



**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).*

**ACCOUNTANCY EXAMINING BOARD – DEPARTMENT OF COMMERCE**

**ARC 5126B**

**Rule Summary** Amends 193A IAC Chapter 10 to adopt a mandatory requirement for continuing education in ethics and clarifies how hours of credit are determined for courses that cover multiple topics.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

**DEPARTMENT OF ADMINISTRATIVE SERVICES**

**ARC 5137B**

**Rule Summary** The proposed rule was created to describe a standard method State agencies can use to acquire goods and services of general use. The rule does not make substantive changes to State policy for competitive procurement methods, standard contract requirements, agency guidelines, or vendor responsibilities and rights.

**Fiscal Impact** The fiscal impact cannot be determined since the rule is optional. State agencies may choose to use current practices when procuring goods and services.

STAFF CONTACT: Jess Benson (Ext. 14613)

**DEAF SERVICES DIVISION – DEPARTMENT OF HUMAN RIGHTS**

**ARC 5152B**

**Rule Summary** Amends 429 IAC Chapter 1 to align standing committee work of the Commission on the Deaf with agency activities by combining six standing committees into three.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

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### DEPARTMENT OF ECONOMIC DEVELOPMENT

#### ARC 5161B and 5160B

**Rule Summary** The proposed new rules describe the structure of the Renewable Fuel Infrastructure Board and establish application procedures for the Renewable Fuel Infrastructure Programs for retail motor fuel sites and biodiesel terminal facilities.

**Fiscal Impact** The fiscal impact will be over \$100,000 annually. House File 2759 (Renewable Fuel Infrastructure Act) allocates \$2.0 million from the Grow Iowa Values Fund appropriation to the Iowa Department of Economic Development (DED) to the Renewable Fuel Infrastructure Fund annually in FY 2007, FY 2008, and FY 2009. Of the \$2.0 million, \$50,000 is allocated annually to the DED for costs associated with administering the Renewable Fuel Infrastructure Programs. In addition, the Act appropriates \$3.5 million to the Renewable Fuel Infrastructure Fund from the Iowa Comprehensive Petroleum Underground Storage Tank Fund each year in FY 2007 and FY 2008.

The Act also appropriates \$300,000 from the Renewable Fuel Infrastructure Fund, or the amount necessary, to the DALs each year in FY 2007 and FY 2008 for the inspection of motor fuel, including salaries and support of 3.0 FTE positions. The remaining funds will be used for grants to increase the availability of E-85.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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### DEPARTMENT OF EDUCATION

#### ARC 5135B

**Rule Summary** Replaces community college accreditation rules presently established as part of 281 IAC Chapter 21. Also, revises the rules to facilitate evaluation of the colleges' effectiveness in a framework of continuous quality improvement standards and benchmarks.

**Fiscal Impact** No fiscal impact.

#### ARC 5136B

**Rule Summary** Updates regulations in 281 IAC Chapter 44 on how school buses are equipped in response to changes in technology, updates in pertinent federal regulations and terminology, and to bring Iowa more in line with national standards.

**Fiscal Impact** The changes affect buses purchased after November 15, 2006. Statewide, school districts purchase 350 to 400 school buses annually. Most changes do not have a fiscal impact. The changes with an associated per bus cost are: daytime running lamps (\$21), two-speed windshield wiper system with intermittent feature (\$22), back-up alarm (\$21), seatbelt webbing cutter (\$16), electronic child check monitor (\$113), rubber mud flaps (\$21), 28-inch New York style seats (\$249 per bus for the most common 66-seat units), and a folding stirrup step or recessed foothold (\$3). The annual cost increase is projected to be a total of between \$164,000 and \$187,000 for all the affected school districts.

STAFF CONTACT: Robin Madison (Ext. 15270) Dwayne Ferguson (Ext. 16561)

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### BOARD OF EDUCATIONAL EXAMINERS

#### ARC 5157B

**Rule Summary** Establishes a Statement of Professional Recognition to be awarded by the Board of Educational Examiners to school district employees who hold a registered nurse license from the Iowa Nursing Board.

