



**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](http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/arfiscal_notes.htm).*

**Department of Transportation**

**ARC 7452B**

**Rule Summary** Terminates noticed rule ARC 7003 that concerned close-clearance warning signs along railroad tracks where the clearance between the tracks and an obstruction along the tracks physically impedes a person that is lawfully riding on the side of a train from clearing the obstruction. The Department of Transportation (DOT) intends to re-notice the proposed new chapter to incorporate further changes.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Mary Beth Mellick (Ext. 18223)

**Department of Elder Affairs**

**ARC 7456B**

**Rule Summary** Provides support services for family caregivers of persons aged 60 and over and for grandparents or older individuals that are relative caregivers of children. It also establishes standards for those services.

**Fiscal Impact** Funding is 100..00% federal funding for these services. Documentation from the Department of Elder Affairs indicates that the services have been in place since FY 2000 and that the rules are being changed only for location of a new Chapter. It does not appear that the existing location for the rules is deleted.

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### ARC 7444B

**Rule Summary** Permits the Senior Living Coordinating Unit to appoint work groups to research and make recommendations on issues to be considered by the Unit. Reduces the number of required meetings from six to four per year.

**Fiscal Impact** Minimal savings with possible fewer meetings per year.

### ARC 7445B

**Rule Summary** Implements the Office of Substitute Decision Maker. Establishes standards and procedures for those appointed as substitute decision makers. Establishes the qualifications of consumers eligible for services.

**Fiscal Impact** No fiscal impact for the State unless funds are provided for the expansion of the Office. Plans for additional local offices and statewide services are not included in the existing budget.

STAFF CONTACT: Jess Benson (Ext. 14611)

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## Utilities Division – Department of Commerce

### ARC 7420B

**Rule Summary** Changes the amount a customer is required to pay for natural gas and electric plant additions, gas main distribution extensions, and electric line extensions. Removes the option for a customer to pay a contribution for aid of construction rather than an advance for construction.

**Fiscal Impact** No fiscal impact.

### ARC 7409B

**Rule Summary** Allows electric service load limiters for residential customers, if used as an alternative to disconnection of electric service. Allows for a service limiter if a customer has defaulted on a first payment agreement and agrees to the use of a service limiter in conjunction with a second payment agreement.

**Fiscal Impact** No fiscal impact.

### ARC 7430B

**Rule Summary** Authorizes certificates of franchise authority to be issued by the Utilities Board. Modifies the procedures that service providers must follow to notify the Board of service area modifications or transfers or terminations of certificates.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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### Department of Education

#### ARC 7418B

**Rule Summary** Clarifies definitions relating to enrollments of dual-enrolled and partial-year enrollment students. Reduces the formula weighting for students enrolled in the Home School Assistance Program (HSAP) from 0.6 to 0.3 per student as specified in HF 2700 (FY 2009 Standings Appropriations Act).

**Fiscal Impact** Reducing the HSAP weighting will reduce school district budget enrollments in future years. The weighting reduction implemented in FY 2009 was made through an enrollment audit adjustment that resulted in a total reduction to school districts of \$7.0 million in State aid and \$1.0 million in property taxes. The total estimated impact for FY 2010 is a reduction of \$7.5 million in State aid and an increase of \$100,000 in property tax to school districts through the Iowa school aid formula.

#### ARC 7419B

**Rule Summary** Implements Section 260C.36, Code of Iowa, regarding accreditation of community college faculty and the creation of Quality Faculty Committees. Establishes the formula for allocation of State salary funding for community college faculty and defines “eligible full-time equivalent instructor” as required by HF 2679 (FY 2009 Education Appropriations Act).

**Fiscal Impact** No fiscal impact.

#### ARC 7417B

**Rule Summary** Specifies deadlines related to the National Board Certification and State-funded financial incentives being phase out as required in SF 277 (Student Achievement and Teacher Quality Program Act) in 2007. Required teachers to be registered with the National Board for Professional Teaching Standards by December 31, 2007 to qualify for the incentives.

