



Fiscal Services Division

ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

July 8, 2014

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 the LSA website at http://staffweb.legis.state.ia.us/lfb/docs/Admin_Rules/arfiscal_notes.htm

Table of Contents			
Agency	Page	Agency	Page
Department of Human Services	1	Environmental Protection Commission	9
Department of Agriculture and Land Stewardship	4	Racing and Gaming Commission	9
Economic Development Authority	4	Department of Inspections and Appeals	10
Public Employment Relations Board	4	Department of Administrative Services	11
Department of Public Health	5	Architectural Examining Board	13
Department of Revenue	6	College Student Aid Commission	14
State Public Defender	6	Labor Services Division	15
Department of Education	7	Iowa Commission on Volunteer Service	15

Department of Human Services

ARC 1515C

Rule Summary

The rule makes the following changes related to appeals:

- Adds references to the Iowa Health and Wellness Plan. Individuals that apply for or are denied benefits under this plan may be eligible to receive an appeal hearing if they meet the definition of an aggrieved person.
- Makes revisions to include social service providers whose application or reapplication for licensure was issued as a provisional license when the provider believed they should have received a full license or whose license was issued for a reduced timeframe.
- Revises Section 9 regarding Mental Health and Developmental Disabilities to the April 1, 2014, implementation of the Autism Support Program. The adverse actions that may be taken by the Department for this Program were added; these will allow individuals affected by an adverse action the right to file an appeal regarding these actions.
- Clarifies the timeframe the Department must follow to request an appeal of the proposed decision.

Agency Stated Authority: Iowa Code section 217.6.

Fiscal Impact

Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

ARC 1478C

Rule Summary

Implements policies that allow the Department to start a new ineligibility period for participants that access Family Investment Program (FIP) benefits with an electronic access card at a prohibited location when:

- A recipient appeals the notice of decision establishing the ineligibility period.
- Assistance is continued pending the final decision of the appeal, and the Department's action is affirmed.

- Assistance issued pending the final decision of the appeal is not subject to recovery.

These amendments also change the name of form 470-0462 to Financial Support Application and remove the requirement that everyone in the eligible group apply for and accept health or medical insurance when it is available at no cost or when the cost is paid by a third party.

Agency Stated Authority: Iowa Code section 239B.4(6).

Fiscal Impact

Agency Response: No fiscal impact.

LSA Response: The LSA concurs.

Rule Summary

Increases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) program with income that exceeds 150.0% of the federal poverty level (FPL).

ARC 1482C

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact

Agency Response: This change in premiums is estimated to save the General Fund \$54,000 in FY 2015 and \$117,000 in FY 2016.

LSA Response: The LSA concurs.

Rule Summary

Makes the following changes:

- Increases the statewide average cost of nursing facility services to a private-pay person. The figure is being revised to reflect the cost increase of private pay rates for nursing facility care in Iowa. The change is not related to rates paid by Medicaid for nursing facility care. The figure is used to determine a period of ineligibility when an applicant or recipient transfers assets for less than fair market value. When assets are transferred to attain or maintain Medicaid eligibility, the individual is ineligible for Medicaid payment of long-term care services. The period of ineligibility is determined by dividing the amount transferred by the statewide average cost of nursing facility services to a private-pay person.
- Updates the average charges for nursing facilities, Psychiatric Medical Institutions for Children (PMICs), and Mental Health Institutes (MHIs) that are used to determine the disposition of the income of a Medical Assistance Income Trust (MAIT).

ARC 1484C

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact

Agency Response: Minimal fiscal impact. The average private pay cost increases for persons that transfer assets and apply for Medicaid and the change in the average charge rate for a person with a Miller Trust are occurrences that take place each year. Any past increase in these charges would have been included in the rate per bed day for July 1, 2013.

LSA Response: Any increases in Medicaid costs will be built into the Medicaid budget projections.

ARC 1483C

Rule Summary Updates the maximum Medicaid rate for intermediate care facilities for individuals with intellectual disabilities (ICF/IDs) that are used to determine the disposition of the income of a Medical Assistance Income Trust (MAIT).

