Standing Appropriations Act).

Fiscal Impact No fiscal impact.

ARC 7043B

Rule Summary Allows the Iowa Finance Authority to issue a greater number of real estate closing protection letters by adding mortgage loan closers.

Fiscal Impact No fiscal impact.

ARC 7040B

Rule Summary Updates the criteria for allocating federal tax credits with the FY 2009 qualified allocation plan.

Fiscal Impact No fiscal impact.

ARC 7041B

Rule Summary Updates the Local Housing Trust Fund Allocation Plan.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

Department of Management

ARC 6996B

Rule Summary Transfers administrative rulemaking related to Customer Councils from the Department of Administrative Services to the Department of Management.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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Natural Resource Commission

		ARC 7037B
Rule Summary	Technical correction changing a reference for “Trespass Defined” to “Penalties.” This is related to the passage of HF 2612 (Natural Resources, Conservation, and Recreation Act).	
Fiscal Impact	No fiscal impact.	
		ARC 7034B
Rule Summary	Adds two areas to the no-wake areas designated for Lake Odessa in Louisa County. Channels are scheduled for dredging in 2008 to allow a hydraulic connection of water areas for fish movement during low-water periods in summer and winter.	
Fiscal Impact	No fiscal impact.	
		ARC 7033B
Rule Summary	Establishes a no-wake zone on Catfish Creek (running through Mines of Spain State Recreation Area) beginning at the mouth of Catfish Creek and extending upstream to the confluence of Catfish Creek and Granger Creek (in Dubuque County).	
Fiscal Impact	No fiscal impact.	
		ARC 7032B
Rule Summary	Creates a no-wake zone in Lake Cornelia boat harbor and harbor entrance. Designates a public swimming area on the northwest shore. The Wright County Conservation Board requested the changes.	
Fiscal Impact	No fiscal impact.	
		ARC 6938B
Rule Summary	Changes the dates restricting public access to refuges from the current schedule of September 10 through December 31 to September 1 through January 31. Redefines the Rathbun Area to apply to Appanoose, Lucas, and Wayne Counties.	
Fiscal Impact	No fiscal impact.	
		ARC 7036B
Rule Summary	Requires all trotlines to be removed from shore when not being actively fished.	
Fiscal Impact	No fiscal impact.	
		ARC 7035B
Rule Summary	Establishes a \$25 administrative fee for fishing tournaments permits.	
Fiscal Impact	The Department of Natural Resources (DNR) issues approximately 700 permits per year, and the fee will generate approximately \$17,500 per year for the Fish and Wildlife Trust Fund.	

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ARC 6937B

Rule Summary Changes the reporting deadline to midnight of the day after the animal is tagged, rather than the day it is killed, to provide adequate time to report the harvest if a hunter recovers an animal the day after it is killed. Clarifies the language to reflect that the transportation tag and harvest report tags are two separate tags. Adds online registration through the Electronic Licensing System of Iowa as a method for tenants to register for free licenses.

Fiscal Impact No fiscal impact.

ARC 6936B

Rule Summary Further defines persons eligible for free landowner tenant licenses and makes them the same for both the turkey and deer seasons.

Fiscal Impact No fiscal impact.

ARC 6934B

Rule Summary Defines who is eligible for a free landowner tenant licenses for turkey and deer hunting season and makes the requirements the same.

Fiscal Impact No fiscal impact.

ARC 6933B

Rule Summary Clarifies that a hunter is not allowed to carry another hunter's license while hunting. Changes the closing date for the late muzzleloader season back to January 10th. Allows a youth hunter to continue to use a hunting license if unsuccessful.

Fiscal Impact No fiscal impact.

ARC 6932B

Rule Summary Adds Harrison, Monona, Pottawattamie, and Woodbury Counties to the area open for taking bobcat. Increases the quotas from 400 to 500 for river otters and from 150 to 200 for bobcats. Eliminates the restrictions on beaver trapping in Linn County. Specifies that all furbearers must be immediately released back into the wild and cannot be kept in pens or enclosures.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Professional Licensing and Regulation Bureau – Department of Commerce

ARC 6993B

Rule Summary Revokes professional licenses if delinquent debt is owed to the State required in SF 2428 (2008 Delinquent Debt Collection Act) which relate to child support or student loans payments.

Fiscal Impact Minimal increase to the State with funds paid to the Child Support Recovery Unit due to the possible collection of delinquent debt from licensees.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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Professional Licensure Division – Department of Public Health

ARC 7045B
Rule Summary Board of Dietetics: Rescinds duplicative chapters and rules relating to licensure, continuing education, and discipline for Dietitians.

Fiscal Impact No fiscal impact.

ARC 6997B
Rule Summary Board of Mortuary Science: Updates rules to reflect licensing changes for funeral directors, funeral establishments, and cremation establishments.

Fiscal Impact No fiscal impact.