**Fiscal Impact** No fiscal impact. Applicants will be required to pay a fee to obtain the Statement of Professional Recognition.

#### ARC 5158B

**Rule Summary** Establishes a new license, including competencies and requirements, for orientation and mobility specialists who work with special education students.

**Fiscal Impact** No fiscal impact. Applicants will be required to pay a fee to obtain the new license.

STAFF CONTACT: Robin Madison (Ext. 15270)

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### DEPARTMENT OF ELDER AFFAIRS

#### ARC 5138B

**Rule Summary** Establishes the membership, structure, scope, function, orientation, and training structure for the Area Agency on Aging Boards of Directors.

**Fiscal Impact** Minimal fiscal impact. The General Assembly allocated \$25,000 for this training from the General Fund appropriation to the Department of Elder Affairs provided in HF 2734 (FY 2007 Health and Human Services Appropriations Act).

STAFF CONTACT: Lisa Burk (Ext. 17942)

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### ENGINEERING AND LAND SURVEYING EXAMINING BOARD – DEPARTMENT OF COMMERCE

#### ARC 5169B

**Rule Summary** Replaces the current rule that regulates engineering or land surveying services offered by firms and clarifies the application process.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

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### ENVIRONMENTAL PROTECTION COMMISSION – DEPARTMENT OF NATURAL RESOURCES

#### ARC 5154B

**Rule Summary** Makes changes to the federal New Source Review (NSR) and Prevention of Significant Deterioration (PSD) regulations. The Department of Natural Resources (DNR) originally proposed NSR reform rules in a Notice of Intended Action, ARC 4005B, on February 16, 2005. During that time period, the federal Court of Appeals issued a ruling that made several changes to the federal regulations, and the rulemaking was terminated.

The Department is re-starting the rulemaking process to comply with the federal Environmental Protection Agency (EPA) requirements to modify Iowa's State Implementation Plan (SIP). The Department is only adopting the PSD portion of the federal NSR regulations, and there are no nonattainment areas at this time.

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**Fiscal Impact** No fiscal impact to the State. The DNR is currently implementing a PSD permit program, but no additional expenditures have been incurred. It is estimated there are 300 major sources already impacted by the PSD permit review; however, the federal changes provide more flexibility.

**ARC 5139B**

**Rule Summary** The proposed rule adopts the recently finalized federal Clean Air Interstate Rule (CAIR) into the State air quality rules. The rule will also make necessary updates and changes to existing air quality rules to implement CAIR.

On May 12, 2005, the federal Environmental Protection Agency (EPA) promulgated CAIR to address interstate transport of sulfur dioxide (SO<sub>2</sub>) and nitrogen oxide (NO<sub>x</sub>) emissions from eastern and Midwestern states, including Iowa, which were found to contribute to unhealthy levels of fine particles and ozone in downwind states.

Iowa is currently in attainment for all national ambient air quality standards (NAAQS), but is included in the CAIR provisions since the EPA found that Iowa's emissions contribute to downwind nonattainment of air quality standards. As a result, Iowa is required to meet EPA prescribed emission targets for SO<sub>2</sub> and NO<sub>x</sub> in two phases. The first phase begins in 2009 and the second in 2015.

The EPA determined that controlling SO<sub>2</sub> and NO<sub>x</sub> emissions from fossil fuel-fired electric generating units (EGUs) to meet CAIR emission goals was highly cost effective. As a result, EPA provided two options for states to implement CAIR: 1) Adopt EPA "model" rules that require EGUs to participate in an EPA administered, interstate emissions cap and trade program, or 2) Meet individual state emissions budgets through other control measures. The Department convened a stakeholder workgroup to discuss the CAIR implementation options. After considering the workgroup recommendations, the Department is proposing to adopt EPA's cap and trade program.

