



## Fiscal Services Division

### ADMINISTRATIVE RULES – FISCAL IMPACT SUMMARIES

**April 10, 2015**

*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 our website at <http://www.legis.iowa.gov/law/administrativeRules/arrc/fiscalImpact>*

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#### Architectural Examining Board

#### Emergency Rule

**Rule Summary**      Extends the renewal period for architect registration certificates from one to two years. Amends related fees to reflect the extended renewal period.

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

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

**LSA Response:** The LSA concurs.

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#### Department of Human Services

#### ARC 1951C

**Rule Summary**      Increases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) Program with income over 150.0% of the federal poverty level (FPL).

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

**Fiscal Impact**      **Agency Response:** The higher MEPD premium collections will result in a savings to the State. Based on the December 2014 billing period, the new monthly premium amounts will result in additional premium collections of up to \$10,620 per month. This equates to annual savings of \$127,440. At SFY 2016 Medicaid match rates, 55.07% Federal/ 44.93% State, the State share of these savings will be \$57,259.

**LSA Response:** The LSA concurs. Increased revenues to the MEPD Program are used to offset the cost of care.

**ARC 1952C**

- Rule Summary** Adopts the following amendments:
- Increases the statewide average cost of nursing facility services to a private-pay person. The figure is being revised to reflect the increase in the cost 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 average private-pay cost of nursing facility services increased from \$5,103 to \$5,407 per month.
  - Updates the average charges for nursing facilities, Psychiatric Medical Institutions for Children (PMICs), and Mental Health Institutes (MHIs), and 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).
    - Increases the charge for private-pay resident for nursing facility care from \$4,666 per month to \$4,952 per month.
    - Increases the average charge for PMIC care from \$6,297 per month to \$6,556 per month.
    - Increases the average charge for MHI care from \$20,498 per month to \$24,083 per month.
    - Increases the maximum Medicaid rate for ICF/ID from \$25,040 per month to \$27,388 per month.

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

**Fiscal Impact** **Agency Response:** Minimal fiscal impact. Any past increase in these charges was included in the rate per bed day for July 1, 2014. Also, any increase in bed days resulting from past rate changes was included in the past trend of bed days. Since the budget is developed from a base rate and bed day trend that would be reflective of past changes in private-pay cost and the average charge rate, changes that go into effect July 1, 2015, will be included in the SFY 2016 budget. Other long-term care budgets such as Home and Community-Based Services (HCBS) waiver, MHIs, PMICs, and ICF/ID are developed using similar methodologies. Additionally, given the marginal nature of these changes, coupled with the level of income required for eligibility, any fiscal impact is expected to be less than \$100,000 annually.

**LSA Response:** The LSA concurs.

**ARC 1921C**

**Rule Summary** Changes the reimbursement methodology for non state owned PMICs. Beginning July 1, 2014, non state owned PMICs will be reimbursed according to the Iowa Plan for Behavioral Health contractor provider specific per diem rate without reconciliation. These amendments also maintain the cost reporting requirements for State owned PMICs. These amendments also add a reference to Iowa Administrative Code (IAC) chapters in order to include PMIC services under the Iowa Plan contract requirements.

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

**Fiscal Impact** **Agency Response:** No fiscal impact. The State pays Magellan, a third party vendor a fixed per member per month capitation amount for PMIC services, and this amount will not change as a result of this reimbursement change. Magellan will be required to operate within the approved capitation rates, and therefore, no fiscal impact to the State is anticipated.

**LSA Response:** The LSA concurs.

**ARC 1933C**

- Rule Summary** Updates rules related to Child Development Homes as follows:
- Specifies minimum requirements for first aid kits.
  - Permits tamper-resistant electrical outlets in addition to safety caps.
  - Conforms to fire marshal requirements that establish a three foot safety distance for heating elements and combustible materials.
  - Conforms rules to Iowa Code section 237A.3A. The Iowa Code requires a child development home to be located in a single-family residence that is owned, rented, or leased by at least one person named on the child development home's certificate of registration.
  - Conforms rules to Iowa Code section 237A.5(2), regarding founded child abuse provisions. The current rule specifically states founded “child” abuse that was determined to be physical abuse.
  - Removes transition language for license renewal that is no longer needed.