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact **Agency Response:** Minimal fiscal impact. The reduction in the average monthly charge may allow fewer individuals to qualify for medical assistance with a medical assistance income trust. Therefore, any fiscal impact will be a net savings to the Medicaid program. However, little impact is expected as individuals in ICFs/ID are unlikely to have to establish Medicaid eligibility through use of a medical assistance income trust.

LSA Response: The LSA concurs.

ARC 1510C

Rule Summary Allows a legal representative to be a paid provider of service when providing individual Consumer Directed Attendant Care (CDAC) and Consumer Choices Option (CCO) services to a member they legally represent. Sets the following service delivery parameters for the legal representative when they are a paid provider, as required by SF 2320 (FY 2014 Medicaid Consumer Directed Attendant Care Provider Act):

- Requires wages that are fair and reasonable for the service being provided.
- Limits the amount of service to 40 hours per week.
- Requires a contingency plan in place to assure services will be provided when the legal representative is unavailable to provide scheduled services due to illness or other unexpected event.

Agency Stated Authority: Iowa Code section 249A.4 and Senate File 2320.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 1481C

Rule Summary Removes the specific dollar amount and effective date of the pharmacy professional dispensing fee while indicating that the fee is set by a fee schedule determined through surveys of dispensing costs.

Agency Stated Authority: Iowa Code section 249A.4.

Fiscal Impact **Agency Response:** No fiscal impact. This change is strictly for removal of the dispensing fee dollar amount and effective date from the rule language while retaining the fee and effective date on the Medicaid website fee schedule. This rule makes no changes to the methodology that will determine the dispensing fee.

LSA Response: The LSA concurs.

Administrative Rules – Fiscal Impact Summaries

July 8, 2014

4

Department of Agriculture and Land Stewardship

Rule Summary **ARC 1508C**
Corrects a federal reference for restricted pesticide use. This relates to the level of precautions necessary due to the toxicity or use of the pesticide.

Agency Stated Authority: Iowa Code section 206.19.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: No fiscal impact. The restricted pesticide use reference is changed to the federal Environmental Protection Agency Code of Federal Regulations (CFR) 40, Section 162.31 to Section 152.160-175.

Rule Summary **ARC 1513C**
Changes the registration of an Iowa thoroughbred, quarter horse, or standard bred stallion by removing the wording “bona fide Iowa resident” and changing it to “person.” Also eliminates the 51.0% Iowa ownership requirement.

Agency Stated Authority: Senate File 2185 (FY 2014 Horse Racing Act).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: No fiscal impact. Changes were made due to passage of SF 2185.

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Economic Development Authority

Rule Summary **ARC 1493C**
Establishes a new chapter that describes the application process, eligibility requirements, and administration of the Iowa Tourism Grant Program. Previously, tourism grants were awarded through three regional tourism associations through a contract with the Iowa Economic Development Authority. The proposed language creates a standardized statewide program.

Agency Stated Authority: Iowa Code section 15.106A.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: No fiscal impact.

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Public Employment Relations Board

Rule Summary **ARC 1507C**
Creates a new chapter concerning an electronic document management system as required by 2014 Iowa Acts HF 2172 (Public Employees Relations Board, Electronic Filing Act) and provides for conforming and related amendments to existing rules.

Agency Stated Authority: Iowa Code section 20.24 (as amended).

Fiscal Impact **Agency Response:** One-time agency costs of \$45,000 to establish the system.

LSA Response: Funds utilized were mostly from Training and Technology Funds carried forward at the close of FY 2013 and spent in FY 2014. Ongoing support costs for the system are estimated to be minimal.

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Department of Public Health

ARC 1477C

Rule Summary Implements SF 419 (2013 Vision Screening for School Children Act) to modify the Iowa Immunization Registry to include vision screening records specified in the Act. Amends the type of medical provider that will have access to the registry for the purpose of health screenings, and how records will be shared between agencies.

Agency Stated Authority: Senate File 419.

Fiscal Impact **Agency Response:** These amendments are necessary to implement SF 419, that became effective upon enactment on April 26, 2013. The Department will incur costs for the development of the Vision Health Screening Module. The one-time software programming cost to develop the Vision Module in the Immunization Registry Information System (IRIS) is \$178,451. Annual on-going hosting and maintenance costs are estimated at \$39,384. This total State General Fund impact is \$217,835 for FY 2014.