ARC 6931B
Rule Summary Board of Psychology: Eliminates duplicative language for the Board of Psychology in multiple subject areas.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Phillip Kauffman (Ext. 52062)

Department of Public Health

ARC 6974B
Rule Summary Provides further explanation regarding the use of medical and religious exemptions for the immunizations of young children.

Fiscal Impact No fiscal impact to the State. Federal funding has been provided in order to distribute public information regarding the change.

ARC 7025B
Rule Summary Specifies blood lead testing requirements for children in kindergarten. Defines terms and specifies persons required to take the test. Specifies timelines, documentation, and record requirements.

Fiscal Impact Fiscal impact to the state is estimated to be \$121,000 annually to test children without Medicaid or insurance coverage if all children were required to be tested. The General Assembly provided funding for this cost in SF 2425 (FY 2009 Health and Human Services Appropriations Act).

ARC 7026B
Rule Summary Technical changes for the Prescription Drug Donation Repository Program of the Iowa Prescription Drug Corporation.

Fiscal Impact No fiscal impact.

ARC 7027B
Rule Summary Adds new definitions to the Division of Acute Disease Prevention and Emergency Response Preparedness Advisory Committee.

Fiscal Impact No fiscal impact.

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ARC 7028B
Rule Summary Makes technical changes regarding qualifications and supervision of County Medical Examiners.

Fiscal Impact No fiscal impact.

ARC 7030B
Rule Summary Rescinds rules that allow unclaimed, unwanted, or unlicensed dogs to be made available for scientific, educational, and research purposes.

Fiscal Impact No fiscal impact.

ARC 6989 and 6990B
Rule Summary Implements HF 2212 (Smoke Free Iowa Air Act).

Fiscal Impact The fiscal impact to the State is estimated at \$263,637 for FY 2009 and \$132,125 for FY 2010. Federal funds of \$104,000 are available for FY 2009. The remaining funds for FY 2009 are available from the appropriations in various Acts from the General Fund, the Healthy Iowans Tobacco Trust, and the Health Care Trust Fund. Fine revenues that are retained for the General Fund of the city or county where the citation is paid are estimated to be between \$5,700 and \$11,400 for FY 2009.

ARC 7029B
Rule Summary Provides a description of the Department of Public Health's information policies in compliance with the Iowa Fair Information Practices Act.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Phillip Kauffman (Ext. 52062)

Real Estate Commission

ARC 7001B
Rule Summary Adds the definition of "moral turpitude" to language related to qualifications of real estate licensees.

Fiscal Impact No fiscal impact.

ARC 7004B
Rule Summary Requires real estate license applicants to complete prerequisite education requirements 12 months prior to the date of application.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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Soil Conservation Division

ARC 6981B

Rule Summary Increases the maximum dollar amount for water protection practices in the Soil Conservation Cost Share Program.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

Iowa Telecommunications and Technology Commission

ARC 6924B

Rule Summary Changes the name of the Sales and Marketing Bureau to the Service Delivery Bureau within the Iowa Telecommunications and Technology Commission. Adds responsibilities for developing new products and services, maintaining price tables, and providing customer service and assistance.

Fiscal Impact No fiscal impact.

ARC 6923B

Rule Summary Allows the Iowa Communications Network (ICN) to purchase equipment of less than \$2.0 million needed for customer services without legislative approval.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

Department of Transportation

ARC 7003B

Rule Summary Requires the Department of Transportation (DOT) to install close-clearance warning signs along railroad tracks in places where the clearance between the track and an obstruction along the track would impede a person who is lawfully riding on the side of a train from clearing the obstruction. The rule implements SF 472 (FY 2008 Railroad Close Clearance Warning Devices Act).

Fiscal Impact There will be no State fiscal impact. Within HF 911 (FY 2008 Infrastructure and Capitals Appropriations Act), \$100,000 was provided to the DOT from the Railroad Revolving Loan and Grant Fund to reimburse the affected parties for the cost of close-clearance warning signs and installation. The DOT will reimburse the owner of the railroad track \$200 per sign for the sign and installation. These rules only apply when funds are available from the DOT for reimbursement. The DOT anticipates it will take several years to reimburse the owners up to \$100,000, since the number of signs required and the amount of time it will take the owners to install the signs and request reimbursement is unknown.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

Department of Workforce Development

ARC 7044B

Rule Summary Provides definitions and criteria for the implementation of SF 2160 (Unemployment Insurance Fact Finding Update Act). Requires the Iowa Workforce Development Department (IWD) to deny permission to specified representatives to represent employers in Unemployment Insurance matters if the IWD determines that the representative demonstrates a continuous pattern of failing to participate in the initial determinations to award benefits. Defines maximum suspension criteria and allows the IWD to reduce suspensions.

Fiscal Impact Minimal fiscal impact. The rule may produce a small reduction in State expenses.

STAFF CONTACT: Ron Robinson (Ext. 16256)