**Agency Stated Authority:** Iowa Code chapter 237A.

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

**LSA Response:** The LSA concurs.

**ARC 1935C**

- Rule Summary** Updates rules related to Child Development Homes as follows:
- Requires providers to document medication given to children while in their care.
  - Permits a provider to show verification of higher education participation in lieu of a high school diploma or GED.
  - Limits Child Development Homes to two named providers.

**Agency Stated Authority:** Iowa Code chapter 237A.

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

**LSA Response:** The LSA concurs.

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**Department of Administrative Services**

**ARC 1936C**

- Rule Summary** Adopts amendments to several IAC chapters. The Department of Administrative Services is continuing its effort to review its administrative rules in accordance with Executive Order 71 by amending certain human resources rules to eliminate conflict with statute, aligning rules for the phased retirement program with changes to the Iowa Code, reflect changes in federal law, and making other actions that reflect and clarify departmental practice.

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

**Fiscal Impact** **Agency Response:** These administrative changes are not anticipated to have any fiscal impact.

**LSA Response:** The LSA concurs.

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## Alcoholic Beverages Division

### **ARC 1915C**

- Rule Summary** Reorganizes current rules into separate parts and numbering them accordingly. The amendments mirror federal regulations regarding transactions between industry members and retailers. Adopts the following changes:
- Adds a preamble of Chapter 16 and Parts II, III, IV, V, and VI to identify purpose and persons governed.
  - Adds a preamble to Part I to introduce definitions.
  - Adds a preamble to Part VII to discuss violations of Chapter 16.
  - Reserves certain rules to provide for future expansion.

**Agency Stated Authority:** Iowa Code section 123.21.

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

**LSA Response:** The LSA concurs.

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## Dental Board

### **ARC 1941C**

- Rule Summary** Clarifies the definition of “general supervision of a dental assistant” and adds the use of a curing light and intraoral camera to the list of services that can be delegated to a dental assistant under general supervision.

**Agency Stated Authority:** Iowa Code sections 147.76 and 272C.2.

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

**LSA Response:** The LSA concurs.

### **ARC 1940C**

- Rule Summary** Clarifies general supervision requirements for dental assistants, adds to the list of permissible services a dental assistant may perform under general supervision, increases the number of expanded function procedures that may be delegated to a registered dental assistant and sets the education and training requirements for those procedures, and permits registered dental assistants to work under public health supervision in certain settings.

**Agency Stated Authority:** Iowa Code section 147.76 and 272C.2.

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

**LSA Response:** The LSA concurs.

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## Educational Examiners Board

### **ARC 1919C**

- Rule Summary** Adopts the following amendments:
- Establishes a uniform license fee of \$85 unless otherwise stated.
  - Reduces the teacher intern license fee from \$125 to \$85.
  - Addresses an inconsistency between Chapters 12 and 20 regarding the deadline for submitting documents requested in a licensure application audit.

- Removes cross-references in Chapter 20 that will be rendered incorrect by the proposed changes to Chapter 12.
- Establishes a \$25 fee for adding an endorsement to a paraeducator certificate only. Currently, the rules state that the fee for adding all endorsements is \$50.

**Agency Stated Authority:** Iowa Code section 272.2(2)(2).

**Fiscal Impact**

**Agency Response:** The proposed amendments include a reduction in the fee for the teacher intern license. This will not significantly reduce Board revenue because teacher intern applicants make up a very small percentage of the Board's applicants. The proposed amendments also state that the fee for adding an endorsement to a paraeducator certificate is \$25. The Board staff has been charging this fee rather than the \$50 for adding endorsements to a teaching license, so practice will not change.

**LSA Response:** The LSA concurs.

**ARC 1918C**

**Rule Summary**

Amends language related to the following licenses:

- The “Class A” license is renamed the “Class A extension” license.
- The “exception” under a Class B license is renamed the “executive director decision.”
- The “Class E” license is renamed the “Emergency Extension” license.

The proposed rule change also does the following:

- Authorizes the executive director to allow holders of a substitute license to serve outside their authority in “unique circumstances.”
- Changes the duration of the international teacher exchange license from three years to one year unless the applicant can verify continued participation in the program past one year.
- Expands the authority of the “elementary school teacher librarian” endorsement from kindergarten through eighth grade to prekindergarten through eighth grade due to the upcoming sunset of the “teacher—elementary classroom” endorsement requirements on August 31, 2015.
- Removes cross-references that will be incorrect by the proposed changes to language of certain licenses listed above, and remove additional redundant language.
- Adds the requirement for cultural competency for initial administrator license applicants that currently hold a professional service license.
- Allows out-of-state candidates for administrator licensure to submit an expired out-of-state administrator license if their out-of-state license is not current.