The rule amends a number of air quality rules and includes adoption of a new Chapter 34 that will contain the emissions trading provisions for CAIR. It is anticipated that the EPA will promulgate other regulations in the future that will use the cap and trade approach similar to CAIR for reducing air pollutant emissions. It is also anticipated that the creation of Chapter 34 for air emissions trading will facilitate having all of these similar provisions in one location in the air quality rules.

**Fiscal Impact** **Changes to the DNR:** The EPA has indicated that it may reduce the federal 105 grant money to states participating in the EPA's trading program to partially defer the costs of the EPA running the program. Beginning in FFY 2008 (October 1, 2007), this would be a reduction of \$35,000 to the Department. This expense supports the centralized management of an interstate cap and trade program, which is the most cost efficient to the Department and to the regulated community. Most of the CAIR-affected EGUs are currently Title V facilities. These facilities pay Title V fees based on tons of actual pollutants emitted. The Department may begin to see the effects of implementation of the cap and trade program on the Title V fees as early as FY 2008. These effects will be varied and based on the regulated community's choice to comply with the rule provisions by either purchasing emissions allowances or installing pollution control equipment to reduce NO<sub>x</sub> and SO<sub>2</sub> emissions. Installation of pollution control equipment could result in a reduction in the number of tons subject to Title V fees. The Department will maintain revenue levels sufficient to cover all reasonable costs to administer the Title V program. The proposed rules will

affect two regulated groups: 1) Facilities with EGUs, and 2) Other facilities subject to the Title V operating permit program.

**Facilities with EGUs subject to provisions of Clean Air Interstate Rule (CAIR):**

The NO<sub>x</sub> and SO<sub>2</sub> cap and trade provisions of CAIR will impact approximately 25 utilities in the State. These utilities include a mix of investor-owned utilities and cooperative utilities. The total annual cost for all of Iowa's EGUs to comply with the CAIR cap and trade program, beginning in 2009, is estimated at approximately \$252.0 million; however, the EPA provides Iowa the option to defer approximately \$112.0 million of this annual cost by issuing emissions allowances to affected EGUs. The Department is proposing this option, and will distribute EPA's allowances to affected EGUs at no cost. The total annual cost to affected EGUs to comply with the EPA-determined SO<sub>2</sub> and NO<sub>x</sub> targets is estimated at \$140.0 million. The EPA will reduce the number of available allowances in 2015, at which time the total annual cost to Iowa EGUs for compliance is estimated at \$169.0 million. It is expected that some facilities will achieve the required emission targets by installing control equipment. A recent construction permit application from a facility with a medium to large coal-fired EGU estimated the one-time capital cost of a scrubber for SO<sub>2</sub> control at approximately \$96.0 million. Annual operation and maintenance costs were estimated at \$27.0 million.

**All Title V facilities:** As noted above, an increase in Title V fees could begin as soon as FY 2008. Because of the many factors influencing emissions from all Title V sources, it is difficult to determine the impact to Title V fees. Assuming there are emissions from non-EGUs, Title V facilities stay the same, and some SO<sub>2</sub> and NO<sub>x</sub> control from EGUs, the cost to all Title V fee payers is conservatively estimated to increase by 14.0% above current levels. This is considered to be the highest increase that would occur over the next five to eight years.

**ARC 5140B**

**Rule Summary**

The proposed rule adopts the federal Clean Air Mercury Rule (CAMR) and amends the State rules for the adoption of federal new source performance standards, federal emission guidelines, emissions testing methods, and continuous emissions monitoring methods to reflect changes in the federal rules to promulgate CAMR.

On May 18, 2005, the federal Environmental Protection Agency (EPA) promulgated CAMR. This rule will permanently cap and reduce the nationwide level of mercury emissions from coal-fired power plants, the largest remaining sources of mercury emissions in the country. The EPA estimates that, when fully implemented, CAMR will reduce utility mercury emissions in 48 states by 15 tons annually or a reduction of 70.0% from 2002 levels.