LSA Response: The LSA concurs with the Department, but assumes maintenance costs will not be necessary until development. Thus, the LSA estimates the total State General Fund fiscal impact is \$178,500 for FY 2014.

ARC 1479C

Rule Summary Adjusts references to be compatible with regulations recently adopted by the federal Nuclear Regulatory Commission.

Agency Stated Authority: Iowa Code section 136C.3.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 1494C

Rule Summary Deletes outdated references, adopts references of the International Mechanical Code 2012 Edition, and inserts hospitals and health care facilities requirements.

Agency Stated Authority: Iowa Code section 105.4.

Fiscal Impact **Agency Response:** No fiscal impact. No additional costs to the regulated community or the State.

LSA Response: The LSA concurs.

ARC 1480C

Rule Summary Establishes rules for a medical residency training state matching grant program to include eligibility criteria and procedures for application for funding of an accredited graduate medical education residency program to receive a grant.

Agency Stated Authority: Iowa Code section 135.176.

Fiscal Impact **Agency Response:** Fiscal impact of \$100,000 annually based on need and usage. The Program may be funded through the Health Care Workforce Shortage Fund, Medical Residency Training Account, and is specifically dedicated to the Medical Residency Training State Matching Grants Program.

LSA Response: The LSA concurs.

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Department of Revenue

ARC 1496C and ARC 1497C

Rule Summary Clarifies that a taxpayer may file an appeal with the Property Assessment Appeal Board (PAAB) within 20 days of the Board of Review's adjournment or May 31, whichever is later. This amendment adds the May 31 date to comply with statute. In some cases, taxpayers will have a longer filing period as a result of the statutory and administrative rule changes.

ARC 1497C is the Notice of Intended Action to allow for public comment, and ARC 1496C is adopted and filed emergency and made retroactively effective to May 13, 2014.

Agency Stated Authority: Iowa Code sections 17A.4 and 421.1A(4)e and SF 295 (Commercial Property Tax Credit).

Fiscal Impact **Agency Response:** There is no fiscal impact associated with changing the filing deadline for appeals.

LSA Response: The LSA concurs.

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State Public Defender

ARC 1512C

Rule Summary Adopts a number of safeguards in response to the improper billing practices of some indigent defense contract attorneys. Changes include:

- A maximum number of aggregate hours that an attorney can bill in a day.
- Detailed itemized time and expense reimbursement records.
- Additional documentation requirements for claims of attorneys whose contracts were cancelled for improper billing practices.
- Prohibition on other improper practices, such as standardized billing, estimated billing, and duplicative mileage reimbursements.

The amendments also make other technical and substantive revisions to the claims processing procedures of the State Public Defender's Office as a result of a comprehensive review of the state public defender's administrative rules and the joint Lean Kaizen event with the Department of Inspections and Appeals. The rules are effective July 30, 2014.

Written comments or suggestions on the proposed rule changes were accepted until April 30, 2014. A public hearing was held on the proposed rules on May 20, 2014. Based on public input, the proposed rules differ from those published under Notice of Intended Action in the Iowa Administrative Bulletin on April 30, 2014, as ARC 1437C. The incremental billing provisions were modified. Substitute counsel is allowed for any court proceeding where an attorney has a legitimate conflict except for a trial or

any other hearing where the court determines the court appointed attorney's personal appearance is required.

Agency Stated Authority: Iowa Code sections 13B.4 and 815.10A.

Fiscal Impact **Agency Response:** These amendments may have a cost savings by making the claims processing system more efficient, but the precise amount cannot be estimated. No adverse impact on jobs.

LSA Response: The LSA concurs.

Rule Summary

Adopts minimum qualification requirements for attorneys contracting with the State Public Defender's Office to provide legal services to indigent persons. The proposed rules also update contract termination provisions to permit termination with less than 30 days notice with the mutual consent of the parties. Authorizes a review procedure for terminations on the basis of improper billing practices, and makes several technical corrections to the chapter. The rules take effect July 30, 2014, with the exception that the contracting eligibility requirements of rule 493.11.3 apply after January 1, 2015.