**Agency Stated Authority:** Iowa Code section 272.2(1)(a).

**Fiscal Impact**

**Agency Response:** The proposed changes will not require additional expenditures or affect Board revenue.

**LSA Response:** The LSA concurs.

**ARC 1917C**

**Rule Summary**

Alters the Board's rules regarding career and technical licensure by creating a distinction between fully licensed teachers and those seeking authority to teach through experience, by changing the title from “license” to “authorization.” Amendments will require an applicant for the career and technical authorization to have a job offer prior to obtaining the authorization. Additionally, the proposed changes define “recent” experience, revise the list of required coursework for career

and technical applicants, and eliminate redundant career and technical endorsements.

**Agency Stated Authority:** Iowa Code section 272.2(1)(a).

**Fiscal Impact**

**Agency Response:** The proposed changes will not require any additional expenditures or significantly change Board revenue.

**LSA Response:** The LSA concurs.

**Rule Summary**

Requires holders of the behind-the-wheel authorization to have a valid or expired initial, standard, exchange, or master educator license with endorsement 118 for driver and safety education to be eligible for behind-the-wheel authorization classroom instruction.

**ARC 1920C**

**Agency Stated Authority:** Iowa Code section 272.2(1)(a).

**Fiscal Impact**

**Agency Response:** The proposed change will not require any additional expenditures or cause any significant change to Board revenue.

**LSA Response:** The LSA concurs.

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**Environmental Protection Commission**

**Rule Summary**

Rescinds the following air quality rules:

- Voluntary Operating Permit Program.
- Conditional permits.
- Adoption by reference of several federal air toxic and new source performance standards that do not apply to any Iowa sources.
- References to air quality forms that no longer exist or are explained elsewhere in rule.

The Department of Natural Resources (DNR) is proposing two rule updates to reduce regulatory requirements:

- Sunsets the rules for testing and monitoring mercury emissions as these are addressed by federal regulations.
- Updates the definition of volatile organic compounds to match recent federal amendments.

**Agency Stated Authority:** Iowa Code section 455B.133.

**Fiscal Impact**

**Agency Response:** No fiscal impact.

**LSA Response:** The LSA concurs.

**Rule Summary**

Revises the rules governing the use of the Cambrian-Ordovician Aquifer, known as the Jordan Aquifer in Iowa. The proposed changes reflect the recommendations from the Executive Order 80 Stakeholder Group that evaluated current rules.

**ARC 1914C**

The Jordan Aquifer extends underneath much of Iowa and is a significant well water source to the State. Protection from overuse of the resource is needed in some parts

of Iowa. The changes will affect any entity with a water allocation permit in the Jordan aquifer. A water allocation permit is required when anyone withdraws at least 25,000 gallons in a single day during the year. There are approximately 200 permitted entities with 350 Jordan aquifer wells in the State.

Rule changes include:

- Chapter 50 – amends the definition of aquifer, and adds the definitions of confined aquifer and water use reduction plan.
- Chapter 52 – makes the following changes:
  - Adds three tiers for water allocation permits. Tier 1 wells will follow standard water use reporting procedures with no additional requirements. Tier 2 and Tier 3 wells will have additional requirements that include site-specific water use reduction plans.
  - Allows the DNR to take action if water levels decline beyond the Tier 3 level.
  - Changes the permit cycle from 10 years to 5 years.
  - Requires a well construction permit prior to building a new well to ensure there is adequate water allocation before construction begins.
  - Retains the current 200 gallons per minute restriction on irrigation, recreational, and aesthetic uses.
  - Retains the 2,000 gallons per minute restriction on industrial and power generation uses.
  - States that use of water pumping levels, past actual static levels, and/or models will determine the water action level.
  - Prohibits once-through cooling or geothermal use, but allows geothermal use if all of the withdrawn water is injected back into the aquifer.
- Chapter 53 – adds two areas to the protected source rules. One area is in Johnson and Linn counties, and the other is in Webster County. The DNR will issue the well construction permits inside of those defined areas.