These rules implement Sections 110 and 111 of the Clean Air Act. States are required to adopt rules and submit to the federal EPA a State Implementation Plan (SIP) to implement CAMR by November 2006.

**Fiscal Impact**

No fiscal impact to the State. The proposed CAMR rules will affect 16 utilities in the State with coal-fired electric generating units (EGU). These utilities include a mix of investor-owned utilities and cooperative utilities. The EPA determined that achieving mercury reductions by controlling emissions from coal-fired EGUs through a cap and trade program was highly cost effective. The total annual cost for all of the affected Iowa EGUs to comply with the CAMR cap and trade program, beginning in 2010, is estimated at approximately \$44.0 million; however, the EPA provides Iowa the option

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to defer approximately \$33.0 million of this annual cost by issuing emissions allowances to the affected EGUs.

The Department is proposing this option, and will distribute the EPA's allowances to affected EGUs at no cost. The total annual cost to affected EGUs to comply with the EPA-determined mercury targets is estimated at \$11.0 million. The EPA will reduce the number of available allowances in 2018, at which time the annual cost to Iowa EGUs for compliance is estimated at \$32.0 million.

### ARC 5155B

**Rule Summary** Rule revisions to update the Water Use/Water Allocation Program, which is a permit program that was administered by the Natural Resources Council until its merger in 1983 with the agency now called the Department of Natural Resources. The rule changes include:

- Clarifying existing definitions, including correcting the definition of public water system usage to consumptive use (Chapter 50).
- Adopting definitions for specialty and general crops (Chapter 50).
- Updating form references and form usage in the rules (Chapter 50).
- Correcting the references to Iowa's Geological Survey, certified well contractor, and licensed professional engineer (all Chapters).
- Eliminating the requirement for the Department's Flood Plain Section to review a surface runoff plan at a rock quarry (Chapter 50).
- Incorporates new legislation that requires water use permits for community public water supplies to be posted in the paper of largest circulation in the county as well as the paper nearest the locale of the permittee. (Chapter 50).
- Clarifying the water use permitting of cooling and heating systems using groundwater (Chapter 51).
- Exempting public water system consumptive usage from the protected flow restrictions (Chapter 52).
- Removing the protected streamflow at six "protected water use" locations (Chapter 52).
- Modifying the emergency conservation rules to be consistent with other sections of the Iowa Administrative Code (Chapter 52).

**Fiscal Impact** Minimal fiscal impact. For current and proposed rule changes, a \$25 fee is charged for a 10-year permit or a modified permit and is deposited into the General Fund. Estimated receipts are \$10,000 annually.

### ARC 5149B

**Rule Summary** The proposed revisions eliminate the need for a permit to operate a centralized compost facility that is owned, operated, and serviced by a single farmer. In addition, the revisions will provide well-defined operating parameters and allow Department compliance staff to more clearly enforce rule requirements for mortality composting.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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## DEPARTMENT OF HUMAN SERVICES

### ARC 5133B and ARC 5134B

**Rule Summary** These rule changes to the Medicaid Program bring the State into compliance with the federal Deficit Reduction Act of 2005. The rules expand the amount of income of a

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person residing in a long-term care facility that is to be considered as countable income of a spouse continuing to reside in the community. This change will impact the amount of protected assets that the community spouse is allowed to retain. The rule changes also extend the Medicaid eligibility look-back period for asset transfers of less-than-market value from 36 months to 60 months.

**Fiscal Impact** The fiscal impact is expected to be a savings to the State Medicaid program of an estimated \$1.1 million in FY 2007 and \$1.1 million in FY 2008. The expected savings is related to expanding the protected asset consideration to the income of the spouse living in long-term care.