ARC 1514C

Written comments or suggestions on the proposed rule change were accepted until April 30, 2014. A public hearing was held on the proposed rules on May 20, 2014. Based on public input, the proposed rules differ from those published under Notice of Intended Action in the Iowa Administrative Bulletin on April 30, 2014, as ARC 1438C. The jury trial experience requirement for post-conviction relief cases was removed. An exception is now provided to the requirements for Class A and Class B felony cases for attorneys that have experience with those case types. These proposed rules do not include the requirement that one of the listed judges or magistrates be a judge before whom the attorney has tried a criminal trial.

Agency Stated Authority: Iowa Code sections 13B.4 and 815.10A.

Fiscal Impact **Agency Response:** No fiscal impact. No adverse impact on jobs.

LSA Response: The LSA concurs.

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Department of Education

Rule Summary

Retains State of Iowa compliance with appeal procedures in federal regulations. Specific program references are included that require the appeals process to be adhered to.

ARC 1498C

Agency Stated Authority: Iowa Code section 256.7(5).

Fiscal Impact **Agency Response:** There is no fiscal impact of this rule.

LSA Response: No fiscal impact.

Rule Summary

Consolidates two sections of rules that were split because of past bus bidding practices in the state. Previously, the bus chassis was bid separately from the remainder of the bus so rules were split for both areas of the bus. Now, the common

ARC 1489C

practice is for bus bids to be done comprehensively. These rules reflect that comprehensive change. Updates are also made to reflect current technology and practice.

Agency Stated Authority: Iowa Code section 256.7(5).

Fiscal Impact Agency Response: There is no fiscal impact of these rules to the State.

LSA Response: No fiscal impact.

Rule Summary **ARC 1488C**
Updates rules to reflect new requirements for awarding and maintaining grant status under the Shared Visions Program. Reporting requirements, program eligibility, termination procedures, and other related application measures are updated.

Agency Stated Authority: Iowa Code section 256.7(5).

Fiscal Impact Agency Response: There is no fiscal impact of this rule change.

LSA Response: No fiscal impact.

Rule Summary **ARC 1487C**
Increases the age of at-risk children whose parents may participate in the Shared Visions Program from birth through age three to age five. Criteria have been modified in the grant Program for both application and continuation of being awarded a grant to provide service in the Program.

Agency Stated Authority: Iowa Code section 256.7(5).

Fiscal Impact Agency Response: There is no fiscal impact to the State regarding this rule.

LSA Response: No fiscal impact.

Rule Summary **ARC 1486C and ARC 1499C**
Modifies supplementary weighting rules to conform to legislation enacted in HF 2271 (Shared Operational Functions Act) pertaining to shared operational functions supplementary weighting, and SF 2056 (Reorganization Incentives Extension Act) pertaining to whole grade sharing arrangements incentives.

Agency Stated Authority: Iowa Code section 257.11

Fiscal Impact Agency Response: The Department has determined that this amendment will not necessitate additional annual expenditures exceeding \$100,000 or combined expenditures exceeding \$500,000 within five years by all affected persons, including the agency.

LSA Response: The modification of rules to conform to the language enacted in HF 2271 and SF 2056 will have no fiscal impact.

The estimated fiscal impact of SF 2056 is currently unknown and will be based on the enrollment size of the districts that are eligible to receive the supplementary weighting for whole grade sharing and the number of districts that reorganize or dissolve that will be eligible for the reorganization incentives. Any fiscal impact resulting from this Act will not occur until FY 2016 at the earliest and will be in addition to the reorganization incentives currently in place for districts that reorganize

or dissolve on or before July 1, 2014 (see [fiscal note](#) for additional information).

The estimated fiscal impact of [HF 2271](#) has been updated based on finalized data from the Department of Education on April 25, 2014. This includes:

FY 2015: Funding for school districts will total \$11.0 million, including \$9.7 million in State aid and \$1.3 million in local property taxes. Compared to the LSA estimates for shared operational functions for FY 2015 prior to enactment of [HF 2271](#), this is a total reduction of \$16.8 million, including a reduction of \$14.7 million in State aid and \$2.1 million in local property taxes.

