



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.

INSPECTIONS AND APPEALS DEPARTMENT

ARC 6061B

Rule Summary Implements Legislative changes by changing the term Hispanic to Latino and increasing the annual gross income limit for eligibility for the Iowa Targeted Small Business Certification Program from \$3.0 million to \$4.0 million.

Fiscal Impact No fiscal impact.

ARC 6078B

Rule Summary Changes all references from the Joint Commission on the Accreditation of Healthcare Organizations to The Joint Commission, to be consistent with a change in the Organization's name and clarifies that the Medical Classification Center at Oakdale will be inspected pursuant to the Department's licensure rules.

Fiscal Impact No fiscal impact.

ARC 6076B

Rule Summary Strikes the sunset date in the Department's administrative rules, which require hospitals to establish procedures for the authentication of medications and standing orders by a practitioner.

Fiscal Impact No fiscal impact.

ARC 6077B

Rule Summary Implements HF 528 (Hospital Regulation Act), which requires hospitals to establish procedures for the authentication of all verbal orders by a practitioner.

Fiscal Impact No fiscal impact.

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ARC 6054B and 6053B

Rule Summary Provides rules pertaining to licensing card tournaments by veterans' organizations.

Fiscal Impact A minimal fiscal impact. The Department anticipates a limited fiscal impact; however, since the number of organizations requesting a license is unknown, the Department can not provide a definitive impact. The Department anticipates the impact is less than \$100,000.

ARC 6123B and 6122B

Rule Summary Provides definitions, standards for licensing, rules for game nights, and provides clarification.

Fiscal Impact A minimal fiscal impact. The Department anticipates a limited fiscal impact; however, since the number of organizations requesting a license is unknown, the Department can not provide a definitive impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

VETERANS AFFAIRS - IOWA DEPARTMENT OF

ARC 6094B

Rule Summary Implements provisions of HF 767 (Injured Veterans Grant Program Act) by expanding coverage under the Injured Veterans Grant Program to a non-resident of Iowa who is or was a member of a National Guard Unit located in Iowa.

Fiscal Impact A fiscal Impact of \$100,000 (or more) annually or \$500,000 (or more) over five-years. There are approximately 18 non-resident injured soldiers who are or were members of the Iowa National Guard who are eligible to file a claim under this Program. If all 18 filed and received the full \$10,000 amount, \$180,000 in General Fund money would be paid to those who qualify under this Program from the \$2.0 million supplemental appropriation in SF 95 (FY 2007 Veterans Programs Supplemental Act).

ARC 6093B

Rule Summary Implements provisions of SF 578 (Vietnam Veterans Bonus Act) which established a Vietnam Veterans Bonus for active duty service between July 1, 1973 and May 31, 1975. The rule establishes two levels of compensation, depending on the location of service. Those serving in the Vietnam service area receive \$17.50 per month up to \$500. Those serving outside the Vietnam service area receive \$12.50 per month up to \$300.

Fiscal Impact The fiscal impact is unknown. Senate File 578 appropriated \$500,000 from the Veterans' Trust Fund. It is not possible to estimate the number of applications which will be received. However, based on the response from the first bonus period which was from July 1, 1968 through June 30, 1973 (1973 Iowa Acts, House File 656), it is anticipated a large number of applications may be filed.

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ARC 6126B

Rule Summary Implements provision of HF 676 (Veterans Trust Fund) from the 2003 General Assembly, which established the Veterans Trust Fund. For the fiscal period beginning July 1, 2006 and ending June 30, 2009, Section 35A.13(5), Code of Iowa, requires a minimum balance of \$5.0 million in the Trust Fund prior to expenditure of moneys from the Trust Fund. Interest and earnings on the Fund plus any funds from any source deposited into the Fund may be used for the purposes set out in Section 35A.13(7), Code of Iowa, once \$5.0 million is in the Fund.

Fiscal Impact A fiscal Impact of \$100,000 (or more) annually or \$500,000 (or more) over 5 years. For FY 2007 the interest available is \$250,000. For FY 2008, based on the projected interest in the Fund, approximately \$220,000 is available.