**ARC 5132B**

**Rule Summary** This rule excludes Medicaid coverage of drugs used to treat sexual dysfunction.

**Fiscal Impact** No fiscal impact. Coverage of these types of drugs was discontinued in November 2005.

**ARC 5153B**

**Rule Summary** These proposed rules make a series of technical changes to IowaCare Program procedures. They clarify that the four-month premium payment requirement is required to be completed only upon initial enrollment and not upon re-enrollment. The rules also provide for a new application to be used for re-enrollment. IowaCare premium amounts are updated to reflect the revised federal poverty levels. The rules also allow Department of Human Services (DHS) workers a longer time to determine eligibility upon re-enrollment. Additionally, the proposed changes specify that the citizenship of applicants must be verified, per federal Deficit Reduction Act requirements.

**Fiscal Impact** The fiscal impact is expected to be an increase in revenues of an estimated \$18,000 in FY 2007 due to the increases in premium rates to reflect the revised federal poverty levels.

**ARC 5131B**

**Rule Summary** The proposed rules change provisions for determining the amount that shall be withheld from the income of a person who is obligated to pay a delinquent child support obligation, as recommended by the Child Support Advisory Committee. The rules would increase the time allowed for paying off delinquent child support.

**Fiscal Impact** The cost to the General Fund is an estimated \$5,000 in FY 2006, \$25,000 in FY 2007, and \$29,000 in FY 2008. Since the rules would delay the repayment of child support, families receiving support would also experience a fiscal impact. This loss would be \$131,000 in FY 2007 and \$486,000 in FY 2008.

**ARC 5130B**

**Rule Summary** Updates the Child Care Assistance fee chart to reflect the latest federal poverty levels and to add the option of a combined application form.

**Fiscal Impact** No fiscal impact.

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### INSURANCE DIVISION – DEPARTMENT OF COMMERCE

#### ARC 5173B

**Rule Summary** Amends 191 IAC Chapter 15 to add a suitability requirement for annuity sales. Iowa insurance companies and producers shall comply with the rules beginning January 1, 2007.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

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### IOWA UTILITIES BOARD – DEPARTMENT OF COMMERCE

#### ARC 5156B

**Rule Summary** The proposed amendment rescinds provisions of the Board's rules related to consent for the sale of goods and services by officials and employees of regulatory agencies, including the Iowa Utilities Board, and adds a reference to rules of the Iowa Ethics and Campaign Disclosure Board on this subject.

**Fiscal Impact** No fiscal impact.

#### ARC 5172B

**Rule Summary** Amends Board procedural rules to delegate the authority to issue procedural orders to one Board member or specified officials, to increase efficiency, and allow issuance of procedural orders in a timely manner.

**Fiscal Impact** No fiscal impact.

#### ARC 5159B

**Rule Summary** Removes the current requirements for accounting rules for local exchange telephone utilities and establishes new requirements. Also, amends rules regarding post-employment benefits other than pensions to exclude a local exchange utility, regulated by the Iowa Utility Board.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Sam Leto (Ext. 16764)

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### NATURAL RESOURCE COMMISSION – DEPARTMENT OF NATURAL RESOURCES

#### ARC 5148B

**Rule Summary** The proposed rule removes the Iowa River Corridor Wildlife Area in Iowa County from the list of wildlife refuges.

**Fiscal Impact** No fiscal impact.

#### ARC 5141B

**Rule Summary** The proposed rule establishes rental fees for cabins at Waubonsie State Park that were acquired when the Department of Natural Resources (DNR) purchased the WaShawtee property that was adjacent to the Park. This includes four modern two-bedroom cabins, a modern one-bedroom cabin, two two-bedroom camping cabins, a one-bedroom camping cabin, and one camping cabin with two rooms and an enclosed breezeway.



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**Fiscal Impact** The additional revenue from cabin rental is estimated to generate \$80,000 per year.

**ARC 5143B**

**Rule Summary** The proposed rule makes three changes to the rules regarding shovelnose sturgeon on the Mississippi River:

- Establishes size limits for harvesting.
- Establishes a harvest season.
- Specifies eggs or roe must remain intact with the shovelnose sturgeon while the commercial fisher is on the water.