Additionally, funding for Area Education Agencies (AEAs) in FY 2015 will total \$60,000, a decrease of \$540,000 compared to the LSA estimate prior to enactment of the Act.

FY 2016 through FY 2020: Funding in future fiscal years is unknown, but will be at least at the FY 2015 level. The maximum capacity for school districts in each fiscal year may total up to \$46.5 million, including \$40.8 million in State aid and \$5.7 million in local property taxes.

The total funding amount per AEA will not exceed \$30,000 for a maximum capacity total of \$270,000 each fiscal year.

Additional information can be found in the [fiscal note](#) for [HF 2271](#).

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Environmental Protection Commission

ARC 1495C

Rule Summary Provides water quality certification pursuant to Section 401 of the federal Clean Water Act (CWA) for the reissuance of U.S. Army Corps of Engineers' Regional Permit 7 related to the discharge of dredged or fill materials into the nation's waters. Section 401 of the CWA requires that before the Corps can issue a Section 404 permit, the state water quality agency must certify that the proposed activity will not violate state water quality standards.

Agency Stated Authority: Iowa Code sections [455B.105](#) and [455B.173](#).

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: No fiscal impact. This amendment has the Department of Natural Resources certifying the U.S. Army Corps of Engineers' Regional Permit 7.

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Racing and Gaming Commission

ARC 1506C

Rule Summary Provides for the following:

- Modifies term limits for the Commission chairperson from a maximum of two consecutive one-year full terms to four consecutive one-year terms.
- Specifies the most recent Roberts Rules of Order Revised is to be used during specified cases.
- Creates specificity for Advanced Deposit Wagering License applications.
- Creates specificity for the Asset/Stock Purchase for Commission Approval form.

- Removes the reduced fee for subsequent applications for a racetrack, gambling structure, or excursion gambling boat license application. The fee was reduced from the original amount of \$25,000 to \$5,000.
- Modifies format for a section's consistency.
- Clarifies the required fee for a Manufacturers and Distributor License Application by specifying a license fee of \$1,000 for a distributor and \$250 for a manufacturer.
- Clarifies the requirement that a licensee must have a first-aid room.

Agency Stated Authority: Iowa Code sections 99D.7 and 99F.4.

Fiscal Impact **Agency Response:** No fiscal impact to State.

LSA Response: No fiscal impact.

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Department of Inspections and Appeals

ARC 1502C

Rule Summary Increases the time for employers and certified nurse aide training programs to do background checks from 48 hours to seven days. Changes the length of time for facilities to file a plan of correction from 10 working days to 10 calendar days.

Agency Stated Authority: Iowa Code sections 10A.104(f) and 135C.14 and HF 2365 (Health Facilities Technical Changes) and SF 347 (Nursing Home Conditional Employment)

Fiscal Impact **Agency Response:** No fiscal impact to the State. The proposed rules extends the time that facilities may verify an employee's criminal or dependent adult abuse records, and adds consistency in the submission of plans of correction.

LSA Response: The LSA concurs.

ARC 1476C

Rule Summary Creates a special license classification for residential care facilities with memory care for individuals with dementia-related illnesses. The rules provide for:

- Identifying a distinct area of the facility or the whole facility for memory care.
- Application requirements:
 - Department of Inspections and Appeals (DIA) developed forms.
 - Plans for facility modifications. For a locked unit or facility, all locking devices must meet the life safety code and any requirements of the State Fire Marshal. An unlocked facility must provide a system of security monitoring.
- A résumé of the program of care describing the population served, philosophy, transfer criteria, staffing plan, visitor, volunteer, and safety policies, and other such elements.
- Written policies and procedures including admission, staffing, safety, visitors, and monitoring.
- A complete assessment of physical, mental, social, and behavioral status to determine if the applicant meets admission criteria.
- Training for staff.

These rules were published on April 2, 2014, as ARC 1413C and are identical to the ones originally published.

Agency Stated Authority: Sections 135C.14 and 135C.2(3)(b)

Fiscal Impact **Agency Response:** There is no cost to the State as a result of adopting these rules. Fiscal impact for facilities cannot be determined. It is unknown how many residential care facilities might want to obtain the special memory care license classification. Also unknown is the cost to the facilities to make any necessary structural changes to accommodate residents with early-onset dementia. Some facilities may be able to immediately admit residents without having to create locked units. The decision to admit residents with early-onset dementia is left to the facilities as this change is not mandatory.