STAFF CONTACTS: Sue Lerdal (Ext. 17794) Jennifer Acton (Ext. 17846)

NURSING BOARD - PUBLIC HEALTH DEPARTMENT

ARC 6040B

Rule Summary Provides the following changes:

- Revises current definitions and adds new definitions to reflect current trends in nursing education.
- Revises the application procedure for interim approval of a nursing program to follow a step-by-step process for institutions seeking to establish an Iowa approved nursing program.
- Revises the full approval procedure for clarity and identifies when a program may be given provisional approval and conditions for provisional approval.
- Revises the curriculum to include the definition of content and learning experiences for the required areas of study, including medical, surgical, gerontological, mental health, childbearing families and children, research and community health for all types of programs.
- Identifies the method for student criminal background checks in accordance with Section 152.5, Code of Iowa.
- Clarifies the preceptorship experience to include qualifications of the preceptor and responsibilities of the program.
- Expands the requirements of Board approval and notification of program changes to include an increase of student admissions by 20.0%.

Fiscal Impact No fiscal impact.

ARC 6039B

Rule Summary Clarifies definitions regarding issuance of duplicate wallet cards or certificates and temporary licenses.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

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IOWA FINANCE AUTHORITY

ARC 6058B

Rule Summary Technical changes to the State Housing Trust Fund Allocation plan and the Authority's web site.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)

UTILITIES DIVISION - COMMERCE DEPARTMENT

ARC 6124B

Rule Summary Adds new rules to implement SF 554 (Cable and Video Providers Franchise Act). As of July 1, 2007, providers of cable and video service in Iowa are required to have a franchise, which can be issued by the Utilities Board or a municipality. The rules establish procedures and filing fees for initial applications for, and subsequent modifications of, certificates of franchise authority issued by the Board.

Fiscal Impact Minimal fiscal impact anticipated. Current staff will absorb the additional workload.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

PUBLIC SAFETY DEPARTMENT

ARC 6046B and 6047B

Rule Summary Provides that school districts considering applicants for teaching positions can obtain national criminal history checks on those applicants, as mandated in SF 601 (FY 2008 Standing Appropriations Act). The Act provides that a school district require a teacher to pay no more than the cost the Department of Public Safety charges for a background check, which is \$37 (\$13 for the State check and \$24 for the Federal Bureau of Investigation (FBI) National Crime Information Center fingerprint check).

Fiscal Impact No fiscal impact to the State.

ARC 6048B and 6049B

Rule Summary Adds provisions on releasing official photographs of employees and the confidentiality of documents containing information on security procedures and emergency preparedness to comply with SF 457 (Peace Officer Bill of Rights Act).

Fiscal Impact No fiscal impact.

ARC 6064B and 6065B

Rule Summary Revises the Regional Emergency Response Training Center Program, which replaces 2006 legislation with references enacted in HF 911 (FY 2008 Infrastructure Act).

Fiscal Impact No fiscal impact to the State. The rules does make available \$1.4 million in appropriated funds for the development and construction of regional training centers, no changes in staffing of the Program are anticipated.

STAFF CONTACT: Jennifer Acton (Ext. 17846)

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LABOR SERVICES DIVISION - WORKFORCE DEVELOPMENT DEPARTMENT

- ARC 6121B**
- Rule Summary** Clarifies and enhances shoot fight/mixed martial arts promoter responsibilities.
- Fiscal Impact** No fiscal impact.
- ARC 6120B**
- Rule Summary** Rescinds the rule requiring the Labor Commissioner or Labor Commissioner's designee to attend each shoot fighting event.
- Fiscal Impact** Will have minimal fiscal impact.
- ARC 6125B**
- Rule Summary** Requires promoters of shoot fighting events to purchase life, health, surgical, and hospital insurance to cover illnesses or injuries resulting from an event.
- Fiscal Impact** No fiscal impact for the State. The Fiscal Impact is \$100,000 (or more) annually or \$500,000 (or more) over five-years for promoters. There will be an estimated 52 covered events each year. The cost of the insurance is estimated to average \$2,700 per event. This results in a projected total cost of \$140,400 for the promoters.