**Fiscal Impact** No fiscal impact.

**ARC 5147B**

**Rule Summary** The proposed rule establishes the zones and quotas for the wild turkey spring hunting season.

**Fiscal Impact** No fiscal impact.

**ARC 5146B**

**Rule Summary** The proposed rule makes the following changes to the rules for the fall wild turkey hunting season:

- Requires hunters who harvest a turkey to report their kill.
- Requires landowners and tenants to pre-register before obtaining free wild turkey licenses.
- Clarifies tagging requirements.

**Fiscal Impact** Minimal fiscal impact.

**ARC 5142B**

**Rule Summary** The proposed rule specifies the regulations for hunting deer in deer population management zones and defines the penalty for failing to obey hunting zone regulations.

**Fiscal Impact** No fiscal impact.

**ARC 5145B**

**Rule Summary** The proposed rule reduces the bag and possession limits for jackrabbits.

**Fiscal Impact** No fiscal impact.

**ARC 5144B**

**Rule Summary** The proposed rule establishes a river otter trapping season and specifies quotas, zones, tagging, and reporting requirements.

**Fiscal Impact** Minimal fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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### PHARMACY EXAMINERS BOARD – DEPARTMENT OF PUBLIC HEALTH

#### ARC 5150B

**Rule Summary** The amendments propose increasing fees related to the issuance of new and renewed pharmacist licenses processed between July 1, 2006, and June 30, 2007, including examination, reexamination, and license transfer processing fees. Also, proposes increasing fees related to the issuance of new and renewed pharmacy and wholesale drug licenses, new and renewed pharmacy technician and controlled substances registrations, and new and renewed precursor substances permits processed between July 1, 2006, and June 30, 2007.

**Fiscal Impact** The fee increase will generate additional revenues of approximately \$814,000. Of this, the Board will retain approximately \$733,000 (90.0%) and \$81,000 (10.0%) will be deposited into the General Fund.

#### ARC 5151B

**Rule Summary** Establishes criteria for collaborative drug therapy management by protocol between Iowa pharmacists and physicians in the community setting and by protocol approved by a hospital pharmacy and therapeutics committee for hospital in-patients and patients of a hospital's clinics.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

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### PROFESSIONAL LICENSURE DIVISION – DEPARTMENT OF PUBLIC HEALTH

#### ARC 5170B

**Rule Summary** Impaired Practitioner Review Committee – Removes the requirement that a member of each licensure Board is a member of the Committee, and adds the option for a Board member to be invited to attend as needed.

**Fiscal Impact** No fiscal impact.

#### ARC 5163B

**Rule Summary** Behavioral Science Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs.

**Fiscal Impact** No fiscal impact.

#### ARC 5162B

**Rule Summary** Cosmetology Arts and Sciences Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10.

**Fiscal Impact** No fiscal impact.

#### ARC 5174B

**Rule Summary** Dietetic Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs.

**Fiscal Impact** No fiscal impact.

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**ARC 5165B**  
**Rule Summary** Physical and Occupational Therapy Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs.

**Fiscal Impact** No fiscal impact.

**ARC 5166B**  
**Rule Summary** Physical and Occupational Therapy Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs.

**Fiscal Impact** No fiscal impact.

**ARC 5164B**  
**Rule Summary** Physical and Occupational Therapy Examiners – Provides additional flexibility in the supervision of the occupational therapy assistants during the screening process.

**Fiscal Impact** No fiscal impact.

**ARC 5128B**  
**Rule Summary** Psychology Examiners – Provides the Board with the ability to retain licensure overpayments of \$10 or less to reduce program administrative costs.

**Fiscal Impact** No fiscal impact.

**ARC 5127B**  
**Rule Summary** Social Work Examiners – Provides the Board with the ability to retain licensure overpayments of less than \$10 to reduce program administrative costs, and removes language relating to sponsors from the continuing education chapter.