LSA Response: The special license classification will not significantly impact the DIA's workload. Memory care inspections will be handled during regular inspections, and there will be no additional fees for a memory care unit. The process will be very similar to that for nursing facilities that have a Chronic Confusion Dementing Illness (CCDI) license. Nursing facilities with a CCDI license pay no additional fee for the "special license," and the CCDI inspection is performed at the same time the nursing facility is inspected.

ARC 1511C

Rule Summary Allows assisted living programs to provide respite care services. These new administrative rules:

- Include definitions.
- Limit respite care for an individual to a maximum of 30 consecutive days and a maximum of 60 days per year.
- Do not require additional certification beyond that of an assisted living program.
- Provide for assessment by the program nurse, written directions for staff, the elements of a contract including payment by the responsible person, and involuntary discharge.
- Specify admission to respite care, length of stay restrictions, and requirements for Individuals staying beyond the 30 day limit and becoming tenants if eligible for the assisted living program.
- Prohibit the facility from providing respite care above the level that it is approved.
- Provide the DIA the same access to records for review and inspection as the assisted living program.

Agency Stated Authority: section 231C.3(1)

Fiscal Impact **Agency Response:** There is no fiscal impact to the State of Iowa. Assisted living programs that decide to offer respite services may incur some costs to provide the service.

LSA Response: The LSA concurs.

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Department of Administrative Services

ARC 1485C

Rule Summary Makes the following changes:

- Updates the central procurement enterprise's primary office address.
- Amends certain procurement rules so the threshold of \$100,000 to require competitive bids to be adjusted in accordance with Iowa Code section 314.1B.
- Eliminates the requirement that an agency be certified as a "procurement center of excellence" to procure non-master agreement goods up to \$50,000 per transaction in a competitive manner.

- Requires that when using a sole source contract in the absence of the head of a state agency, the sole source contract must be signed by the Department of Administrative Services (DAS) Director.

Notice of Intended Action was published on February 5, 2014 as ARC 1302C. No changes were made to the filing.

Agency Stated Authority: Iowa Code section 8A.311(11)(a).

Fiscal Impact

Agency Response: These are administrative changes only and will not have any fiscal impact.

LSA Response: The LSA concurs.

ARC 1503C

Rule Summary

Amends DAS human resources rules. The changes include:

- Clarifies references to the Iowa Code.
- Updates and clarifies wording and eliminates unnecessary language.
- Permits associations to deduct dues from employee paychecks if they have fewer than 100 employees. Associations are still required to have 100 employees when the dues deductions are initiated.
- Modifies the requirement that an association, during its annual review, be required to provide a list of member employees to providing the list when requested by DAS.
- Makes the language permissive for providing 90 days for associations to comply with member maintenance requirements and for termination of the dues deduction.
- Modifies language regarding recovering overpayment to employees and prohibits the repayment from reducing the employee's pay below relevant state and federal minimum wage statutes.
- Clarifies that collective bargaining agreements take precedent in determining when holiday overtime pay is received.
- Adds disabled veterans enrolled in a job training program to the persons eligible to be on promotion lists.
- Clarifies that a temporary employee and persons appointed with seasonal status do not have rights to appeal, transfer, demotion, promotion, reinstatement, or other rights of position and are not entitled to vacation, sick leave, or other benefits unless provided for in a collective bargaining agreement.
- Eliminates the requirement that prohibits an agency from implementing a reduction in force until it has first terminated all temporary employees in the same class in the reduction in force unit, as well as those that have probationary status in the same class.
- Clarifies the definition of immediate family for use of sick leave for a death or temporary care of an immediate family member.
- Makes clarifications regarding deferred compensation plans and adds a 30 day time limit on appeals of a plan administrator's or trustee's decision.

Agency Stated Authority: Iowa Code section 8A.104(5).

Fiscal Impact

Agency Response: The rule changes do not affect departmental or private sector expenditures.

LSA Response: The LSA concurs.