**Fiscal Impact** The State has an ongoing commitment to fund awards for applicants that achieved certification prior to elimination of the financial incentives. The funding needed to fulfill commitments will gradually decline until the final awards are paid in FY 2016. The Department of Education estimated that \$1.6 million would be needed in FY 2009, declining to \$80,000 in FY 2016. The funding for FY 2009 commitments was enacted in HF 2679 (FY 2009 Education Appropriations Act).

STAFF CONTACT: Robin Madison (Ext. 15270) Shawn Snyder (Ext. 17799)

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### Department of Public Health

#### ARC 7429B

**Rule Summary** Plumbing and Mechanical Systems: Provides for continuing education requirements for plumbing and mechanical licensees. Sets criteria for continued educational requirements. Requires auditing of continuing education reports and exempts certain continuing education requirements. Extends the time to complete continuing education requirements.

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**Fiscal Impact** No fiscal impact for this particular rule. In conjunction with other administrative rules for the new Plumbing and Mechanical Systems Board the usual Board and Subcommittee costs of an estimated \$20,000 annually is expected. The Department of Public Health plans to hire four full-time (FTE) positions and has \$286,000 budgeted for the positions for FY 2009. The General Assembly appropriated one-time start-up funds for FY 2009 of \$200,000 and the Department estimates revenues of \$450,000 for FY 2009 from rules that have specified licensure fees. The revenue is expected to increase in future fiscal years to \$660,000 when annualized. The Department expects to retain \$100,000 from FY 2009 revenues and have a \$208,000 balance at the end of FY 2010. Funds are retained by the Board. Possible proposed legislation by the Board may result in additional revenue.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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### Department of Human Services

#### ARC 7472B and 7470B

**Rule Summary** Implements the annual adjustments to eligibility and payment levels in the State Supplementary Assistance (SSA) Program. Includes Residential Care Facilities (RCFs), certain dependent persons, and certain persons residing in a Family Life Home.

**Fiscal Impact** The estimated half year FY 2009 cost of \$263,196 (adjustment begins January 1, 2009) was included in SF 2425 (FY 2009 Health and Human Services Appropriations Act). The FY 2010 Department of Human Services budget request includes the annualization cost in FY 2010.

STAFF CONTACT: Jess Benson (Ext. 14611)

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### Environmental Protection Commission

#### ARC 7473B

**Rule Summary** Increases the maximum dollar per ton fee for the Title V operating permit program from \$39.00 to \$56.00. Sources subject to the annual fee pay on the first 4,000 tons of actual emissions of each air pollutant emitted.

**Fiscal Impact** Minimal fiscal impact to the State. The fiscal impact to owners and operators will vary as the amount paid depends on the amount of actual air emissions reported for the calendar year and the fee amount that will be set for FY 2010. The fees collected are deposited in the Air Contaminant Source Fund. In FY 2008, \$6.8 million was deposited in the Fund.

### ARC 7474B

- Rule Summary** Makes changes to current rules related to liners and leachate collection systems installed at municipal solid waste landfills as required by federal and State regulations. The systems prevent groundwater contamination.
1. Allows the Department of Natural Resources (DNR) to focus compliance efforts on municipal solid waste landfills (MSWLFs) that are not in compliance with current liner and leachate collection system requirements.
  2. Removes the three-year timeframe for constructing a liner along the sideslope over a non-compliant MSWLF unit by allowing site specific conditions to dictate when or if the side liner is necessary.
  3. Defines “vertical expansion” for waste placement.
  4. Clarifies that vertical expansion areas need a separatory liner and leachate collection system installed between the vertical expansion and underlying non-compliant MSWLF unit.
  5. Defines the amount of time for continued waste placement in the vertical expansion area in order to obtain an adequate slope for building the separatory liner and leachate collection system.
  6. Removes the definition of a liner and defines the separatory liner in the vertical expansion area.
  7. Addresses the objections filed by the Administrative Rules Review Committee.
  8. No longer requires MSWLFs with remaining disposal capacity to construct an additional liner over an existing basal liner and leachate collection system.