STAFF CONTACT: Ron Robinson (Ext. 16256)

ENVIRONMENTAL PROTECTION COMMISSION - NATURAL RESOURCES DEPARTMENT

- ARC 6091B**
- Rule Summary** Adopts changes in federal air quality regulations for ethanol production facilities located in Iowa.
- Fiscal Impact** No fiscal impact to the State. The rule changes will benefit ethanol production facilities because new or expanding ethanol processing plants will be allowed to potentially emit at a higher level than previously allowed before being subject to the Prevention of Significant Deterioration (PSD) Program. The rule changes may allow some ethanol plants to expand production since they will no longer need to count fugitive emissions for PSD and Title V applicability.
- ARC 6092B**
- Rule Summary** Redefines "permitting authority" related to the State rules for the Clean Air Interstate Rule (CAIR) and the Clean Air Mercury Rule (CAMR) as specified by the federal Environmental Protection Agency (EPA). The changes allow owners and or operators of electrical generating units (EGUs) in Iowa to trade emissions allocations under the EPA-administered Emissions Trading Programs for the CAIR and the CAMR.
- Fiscal Impact** No fiscal impact to the State.

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ARC 6074B

Rule Summary Changes the public water supply requirements for design and operation to allow minor water main construction projects to progress more quickly and creates an annual Minor Water Main Construction Permit to allow for the construction of extensions to and replacement of minor water mains in a public water supply system.

Fiscal Impact Minimal fiscal impact to the State. This rule allows a single minor water main construction permit to be issued to a specific system, which would cover multiple minor water main construction projects during the year with an expiration date of December 31. The amount of fees received for water main construction permits in the past will be similar to the fees collected under this rule change. This rulemaking is primarily for the convenience of the water systems and their customers.

ARC 6072B

Rule Summary Requires all new underground storage tanks (UST), piping installations, and UST replacements (after August 1, 2007), to be constructed to provide secondary containment, if they are within 1,000 feet of any public water supply system or a potable drinking water well. In addition "under dispenser containment" systems must be installed whenever dispensers are replaced, prohibits the delivery of fuel to UST facilities which are determined to be out of compliance with designated operation and maintenance requirements.

The Iowa Legislature passed SF 499 (Underground Storage Tank Fund Act), this past legislative session, granting rulemaking authority to the Commission in response to provisions of the Federal Energy Act of 2005 (Federal Act).

Fiscal Impact Minimal fiscal impact to the State. The cost of tanks with secondary containment and under dispenser containment will have increased costs for installation.

ARC 6073B

Rule Summary Senate File 499 (Underground Storage Tank Fund Act) requires the Environmental Protection Commission to adopt rules for the Comprehensive Petroleum UST Board by August 1, 2007.

Fiscal Impact Minimal fiscal impact to the State. The current fees collected for licensing are expected to cover the costs of the new Program. The Department already certifies Groundwater Professionals and Underground Storage Tank Compliance Inspectors. These certification programs will be administered together.

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(From July Meeting) ARC 5999B

Rule Summary Implements the minimum federal standards promulgated by the federal EPA for municipal solid waste landfills (MSWLFs) that must be in compliance by October 1, 2007.

Fiscal Impact Department Expenditures: Additional expenditures by the Department of Natural Resources (DNR) are estimated to be less than \$100,000 per year. Since the proposed rules are adopting current federal requirements, the implementation of most of these regulations is taking place now.

Landfill Expenditures: The following is a cost estimate for Iowa landfills based on information provided by Shaw Environmental, Inc. There are 59 landfills operating in Iowa and 11 sites plan to close prior to the proposed rules going into effect. There are 13 landfills that will be required to construct a new disposal area with a liner that complies with the federal requirements in order to continue accepting waste after October 1, 2007. Of the remaining landfills, several have already installed a bottom liner in a new disposal area but may be required to construct an additional side slope liner that is comparable to the liner on the bottom of the new disposal area. A landfill may also be required to perform an engineering model that verifies that the existing side slope liner in place is compliant with the rule requirements. The following are estimated additional one-time costs associated with this proposed rulemaking:

- One-time permitting costs that includes site investigations, permit application fees, and plan preparation, that is estimated between no additional cost and \$168,000 per site for a total estimated cost of \$2.2 million (for 13 sites).
- One-time costs for cell construction that are estimated to be no additional cost to \$250,000 per site for a total estimated cost of up to \$12.0 million (for 48 sites).
- One-time costs for installing a leachate storage system that are estimated to be no additional cost to \$250,000 per site for a total estimated cost of \$3.3 million (for 13 sites).
- One-time costs for adding two additional groundwater monitoring wells at an average of \$6,000 per site for a total estimated cost of \$378,000 (for 63 sites).
- One-time costs for establishing background water quality are estimated to range between \$24,000 and \$131,000 per site.