Architectural Examining Board

ARC 1505C

Rule Summary Updates staff titles and mailing address. Allows for an electronic roster of those that failed to renew their registration rather than sending notice of the failure to renew through certified mail.

Notice of Intended Action was published in December 2013 as ARC 1251C. These changes are identical to those originally published.

Agency Stated Authority: Iowa Code section 544A.29.

Fiscal Impact **Department Response:** No fiscal impact to the State. The amendments update the address of the bureau and change language to reflect current titles and procedures.

LSA Response: Currently, architects renew their registrations biennially by June 30. Approximately 970 are up for renewal each year. (Other rules to move to an annual registration with renewal in December are in process.) Currently in May, the Board sends post card renewal reminders, and in July, an email reminder is sent to registrants that have not renewed, and a list of registrants that failed to renew is posted on the Board's website. Since the rule change for notice of failure to renew reflects current practice, costs should not change.

ARC 1501C

Rule Summary Makes the following changes:

- Removes transition language regarding Architect Registration Examination (ARE) testing, that is no longer needed.
- Changes the renewal cycle from biennial to annual.
- Adjusts continuing education and fees accordingly.
- Moves the renewal deadline from June 30 to December 31 and includes transition language.
- Rescinds rules regarding business entities.

Agency Stated Authority: Iowa Code section 544A.29.

Fiscal Impact **Agency Response:** No fiscal impact to the State. The total amount of the fee is not being changed.

LSA Response: The LSA concurs. The biennial fees are reduced by half as annual fees.

ARC 1504C

Rule Summary Removes the biennial renewal requirement and fee for those architect registrants in retired status.

These rule changes were published January 8, 2014, as ARC 1282C and are identical to those originally published.

Agency Stated Authority: Code chapter 544A

Fiscal Impact **Agency Response:** The State will no longer receive about \$750 per year in fees from the approximately 30 retired architects. Some of the other professions within the Bureau do not charge a fee for retired status, so with this change, architects will come into line with other professions.

LSA Response: The revenue reduction is not significant.

ARC 1500C

- Rule Summary** Replaces 193B - Chapter 3 and does the following:
- Adds continuing education definitions.
 - Adjusts the continuing education hours to 12 annually instead of 24 hours every two years.
 - Changes the biennial registration to an annual registration.
 - Phases in the transition from biennial to annual registration.

Agency Stated Authority: Iowa Code sections 272C.2(1) and 544A.29.

Fiscal Impact **Agency Response:** No fiscal impact to the State. The effect will be minimal. Architects now have biennial renewals with 24 hours of continuing education needed to renew. The amendment changes that to annual renewal with 12 hours of continuing education. The changes will bring Iowa's renewal cycle and continuing education requirement into better alignment with other jurisdictions.

LSA Response: The LSA concurs.

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College Student Aid Commission

ARC 1490C

Rule Summary Updates the physical address of the College Student Aid Commission in rules pertaining to the Commission's procedures for rulemaking and petitions for declaratory orders. The Commission moved its offices in 2013 due to the demolition of the Mercy Capitol Hospital building.

Agency Stated Authority: Iowa Code section 261.3.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

ARC 1491C

Rule Summary Updates rules for the Iowa Grant Program to include children of police officers killed in the line of duty in the list of those qualifying for priority status. The amendment reflects a change in statute enacted in 2013.

Agency Stated Authority: Iowa Code section 261.96.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs. The program receives an annual appropriation, and the College Student Aid Commission awards only up to the amount appropriated.

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Labor Services Division

ARC 1509C

Rule Summary Adopts by reference changes to the U.S. Department of Labor's occupational safety and health standards concerning mechanical power presses in general industry.

Agency Stated Authority: Iowa Code section 88.5.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: The LSA concurs.

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Iowa Commission on Volunteer Service

ARC 1492C

Rule Summary Amends previous Notice of Intended Action that revised procedures for the Retired Senior Volunteer Program to establish a new funding distribution formula related to clarifying reporting requirements. The maximum award per volunteer will be determined by the Commission annually instead of by rule. Base funding will be established by the previous fiscal year funding rather than the 2001 level.

Agency Stated Authority: Iowa Code chapter 15H.

Fiscal Impact **Agency Response:** No fiscal impact.

LSA Response: No fiscal impact.

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