**Fiscal Impact** Minimal fiscal impact to the DNR. The change will reduce the amount of time used by DNR engineering staff to review revised design plans.

The DNR identified up to 19 municipal solid waste landfills in Iowa impacted by this rule. The change removes the requirement to install a new liner for 15 of the 19 landfills. The Cedar Rapids/Linn County Solid Waste Agency has reported over \$500,000 in construction cost savings as a result of these amendments.

The remaining four landfills will be required to construct a new liner. Using cost model assumptions from previous revisions, the estimated cost for constructing a liner and leachate collection system is \$668,000 for a 0.65 acre area. However, the requirement that the liner be installed within the next three years has been removed and that will allow for more time for landfill agencies to budget for and accrue the funds needed for the construction of the liner.

### ARC 7475B

**Rule Summary** Requires retailers that sell oil filters to either post a sign informing customers of the nearest collection site for used oil filters or accept used oil filters for recycling. Requires businesses to recycle the used oil filters that they generate.

**Fiscal Impact** Minimal fiscal impact. The DNR estimates expenditures for the Oil Filer Recycling Program will be \$60,000 per year.

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### Natural Resource Commission

**ARC 7416B**

**Rule Summary** Clarifies the application evaluation process for construction permits, easements, and leases. Defines standards and criteria that must be met to receive a construction permit, easement, or lease. Establishes definitions of sovereign waters, defines inspection procedures, and imposes civil penalties for failure to comply. Amends the appeals process for applications that are denied according to the standards and criteria.

**Fiscal Impact** No fiscal impact.

**ARC 7411B**

**Rule Summary** Strikes the 300 horsepower limit at Lake Icaria in Adams County at the request of the Adams County Conservation Board.

**Fiscal Impact** No fiscal impact.

**ARC 7413B**

**Rule Summary** Establishes a Statewide daily bag limit for crappie and bluegill in public waters.

**Fiscal Impact** No fiscal impact.

**ARC 7414B**

**Rule Summary** Requires all trotlines to be removed from shore when not being actively fished.

**Fiscal Impact** No fiscal impact.

**ARC 7415B**

**Rule Summary** Establishes a \$25.00 administrative fee for fishing tournament permits.

**Fiscal Impact** The Department of Natural Resources (DNR) issues approximately 700 tournament permits per year. The fee will generate approximately \$17,500 per year for the Fish and Wildlife Trust Fund.

**ARC 7410B**

**Rule Summary** Clarifies that all shooting permits and depredation licenses issued through the depredation program will have a one dollar charge for the Help Us Stop Hunger (HUSH) Program and a one dollar writing fee.

**Fiscal Impact** The DNR estimates there are approximately 4,000 licenses issued annually. This will generate \$4,000 for the HUSH Program. Funds will be deposited in the Fish and Wildlife Trust Fund. The other \$4,000 will be used for administrative costs.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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### Department of Natural Resources

#### ARC 7454B

**Rule Summary** Implements septic tank inspections at the time-of-transfer requirement as enacted in SF 261 (Private Sewage Disposal Inspection Act). Provides an exemption from the Groundwater Hazard Statement for landowners that have leases related to electronic towers and wind turbines.

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

STAFF CONTACT: Debra Kozel (Ext. 16767)

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### Department of Public Safety

#### ARC 7421B

**Rule Summary** Delays the requirement for requesting permits and inspections for electrical installations, making it effective for installations initiated on or after February 1, 2009.

**Fiscal Impact** The one month delay in electrical inspections is estimated to cost the Department between \$1,000 and \$10,000 in lost revenue for the Electrician Program.

#### Held over from December - ARC 7346B

**Rule Summary** Establishes requirements, fees, and procedures for electrical inspections.

**Fiscal Impact** The fiscal impact cannot be determined at this time as the number of inspections by each type cannot be determined. The rules establish fees for various inspections based on category and ampere capacity.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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### Secretary of State

#### ARC 7450B

**Rule Summary** 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. Replaces School Infrastructure Local Option (SILO) sales tax elections rules with rules that require the full text of the revenue purpose statement on the ballot, even for current revenue purpose statements.