The following are estimated additional annual costs associated with this proposed rulemaking:

- Annual estimated costs for routine groundwater monitoring conducted twice a year are estimated to range between \$10,000 and \$67,000 per year per site.
- If additional sampling is required, the estimated costs range from \$13,000 to \$85,000 per site per year. It is unlikely that all sites would require additional sampling.
- Annual incremental operating costs are estimated to range from no additional cost to \$17,000 per site per year.
- Total estimated costs range with a minimum of \$20,000 per year and a maximum up to \$236,000 per year.

STAFF CONTACT: Debra Kozel (Ext. 16767)

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SECRETARY OF STATE

ARC 6127B and 6129B

Rule Summary Implements the requirements of SF 369 (Voting Machines, Verified Paper Trail Act). Senate File 369 makes changes to the laws governing the use of voting equipment, including a requirement that direct recording electronic voting equipment include a paper record for review by the voter. Senate File 369 repeals all provisions of Iowa law relating to lever voting machines and central count of optical scan ballots (other than absentee and provisional ballots).

Fiscal Impact No fiscal impact.

ARC 6063B

Rule Summary Provides instructions to county commissioners of elections in mailing absentee ballots, provide a receipt form to be mailed with absentee ballots, and instructions for examining the absentee ballot affidavit envelopes and contacting voters who have not completed the affidavit or who have made other mistakes that will result in the absentee ballot being rejected. The rules describing the absentee courier process, are rescinded since Sections 53.17(1)(c) and 53.17(4), Code of Iowa, which authorize this procedure, were repealed SF 601 (FY 2008 Standing Appropriations Act).

Fiscal Impact No fiscal impact.

ARC 6128B

Rule Summary Provides instructions to county commissioners of elections in mailing absentee ballots, provide a receipt form to be mailed with absentee ballots, and instructions for examining the absentee ballot affidavit envelopes and contacting voters who have not completed the affidavit or who have made other mistakes that will result in the absentee ballot being rejected. The rules describing the absentee courier process, are rescinded.

With two exceptions the amendments proposed in this Notice of Intended Action were also Adopted and Filed Emergency on June 25, 2007. These proposed rules include two corrections to rules that contain errors. The prior rules incorrectly indicated that the commissioner may refuse to conduct satellite voting for a special election scheduled to be held between the regular city election and a runoff election. This now reads that the commissioner may refuse to provide satellite absentee voting for the runoff election under those circumstances, and corrections the limitation on the distance from a satellite absentee voting station from which political signs and activity are barred.

Fiscal Impact No fiscal impact.

ARC 6130B

Rule Summary Streamlines the process of testing voting equipment before it is used in an election by combining the pre-election and public test procedures.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

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PUBLIC HEALTH DEPARTMENT

ARC 6118B

Rule Summary Provides an explanation of the retention, use and disposition of residual maternal serum specimens to be consistent with the policy for residual dried blood spot specimens and includes a provision to conduct newborn metabolic screening on all infants, even those with conditions incompatible with life. Technical amendments for due dates of required proposed budgets and annual reports are included.

Fiscal Impact No fiscal impact. Any potential impact for the University of Iowa Hygienic Laboratory for development of the infrastructure to store residual maternal serum screening samples is unknown.

ARC 6116B

Rule Summary Rescinds an outdated chapter. The five definitions that comprise the content of the chapter are found in other chapters.

Fiscal Impact No fiscal impact.

ARC 6106B

Rule Summary Changes to incorporate correct references, as well as to reflect changes made at the federal level that establish national standards, changes made in coordination with the Nuclear Regulatory Commission and the Federal Drug Administration (FDA), and changes necessary to enforce the rules and transfers responsibility for Podiatric Assistants from the Podiatry Board to the Bureau of Radiological Health.

Fiscal Impact No fiscal impact.

ARC 6108B

Rule Summary Provides for the administration of the waiver eligible and cost share components as part of the Brain Injury Services Program within the Department of Public Health.