**Agency Stated Authority:** Iowa Code sections [455B.105](#), [455B.173](#), and [455B.263](#).

**Fiscal Impact**

**Agency Response:** The estimated fiscal impact is less than \$100,000 per year with expenditures related to the issuance of additional permits. The Department will pay for the additional expenditures from its existing budget.

**LSA Response:** The LSA concurs.

**Rule Summary**

Renews the General Permit No. 6 that authorizes the discharge of wastewater associated with water well construction and service activities.

**ARC 1912C**

**Agency Stated Authority:** Iowa Code sections [455B.105](#) and [455B.198](#).

**Fiscal Impact**

**Agency Response:** No fiscal impact.

**LSA Response:** The LSA concurs.

**Rule Summary**

Clarifies the process that the DNR uses to provide credit toward certification qualifications for military service. This includes education and training and procedures for reciprocal certification for veterans that are certified water or wastewater operators in another state.

**ARC 1911C**

**Agency Stated Authority:** Iowa Code sections [272C.4](#) and [455B.222](#).

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

**LSA Response:** The LSA concurs.

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**Department of Inspections and Appeals**

**ARC 1934C**

**Rule Summary**      Updates filing and service rules for contested case proceedings to permit appropriate use of email and fax transmission of documents to the Administrative Hearings Division and other parties to ensure consistency between the general rules and those involving permits to carry weapons or acquire firearms. The amendments also clarify that the rehearing procedure required by Iowa Code section 17A.162 is applicable to cases involving permits to carry weapons or acquire firearms under Iowa Code section 724.21A. The proposed rules update the process for contesting decisions made by State agencies, allowing the use of email and providing consistency in the filing process.

**Agency Stated Authority:** Iowa Code sections 10A.801 and 724.21A

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

**LSA Response:** The LSA concurs.

**ARC 1928C**

**Rule Summary**      Adopts technical changes to be consistent with the most current version of the Code of Federal Regulations (CFR) as related to food processing. The following changes are adopted:

- Clarifies provisions related to certified food protection managers and adds an exception for certain taverns with food.
- Reinstates an exception to the Food Code related to reduced oxygen packaging of meat products in retail operations.
- Updates food processing standards.
- Adds provisions related to certain color additives.
- Adds provisions related to canned vegetables.

**Agency Stated Authority:** Iowa Code chapters 137C, 137D, and sections 10A.104 and 137F.2.

**Fiscal Impact**      **Agency Response:** No fiscal impact. The adoption of the corrections to the rulemaking is technical in nature and without cost association.

**LSA Response:** The LSA concurs.

**ARC 1939C**

**Rule Summary**      Removes a long-term care facility's option to request surveyor worksheets for citations being disputed at an informal conference. The Center for Medicare and Medicaid Services (CMS) recently informed the Department that survey worksheets created and collected during federal surveys and investigations are only subject to release in federal informal dispute resolution under a valid federal Freedom of Information Act request. The amendment provides consistency between State and federal requirements.

**Agency Stated Authority:** Iowa Code sections 135C.14 and 135C.36.



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**Fiscal Impact**      **Agency Response:** It is impossible to determine what cost, if any, is associated with the proposed rule change on regulated entities. Facilities seeking to contest citations may be forced to wait additional time to secure documents from the federal government.

**LSA Response:** The LSA concurs.

### **ARC 1938C**

**Rule Summary**      Clarifies the process for a provisional administrator to be appointed at a nursing facility when the facility is unable, through no fault of its own, to replace or has lost its current full-time administrator. The proposed rules provide clarity in the process used to appoint administrators at long-term care facilities.

**Agency Stated Authority:** Iowa Code sections 135C.14 and 135C.36.

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

**LSA Response:** The LSA concurs.

### **ARC 1942C**

**Rule Summary**      Rescinds the definitions of “applicant” and “certificate holder” as rendered obsolete by recent changes made to the administrative rules governing assisted living programs, elder group homes, and adult day service providers. The proposed rule reflects recent changes to the certification process of assisted living programs and is technical in nature.

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

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

**LSA Response:** The LSA concurs.

### **ARC 1927C**

**Rule Summary**      Updates the definition of “change of ownership” as well as the mandatory process for notifying the Department when assisted living programs or elder group homes experience a change in program manager. Clarifies the contents of an application for the certification of a program.

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

**Fiscal Impact**      **Agency Response:** No fiscal impact. The amendments simply require additional information be provided by certain programs regulated by the Department and are consistent with the process used to license long-term care facilities.