**Fiscal Impact** Minimal fiscal impact.

#### ARC 7449B

**Rule Summary** Terminates the noticed rule ARC 7264B that removed obsolete requirements for use and testing of voting machines no longer used and allowed electronic ballot marking devices.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: David Reynolds (Ext. 16934)

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### Department of Agriculture and Land Stewardship

#### ARC 7432B

**Rule Summary** Prohibits application of certain pesticides between the hours of eight a.m. and six p.m. within one mile of a registered apiary.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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### College Student Aid Commission

#### ARC 7437B

**Rule Summary** Clarifies that All Iowa Opportunity Foster Care Grant awards are not to exceed the full cost of attendance as determined by the college or university less other federal aid, State aid, college or university gift aid, and work study funding provided to the student.

**Fiscal Impact** No fiscal impact.

#### ARC 7438B

**Rule Summary** Implements the Washington D.C. Internship Grant as enacted by HF 2679 (FY 2009 Education Appropriations Act).

**Fiscal Impact** The Grant Program received an appropriation of \$100,000 for FY 2009. Language required \$50,000 be dedicated to the Agricultural Biofuels from Biomass Internship Pilot Program if the Program is enacted by Congress. With a maximum award of \$2,000, 50 or more Iowa college students are expected to receive internship support. (Note: The Biomass Internship Program has not yet been enacted by Congress).

#### ARC 7439B

**Rule Summary** Implements the Barber and Cosmetology Arts and Sciences Tuition Grant Program as enacted in HF 2679. Specifies financial need calculation, eligibility criteria, and priority for awards if requests exceed the appropriated amount. Makes grants available to full-time and part-time students with financial need that are enrolled in eligible licensed and accredited schools for up to two academic years for full-time students. Permits renewal for one additional enrollment period if satisfactory academic progress is being made. Requires part-time students to receive prorated awards. Provides a maximum grant of \$1,200 or the student's established financial need, whichever is less. Considers other financial assistance in determining financial need.

**Fiscal Impact** The Program received a \$50,000 General Fund appropriation for FY 2009 in HF 2679.



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### ARC 7441B

**Rule Summary** Implements the Chiropractic Loan Forgiveness Program established by HF 2679 for Iowa residents licensed and engaged in the practice of chiropractic in the State after July 1, 2008. Requires loan forgiveness amount to equal the resident tuition rate for the Regents universities the first year following the chiropractor's graduation or 20.00% of the chiropractor's total federally guaranteed Stafford loan amount, including principal and interest, under the Federal Family Education Loan Program or the Federal Direct Loan Program, whichever is less. Limits participation to five consecutive years.

**Fiscal Impact** The Program received funding of \$100,000 in HF 2679 for FY 2009 for the Loan Forgiveness Program by authorizing a transfer of funds from the Chiropractic Loan Revolving Fund.

STAFF CONTACT: Dwayne Ferguson (Ext. 16561)

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### Credit Union Division – Department of Commerce

### ARC 7471B

**Rule Summary** Makes technical changes to various Credit Union Division rules to refer to the correct Statutory Section numbers.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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### Dental Board

### ARC 7463B

**Rule Summary** Terminates a noticed rule relating to dental sedation practices and related training. The Anesthesia Credentials Committee of the Dental Board requires additional time to study the potential impact of the proposed changes.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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### Engineering and Land Surveying Examining Board

### ARC 7433B

**Rule Summary** Clarifies components and due dates for the Principles and Practice examination applications. Clarifies components of the complete application for licensure by comity (when one jurisdiction may accede to the decisions of another jurisdiction). Prohibits comity applications from review until all components have been received. Specifies that comity applicants be notified of the results of the application review in writing. Clarifies the Engineering and Land Surveying Examining Board position with regard to temporary permits.