Fiscal Impact A fiscal Impact of \$100,000 (or more) annually or \$500,000 (or more) over five-years. An allocation of \$2.4 million was provided for this purpose from the FY 2007 Mental Health/Mental Retardation/Developmental Disabilities/Brain Injury allowed growth appropriation. The allocation is \$2.9 million for FY 2008 as provided in HF 909 (FY 2008 Health and Human Services Appropriations Act).

ARC 6117B

Rule Summary Rescinds rules that pertained to the Statewide Indigent Obstetrical and Orthopedic Patient Care Program under Chapter 255A, Code of Iowa, which was repealed in 2005.

Fiscal Impact No fiscal impact.

ARC 6109B

Rule Summary Increases the number of people on the Abuse Education Review Panel from six to seven members.

Fiscal Impact No fiscal impact.

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ARC 6111B

Rule Summary Establishes rules to govern the Emergency Medical Services (EMS) Advisory Council to implement Section 147A, Code of Iowa.

Fiscal Impact No fiscal impact.

ARC 6110B

Rule Summary Clarifies continuing education requirements for emergency medical care providers, increases the continuing education opportunities that may be considered formal education, clarifies the actions that can lead to disciplinary action by the Department, and removes the requirement that practical testing must be completed prior to the written examination.

Fiscal Impact No fiscal impact.

ARC 6114B

Rule Summary Updates the data dictionary for reportable EMS patient data as the Bureau of EMS has agreed to comply with the National EMS Information System (NEMSIS) standards. Failure to comply with these standards could negatively impact future opportunities to obtain federal funds.

Fiscal Impact No fiscal impact to the State. If EMS services do not have maintenance fees as part of their contracts with software vendors they may incur a cost for this change. Any cost is not estimated to be significant or below \$1,000.

ARC 6112B

Rule Summary Updates rules relating standards for substance abuse treatment and assessment programs and the Operating While Intoxicated (OWI) law, and makes changes to update references to the Code of Iowa and federal regulation. Also, changes allow substance abuse treatment programs to increase the maximum charge for screening and evaluation from \$100 to \$125.

Fiscal Impact No fiscal impact to the State. The fee increase will impact OWI clients who may now be charged more for screening and evaluation.

ARC 6115B

Rule Summary Outlines what needs to be included in the subpoena, the process for challenging a subpoena, and the process for resolving a challenge. The Department has programs with statutory authority to issue subpoenas.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

EDUCATIONAL EXAMINERS BOARD

ARC 6071B

Rule Summary Strikes a description of the membership of the Board of Educational Examiners and refers to Chapter 272.3, Code of Iowa instead.

Fiscal Impact No fiscal impact.

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ARC 6069B
Rule Summary Provides guidance to applicants from foreign institutions regarding the credential evaluation services accepted by the Board.

Fiscal Impact No fiscal impact.

ARC 6103B
Rule Summary Requires teachers to have two concentration areas to obtain a middle school endorsement.

Fiscal Impact No fiscal impact.

ARC 6102B
Rule Summary Allows the bundling of multiple endorsements into a single endorsement to provide more options and flexibility for teachers and administrators.

Fiscal Impact No fiscal impact.

ARC 6067B
Rule Summary Expands the ability of Para-educators who hold substitute authorization to work in K-6 special education classrooms.

Fiscal Impact No fiscal impact to the State. Reductions in costs to local school districts will be minimal.

ARC 6104B
Rule Summary Permits teachers to remove old, unused endorsements from licenses to better reflect what the teacher is currently qualified to teach.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Robin Madison (Ext. 15270)

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA

ARC 6079B
Rule Summary Removes prohibition on the use of information filed with the Board to be used to solicit campaign contributions.

Fiscal Impact No fiscal impact.

ARC 6080B
Rule Summary Removes the requirement for the Ethics Board to provide copies of certain campaign reports to county commissioners of elections and reflects the requirement for the Board to post all received filings on the Web site.

Fiscal Impact No fiscal impact.

ARC 6090B
Rule Summary Requires ballot issue committees to file additional reports in an election year.

Fiscal Impact The fiscal impact is unknown. There may be some increased costs to the Board in enforcing compliance measures.

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ARC 6089B
Rule Summary Requires any campaign disclosure report that is due five-days before an election to be physically filed with the Ethics Board by 4:30 p.m. of the due date.