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

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### DEPARTMENT OF PUBLIC HEALTH

**ARC 5178B**  
**Rule Summary** Provides explanation for the five programs under the Center for Congenital and Inherited Disorders within the Department of Public Health (DPH), detailing activities and responsibilities, as well as the responsibilities of health care providers, birthing facilities, and laboratories in complying with the programs' function and activities.

Also, updates the newborn metabolic screening fee to \$97 for FY 2007, as screening for cystic fibrosis is being added to the mandated newborn metabolic screening panel by the Iowa Neonatal Metabolic Screening Program.

**Fiscal Impact** No fiscal impact. One dollar from each newborn metabolic screening fee is transferred to the DPH to support the State Coordinator for Genetic Services' salary.

**ARC 5129B**  
**Rule Summary** Radiologist Assistants – Rescinds previous rules and adopts a new rule to correct errors in scope of practice, which is more aligned with national standards.

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**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

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### DEPARTMENT OF REVENUE

**Rule Summary** The rules set forth amendments that clarify existing rules and remove obsolete rules or rule provisions relating to individual income, withholding, corporation income, franchise, fiduciary income, and inheritance tax. **ARC 5177B**

**Fiscal Impact** No fiscal impact.

**Rule Summary** These rules implement HF 761 (FY 2006 Early Childhood Policy Act), which provides for an Early Childhood Development Tax Credit and a Child and Dependent Care Tax Credit for taxpayers with an income of between \$40,000 and \$45,000. **ARC 5176B**

**Fiscal Impact** The estimated fiscal impact of the Early Childhood Development Tax Credit is a decrease of \$2.5 million to the General Fund for FY 2007, as reflected in the fiscal note for HF 761. The estimated fiscal impact of expansion of the Child and Dependent Care Tax Credit is a decrease of \$2.3 million to the General Fund for FY 2007.

STAFF CONTACT: Jess Benson (Ext. 14613)

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### SECRETARY OF STATE

**Rule Summary** The rules are designed to implement the provisions of Section 47.7(2), Code of Iowa, for the establishment of a single, uniform, official, centralized, interactive computerized statewide voter registration file. The rules prescribe the procedures for access to the file, security requirements, and access protocols for adding, changing, or deleting file information. The rules also prescribe the process for obtaining voter registration data and lists pursuant to Chapter 48A, Code of Iowa.

These rules do not provide for waivers.

**Fiscal Impact** Minimal fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

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### SOIL CONSERVATION DIVISION – DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

**Rule Summary** Defines the roles and responsibilities of financial partners within the Conservation Practices Revolving Loan Fund; revises the Loan Fund allocation process; provides rule clarifications; and adds the Iowa Finance Authority as a financial partner that can administer loans. **ARC 5175B**

**Fiscal Impact** No fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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**STATE PUBLIC DEFENDER**

**ARC 5168B and ARC 5167B**

**Rule Summary** Permits the appointed attorney to be reimbursed in certain termination of parental rights proceedings to comply with HF 2672 (FY 2007 Legal Counsel for Termination of Parental Rights Act). Also, amends the payment schedule for private court-appointed attorneys to comply with the enactment of HF 2789 (FY 2007 Judicial Branch Fees and Costs Act). These rules are filed emergency and become effective July 1, 2006.

**Fiscal Impact** The fiscal impact of amending the rules regarding termination of parental rights is estimated to be no more than \$6,000 annually (12 additional cases at \$500 per case).

The fiscal impact of amending the rules for payment of private counsel is estimated to be approximately \$3.0 million annually. House File 2789 directs the State Court Administrator to allocate \$3.0 million annually from the fees and fines collected by the clerks of district court to the Office of the State Public Defender. These funds are to be used for payment of court-appointed counsel, and are in addition to the \$25.2 million appropriated from the General Fund in HF 2558 (FY 2007 Justice System Appropriations Act) for indigent defense.

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