**Fiscal Impact** No fiscal impact.

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### ARC 7434B

**Rule Summary** Clarifies components of the work project statement portion of the application for original licensure of a professional engineer. Requires the Engineering and Land Surveying Examining Board to approve only work project statements that include all of the components. Removes the requirement that all applicants for licensure by comity to submit three references and allows the applicant to submit one or more references that verify at least four years of satisfactory experience after the receipt of the educational requirements.

**Fiscal Impact** No fiscal impact.

### ARC 7435B

**Rule Summary** Requires monumentation (practice of marking known horizontal and vertical control points with permanent structures such as concrete pedestals and metal plaques) with permanent monuments when performing land surveys. Defines what monuments found or placed by the surveyor should minimally include.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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## Iowa Ethics and Campaign Disclosure Board

### ARC 7460B

**Rule Summary** Clarifies the campaign committee officer positions required to be disclosed to the Ethics and Campaign Disclosure Board. Requires campaign committees to appoint specific officer positions, such as a treasurer, be disclosed to the Board. Specifies that other appointed positions that are unique to a committee do not require disclosure.

**Fiscal Impact** No fiscal impact.

### ARC 7461B

**Rule Summary** Clarifies that a candidate that has registered a committee for one office by filing a statement of organization and then files for a new office at a later date is required to continue filing campaign disclosure reports for the new office regardless of the financial filing threshold.

**Fiscal Impact** No fiscal impact.

### ARC 7457B

**Rule Summary** Allows a federal or out-of-state political committee to file a Verified Statement of Registration (VSR) electronically via the Iowa Ethics and Campaign Disclosure Board's website. Requires a federal or out-of-State political committee that makes a contribution to an Iowa committee in excess of \$50.00 to file a VSR with the Board.

**Fiscal Impact** No fiscal impact.

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### ARC 7462B

**Rule Summary** Requires 527 committees (tax-exempt organizations that are engaged in political activities) that file reports with the federal Internal Revenue Service also file copies of those reports with the Ethics and Campaign Disclosure Board.

**Fiscal Impact** No fiscal impact.

### ARC 7459B

**Rule Summary** Allows a federal or out-of-state political committee to file a Verified Statement of Registration (VSR) electronically via the Iowa Ethics and Campaign Disclosure Board's website. Requires a federal or out-of-state political committee that makes a contribution to an Iowa committee in excess of \$750 to file a VSR with the Board.

**Fiscal Impact** Minimal impact to the State. Reports sent to the Board electronically should result in a decrease of staff time devoted to manually processing and scanning paper reports.

### ARC 7455B

**Rule Summary** Clarifies that county statutory committees (county central committees) are to be treated as county committees for purpose of assessing civil penalties for late-filed campaign finance reports. Clarifies that repeat delinquencies for late-filed reports are based on the committee, not the committee treasurer.

**Fiscal Impact** Minimal fiscal impact. The State will see a very minor decrease in revenue (less than \$200 a year) as county central committees will be assessed at a lower level as county committees instead of State committees.

### ARC 7458B

**Rule Summary** Allows Personal Financial Disclosure Forms to be filed electronically with the Ethics and Campaign Disclosure Board by designated officials, employees, and candidates in the Executive Branch.

**Fiscal Impact** Minimal impact to the State. Reports sent to the Board electronically should result in a decrease of staff time devoted to manually processing and scanning paper reports.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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## Historical Division – Department of Cultural Affairs

### ARC 7436B

**Rule Summary** Creates additional awards within the State Historical Society of Iowa to recognize citizen achievements in support of Iowa's history. Establishes the process for nomination of individuals and organizations for these awards. Establishes the process for review and evaluation of nominations for the awards.