Fiscal Impact The fiscal impact is unknown. There will potentially be some increased compliance costs to the Board if reports are not filed by the time set in the statute and rule.

ARC 6087B
Rule Summary Changes the office to which escheats of anonymous campaign funds in excess of \$10 are ultimately given to for deposit in the State General Fund from the Director of Revenue to the Office of Treasurer of State.

Fiscal Impact No fiscal impact.

ARC 6081B
Rule Summary Removes the requirement for an out-of-state or federal Political Action Committee (PAC) to send a copy of a verified statement of registration to the Iowa recipient campaign committee.

Fiscal Impact No fiscal impact.

ARC 6088B
Rule Summary Technical correction to rules pertaining to information disclosed in reports.

Fiscal Impact No fiscal impact.

ARC 6082B
Rule Summary Changes the rules pertaining to the sale of goods or services to State agencies by State officials and employees, as part of their private sector employments.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

HISTORICAL DIVISION - CULTURAL AFFAIRS DEPARTMENT

ARC 6062B
Rule Summary Establishes a new system for determining the sequence in which applications for tax credits are reviewed to address the changes to the Historic Tax Credit Program made in SF 566 (Historic Tax Credit Program Enhancements Act) and modifies the application fee structure. The fees are specified in the Administrative Rules Chapter 223-48.16 (Application Processing Fees).

Fiscal Impact A fiscal Impact of \$100,000 (or more) annually or \$500,000 (or more) over five-years. The net impact of changes to the Program, including increasing the annual tax credit limit, is an annual net General Fund revenue decrease of \$300,000 in FY 2008 and increases to an annual decrease of \$17.6 million in FY 2017 and beyond. The fee structure will increase revenues by approximately \$20,000 annually. The fees will be used by the Department to support the increased workload. Any unused revenue reverts to the General Fund at the close of the fiscal year.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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REAL ESTATE APPRAISER EXAMINING BOARD

ARC 6113B

Rule Summary Define requirements for work product review to bring the State of Iowa into compliance with federally mandated guidelines as set forth by the Appraisal Qualifications Board. The 30-day processing time reference is removed.

Fiscal Impact No fiscal impact.

ARC 6107B

Rule Summary Raises registration fees by \$100 every two years and sets procedures for investigating and enforcing non-licensees.

Fiscal Impact There are currently 1,183 certified appraisers registered. By virtue of alphabetical registration, only 592 renew each year resulting in an impact of \$59,200 annually. With approximately 50 new appraisers entering the field each year, the increase would result in a total of an estimated \$5,000 annually. This results in a combined estimated total of \$64,200 annually.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

REVENUE DEPARTMENT

ARC 6056B

Rule Summary Amend various subrules to reflect the new filing thresholds starting with the 2007 tax year for residents, nonresidents, and part-year residents of Iowa, who are 65 years of age or older. Amends rules pertaining to the special tax computation available for taxpayers other than single taxpayers who are 65 years of age or older beginning with the 2007 tax year. Provide for the phase-out of tax on social security benefits starting with the 2007 tax year. Amends rules pertaining to the Iowa pension exclusion to reference the new filing thresholds starting with the 2007 tax year for taxpayers who are 65 years of age or older.

Fiscal Impact A fiscal Impact of \$100,000 (or more) annually or \$500,000 (or more) over 5 years. General Fund revenue will be reduced by an estimated \$33,377,000 in FY 2008 and \$36,965,000 for FY 2009.

ARC 6055B

Rule Summary Changes the tax rates for gasoline from 21¢ to 20.7¢ per gallon and E-85 gasoline from 17¢ to 19¢ per gallon for the tax period beginning July 1, 2007 and ending June 30, 2008.

Fiscal Impact The estimated fiscal impact is a decrease of \$7.9 million to the Road Use Tax Fund for FY 2008, as a result of a decrease in fuel tax revenues.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

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HUMAN SERVICES DEPARTMENT

ARC 6101B

Rule Summary Implementing changes for eligibility to county provided mental health services.

Fiscal Impact Although the Department of Human Services (DHS) indicates there is no impact to the State and undetermined impact to the counties, each person that is added due to changes to the Federal Poverty Level eligibility or the disregard of certain assets provided would have cost the State or County an average of \$5,511 in FY 2005. With one person added in each county that would have cost the State or Counties \$546,000 per year in FY 2005 and will be greater than that in FY 2008. With five persons added in each county, those would have cost the State or Counties \$2.7 million in FY 2005 and will be greater than that in FY 2008.

ARC 6043B and 6042B

Rule Summary Updates reporting of mental health expenditure and people served data by county central point of coordination administrators' requirements.

Fiscal Impact With the implementation date of July 1, 2007, the counties were required by July 25 to comply with the requirement. Counties may have been required to change their data collection system to meet the mandatory reporting requirements of this specific data and may have incurred a cost for that. The DHS acquired a FTE position and State funds for FY 2008 to replace a previously federal grant position which was not acknowledged in their estimate and it is assumed that data costs for changes to the DHS Data Warehouse to collect and analyze this data is part of the increased FY 2007 or increased FY 2008 appropriation for the Mental Health Division which was not included in the DHS cost estimate for this Administrative Rule Change.

ARC 6100B

Rule Summary Permits the use of a standard medical expense deduction in determining Food Assistance eligibility and reduces the standard utility allowances for households with, and without, heating or air-conditioning expenses, by five dollars each.

Fiscal Impact A minimal fiscal impact. This is a five-year demonstration project. One of the criteria for approval of a demonstration project is that cost neutrality will be achieved. Savings from lowering the amounts of the standard utility allowances offsets the estimated additional cost of the benefits for people choosing the standard medical expense deduction. However, since Food Assistance benefits are 100.0% federally-funded, cost of benefits would have no fiscal impact to the State.

ARC 6097B

Rule Summary Eliminates mandatory interviews for the Medicaid programs for which an interview is still required.

Fiscal Impact No fiscal impact.

ARC 6098B

Rule Summary Eliminates references to services no longer provided within the former Rehabilitative Treatment Services and Rehabilitation Services for adults with mental illness.

Fiscal Impact No fiscal impact.

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ARC 6095B

Rule Summary Rescind the rule that prohibits Medicaid payment for routine physical examinations and expand the list of providers who may perform routine examinations for the IowaCare Program members. About 3,000 Medicaid members who previously were not eligible to receive Medicaid-covered routine examinations will be able to do so. IowaCare members will be able to get routine examinations from any physician, advanced registered nurse practitioner, or physician assistant, that participates in the Iowa Medicaid Program.

Fiscal Impact A fiscal Impact of \$100,000 (or more) annually or \$500,000 (or more) over five-years. This rule change is estimated to cost the State \$138,000 per year for Medicaid and \$75,000 per year for IowaCare. There may be offsetting savings due to avoidance of treatment for more serious health care problems.

ARC 6045B

Rule Summary Adds Medicaid coverage of transportation for members to obtain prescribed drugs, and extends the deadline for submission of transportation claims from 90 days to 365 days.

Fiscal Impact Fiscal Impact cannot be determined. Expanding Medicaid coverage for transportation to obtain prescription drugs may result in a slight increase in State expenditures. This increase will be small since reimbursement is available only to members whose source of care is located outside the city limits of the community in which they reside.

ARC 6083B

Rule Summary Continues Medicaid reimbursement for non-emergency transportation at 30¢ per mile.

Fiscal Impact No fiscal impact.

ARC 6051B and 6084B

Rule Summary Eliminates the premiums for IowaCare applicants whose income does not exceed the poverty level and for any months before receipt of a notice of decision and make other changes beneficial to applicants and members.

Fiscal Impact A minimal fiscal impact.

ARC 6075B

Rule Summary Remove a requirement to determine Medicaid eligibility for a newborn at the end of the 60 days of IowaCare coverage and disallow claims of hardship if premiums are assessed retroactively due to misrepresentation of a household's circumstances.

Fiscal Impact No fiscal impact.

ARC 6086B and 6085B

Rule Summary Continues transportation reimbursement for PROMISE JOBS activities at 30¢ per mile.

Fiscal Impact No fiscal impact.

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ARC 6119B

Rule Summary Makes technical changes to conform the rules to statutory changes in mandatory federal withholding forms. In 2006, the Iowa Legislature, in response to employer and parent requests, amended chapter 252D, Code of Iowa, to authorize an alternative method for the Child Support Recovery Unit (CSRU) to amend or update the amount of income withheld to pay the support the court ordered.