**Fiscal Impact** Minimal fiscal impact from the General Fund appropriation to the State Historical Society.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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### Homeland Security and Emergency Management Division – Department of Public Defense

#### ARC 7431B

**Rule Summary** Clarifies Joint E911 Service Board membership and reflects changes to the organizational structure of the Homeland Security and Emergency Management Division.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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### Iowa Finance Authority

#### ARC 7469B

**Rule Summary** Revises the rule for the Qualified Allocation Plan (QAP) for the Low-Income Housing Program to reflect additional tax credits authorized in the federal Heartland Disaster Tax Relief Act of 2008. These changes are designed to facilitate the allocation and award of the tax credits. Requires the tax credit allocation process to be open with credits awarded as projects become ready to proceed. There will no longer be a closed competitive round. Replaces ARC 7136B.

**Rule Summary** Terminates ARC 7254B and 7253B that would have created a Jumpstart Disaster Recovery Housing Assistance Program to provide assistance to eligible residents, located in parts of Iowa declared federal disaster areas during 2008. The filings have been superseded by ARC 7281B.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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### Iowa Public Employees' Retirement System

#### ARC 7453B

**Rule Summary** Implements the new contribution rates for special service members as provided by the General Assembly effective July 1, 2009 (FY 2010). For the Sheriffs and Deputies, the employee share is 7.62% and the employer share is 7.62% for a total contribution rate of 15.24%. For the Protection Occupations, the employee share is 6.14% and the employer share is 9.20% for a total contribution rate of 15.34%.

**Fiscal Impact** The individual fiscal impact cannot be determined as the amount of wages paid through the fiscal year and the number of employees in each class is not known until the end of the fiscal year.

For the Sheriffs and Deputies group, the total projected contribution increase is \$695,454, with \$347,727 from the members and \$347,727 from the employers. For the Protection Occupation group, the total projected contribution increase is \$5,655,268, with \$2,262,107 from the employees and \$3,393,161 from the employers.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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### Division of Libraries and Information Services – Department of Education

**ARC 7464B**  
**Rule Summary** Provides a process for requesting waivers and variances from rules of the Division of Libraries and Information Services.

**Fiscal Impact** No fiscal impact.

**ARC 7465B**  
**Rule Summary** Provides a process for requesting a declaratory order from the Division of Libraries and Information Services.

**Fiscal Impact** No fiscal impact.

**ARC 7466B**  
**Rule Summary** Provides a process for filing petitions for rulemaking with the Division of Libraries and Information Services.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

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### Board of Pharmacy

**ARC 7424B**  
**Rule Summary** Clarifies the reactivation process for a delinquent license to practice pharmacy in Iowa and the meaning of active license status. Clarifies exemptions from continuing education requirements for individuals engaged in health-related graduate studies and relating to application for credit for non-accredited programs. Expands the renewal period for obtaining continuing education credits. Defines the penalty for failure to timely complete the required continuing education.

**Fiscal Impact** No fiscal impact.

**ARC 7425B**  
**Rule Summary** Eliminates the option of maintaining the name of the distributor or the actual drug product dispensed as a means of identifying the specific drug product. Requires the pharmacy's prescription dispensing record to include either the National Drug Code or the name of the manufacturer of the actual drug product dispensed.

**Fiscal Impact** No fiscal impact.

**ARC 7447B**  
**Rule Summary** Authorizes a pharmacist-intern, under the direct supervision of a pharmacist, to transfer a prescription drug order or accept the transfer of a prescription drug order. Before implementation, only pharmacists were authorized to participate in the transfer of prescription drug orders between pharmacies.

**Fiscal Impact** No fiscal impact.

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### ARC 7448B

**Rule Summary** Requires any prescription transmitted via facsimile to a pharmacy and any electronic record maintained by a pharmacy, to be a clear and legible record or image of the original prescription or record.

**Fiscal Impact** No fiscal impact.

### ARC 7426B

**Rule Summary** Permits the use of the InstyMeds drug dispensing system in certain hospital emergency departments. (InstyMeds is a trademark name for an ATM-style dispenser that permits dispensing of medications at the point-of-care for the consumer such as an emergency waiting room.) Prohibits the system if the hospital is located within 15 miles of a pharmacy that provides 24-hour outpatient pharmacy services. Limits the system, except for antimicrobials, from dispensing quantities that exceed a 72-hour supply of the prescribed drug. Specifies certain requirements for patient counseling, patient freedom of choice of pharmacy services, patient identification, prescription labeling, policies and procedures, equipment placement and security, and retrospective review of drugs dispensed utilizing the InstyMeds system.