Fiscal Impact No fiscal impact.

ARC 6099B

Rule Summary Remove policies applicable to the purchase of family planning services and references to eligibility for other services previously offered to adults through the Department.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Sue Lerdal (Ext. 17794) Lisa Burk (Ext. 17942) Jess Benson (Ext 14611)

ADMINISTRATIVE SERVICES DEPARTMENT

ARC 6050B

Rule Summary Updates rules pertaining to the procurement of goods and services of general use to conform to the Code of Iowa.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

CAPITAL INVESTMENT BOARD, IOWA

ARC 6057B

Rule Summary Corrects Code of Iowa references pertaining to taxes imposed on credit unions as required by SF 557 (Credit Union Act). Specifies taxpayer identification numbers of investors do not have to be submitted with the initial application filed by a qualifying business or a community-based seed capital fund, and specifies the rules are intended to implement Sections 15E.44 and 15E.45, Code of Iowa.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

EMPLOYMENT APPEAL BOARD

ARC 6096B

Rule Summary Repeals the Chapter pertaining to the authority to hear elevator appeals since the Employment Appeal Board no longer has the authority to hear the appeals.

Fiscal Impact No fiscal impact.

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ARC 6105B

Rule Summary Repeals the Chapter pertaining to the authority to hear boiler and unfired steam pressure vessel appeals since the Employment Appeal Board no longer has the authority to hear the appeals.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

INTERIOR EXAMINING BOARD

ARC 6044B

Rule Summary Provides for an administrative procedure to divide the filing. The rule pertaining to continuing education is being refilled as a separate rule. The rule pertaining to renewal and reinstatement procedures for registered interior designers is provided in ARC 6041B below.

Fiscal Impact No fiscal impact.

ARC 6041B

Rule Summary Provides rules for renewal and reinstatement procedures for registered interior designers.

Fiscal Impact A minimal fiscal impact. With approximately 50 registrants renewing biennially, at the rate of \$350 each, there is a projected biennial impact of \$17,500 or \$8,750 annually.

STAFF CONTACT: Douglas Wulf (Ext. 13250)

LABOR SERVICES DIVISION - WORKFORCE DEVELOPMENT DEPARTMENT

ARC 6068B

Rule Summary Updates rules by replacing "facility" and "facilities" with more appropriate terminology.

Fiscal Impact No fiscal impact.

ARC 6070B

Rule Summary Eases requirements for elevator pit improvements.

Fiscal Impact No fiscal impact.

ARC 6052B

Rule Summary Updates restrictions on the use of galvanized pipes, valves, and fittings for all boilers, water heaters, and pressure vessels. Adopts rules pertaining to bulging or leaking tanks, exhaust flues, leaks from pipes, valves, fittings, and carbonization. The rules have been modified since the original notice to make a technical correction and to clarify the rules.

Fiscal Impact Fiscal impact cannot be determined. The number units in service are not known.

STAFF CONTACT: Ron Robinson (Ext. 16256)

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MEDICINE BOARD – DEPARTMENT OF PUBLIC HEALTH

ARC 6066B

Rule Summary Corrects the name of the Accreditation Council for Pharmaceutical Education due to the recent name change and specifies the acceptable training for a pharmacist to qualify as a pharmacist authorized to administer immunizations.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Lisa Burk (Ext. 17942)

SOIL CONSERVATION DIVISION - DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

ARC 6060B

Rule Summary Modifies the allocation process and eligibility requirements for the Financial Incentive Program for soil conservation projects and modifies reporting requirements.

Fiscal Impact Minimal fiscal impact.

ARC 6059B

Rule Summary Modifies the allocation process and eligibility requirements for the Water Protection Fund and the practice standards and specifications

Fiscal Impact Minimal fiscal impact.

STAFF CONTACT: Debra Kozel (Ext. 16767)

WORKERS' COMPENSATION DIVISION - WORKFORCE DEVELOPMENT DEPARTMENT

ARC 6038B and 6037B

Rule Summary Specifies that the Agency can hold contested case hearings using voice and video technology including internet based video.

Fiscal Impact No fiscal impact.

ARC 6036B

Rule Summary Technical update of payroll taxes references.

Fiscal Impact No fiscal impact.

STAFF CONTACT: Ron Robinson (Ext. 16256)