**Fiscal Impact** No fiscal impact.

### ARC 7423B

**Rule Summary** Terminates noticed rule ARC 7191B. The noticed rule required a supervising pharmacist to perform in-process checks of sterile compounding functions performed by a non-pharmacist.

**Fiscal Impact** No fiscal impact.

### ARC 7446B

**Rule Summary** Clarifies requirements for quarantine and testing of sterile compounds. Makes technical changes to duplicative language.

**Fiscal Impact** No fiscal impact.

### ARC 7427B

**Rule Summary** Permits a pharmacy to outsource the filling or processing of a patient's prescription without the patient's written authorization. Requires the pharmacy to display a sign and to provide written notice to patients prior to implementing a centralized filling or processing program or prior to providing pharmaceutical services to a new patient.

**Fiscal Impact** No fiscal impact.

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### ARC 7428B

**Rule Summary** Establishes the process for the Board of Pharmacy when a certificate of noncompliance from the centralized collection unit of the Department of Revenue is received. Defines terms used in the rules. Establishes procedures for the denial, suspension, or revocation of a license or registration. Establishes nonpayment of a State debt as evidenced by a certificate of noncompliance issued by the Department of Revenue as one of the grounds for disciplinary action by the Board.

**Fiscal Impact** Minimal fiscal impact. Additional costs incurred by the Board will be offset by additional fee revenues.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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### Professional Licensure Division – Department of Public Health

### ARC 7451B

**Rule Summary** Cosmetology: Clarifies requirements for licensure documentation. Updates education requirements for instructors. Amends training requirements for certification. Reduces hours of continuing education required for license reactivation. Requires salons to comply with HF 2212 (Smoke Free Air Act).

**Fiscal Impact** No fiscal impact.

### ARC 7440B

**Rule Summary** Physical and Occupational Therapy: Updates requirements for physical and occupational therapy licensure. Removes duplicative language.

**Fiscal Impact** No fiscal impact.

### ARC 7442B

**Rule Summary** Physical and Occupational Therapy: Clarifies criteria for prohibited agreements between a prescriber of physical and occupational therapy services and a physical and occupational therapist. Clarifies the definition of occupational therapy screening.

**Fiscal Impact** No fiscal impact.

### ARC 7407B

**Rule Summary** Sign Language Interpreters and Transliterators: Makes technical changes to increase the consistency of licensing and continuing education requirements for temporary and permanent licensure in Iowa. Requires temporary license holders to have 40 hours of continuing education each licensure biennium beginning July 1, 2009.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Deborah Helsen (Ext. 16764)

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### Real Estate Commission

**ARC 7408B**

**Rule Summary** Changes the number of credit hours required to qualify for approval of a course of instruction from three to one.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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### Department of Revenue

**ARC 7467B**

**Rule Summary** Sets the interest rate at 8.00% per annum (0.70% per month) for unpaid taxes and refunds owed on or after January 1, 2009.

**Fiscal Impact** Fiscal impact is unknown. The change compares to the 2008 interest rate of 10.00% (0.80% per month). A decrease in local government and State government revenue from unpaid taxes may occur.

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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### Iowa Telecommunications and Technology Commission

**ARC 7422B**

**Rule Summary** Provides access to the Iowa Communications Network (ICN) by the Iowa Hospital Association.

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

STAFF CONTACT: Joseph Brandstatter (Ext. 52062)

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### Treasurer of State

**ARC 7406B**

**Rule Summary** Revises recently adopted and filed rules for the Iowa Educational Savings Plan Trust. Requires a quarterly statement for each participant. Permits contributions at any time during the calendar year provided that the required minimum contribution is made.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: David Reynolds (Ext. 16934)

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