**LSA Response:** The LSA concurs.

### **ARC 1929C**

**Rule Summary**      Adopts new definitions of “senior citizen,” “senior citizen group home,” “senior citizen organization” and “senior housing project”. Amends the licensing requirements and procedural rules of conducting a bingo occasion. Provides guidelines on disbursing cash prizes and sets penalties for those that do not comply with the rules.

**Agency Stated Authority:** Iowa Code section 99B.13.

**Fiscal Impact**      **Agency Response:** No fiscal impact. The proposed rules simply update the outdated portions of the Department’s rules.

**LSA Response:** The LSA concurs.

**ARC 1930C**

**Rule Summary** Updates the chapters with technical changes to be congruent with current statutory language, including making the terminology consistent regarding “electrical or mechanical”. Also updates penalty provisions to be in compliance with the Iowa Code, and changes prizes limits from \$5 to \$50.

**Agency Stated Authority:** Iowa Code section 99B.13.

**Fiscal Impact** **Agency Response:** No fiscal impact. The proposed rules simply update the Department’s current rules.

**LSA Response:** The LSA concurs.

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**Insurance Division**

**ARC 1943C**

**Rule Summary** Clarifies authorized methods of cancellation, suspension, forfeiture, nonrenewal, and termination of various life, accident, health, health maintenance, long term care, annuity, property, and casualty insurance delivery notices. Under the Uniform Electronic Transactions Act, such notices must be sent, communicated, or transmitted via first class regular mail with prepaid postage. In addition to upholding the conditions of the Act, the amendments also implement various policyholder protections such as the recognition of recognizable acceptable proof of such notices as intended by the Iowa Administrative Code.

**Agency Stated Authority:** Iowa Code chapter 523A.

**Fiscal Impact** **Agency Response:** No fiscal impact. The regulated community will pay for any additional costs that may arise.

**LSA Response:** The LSA occurs.

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**Natural Resource Commission**

**ARC 1937C**

**Rule Summary** Makes changes to rental fees at State Parks, including:

- Establishes rental fees for new modern two-bedroom family cabins being constructed at Lake Darling State Park in 2015.
- Restructures the rental listing for Lake Darling to clarify the different cabin types and their fees.
- Removes the cabin rental fee for the cabin at Wilson Island that was destroyed in the 2011 flood because the cabin is not being replaced.
- Establishes two new categories of open picnic shelters and sets the fees. This includes large open shelters and beach cabana-style open shelters.
- Updates the park rules that are applicable to Honey Creek Resort State Park.

**Agency Stated Authority:** Iowa Code section 455A.5.

**Fiscal Impact** **Agency Response:** No additional expenditures will be incurred. Rental income is estimated to increase by \$136,000 (does not include tax or reservation fees) during

FY 2016. This includes \$110,000 for cabin rental and \$26,000 for the shelter rental. Rental fees are deposited in the Land and Water Conservation Fund.

**LSA Response:** The LSA concurs.

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**Department of Public Health**

**Rule Summary** **ARC 1950C**  
Amends the Central Registry for Brain and Spinal Cord Injuries to conform to the DHS rule for eligibility for the HCBS Waiver for persons with a Brain Injury. Identifies reporting requirements, updates reportable conditions to the International Classification of Diseases 10th Revision, and makes technical corrections.

**Agency Stated Authority:** Iowa Code section 135.22.

**Fiscal Impact** **Agency Response:** Minimal fiscal impact.

**LSA Response:** The LSA concurs.

**Rule Summary** **ARC 1932C**  
Updates rules regarding the Grants to Counties for the Private Well Testing Program to include guidelines regarding the application process and minimum program requirements, increases reimbursement rates, permits testing for arsenic, and makes technical corrections.

**Agency Stated Authority:** Iowa Code sections 455E.11 and 135.11(26).

**Fiscal Impact** **Agency Response:** This revision proposes to increase existing reimbursement rates to well owners for services to private drinking water wells. It does not impact the overall annual budget or the Groundwater Protection Fund.

**LSA Response:** The allocations for funding for each county remain the same. Counties could potentially reach their full allocation sooner under higher reimbursements.

**Rule Summary** **ARC 1931C**  
Increases the application fee from \$110 to \$135 for the examination for limited radiological technologists due to a fee increase from the American Registry of Radiologic Technologists (ARRT) that provides the test.

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

**Fiscal Impact** **Agency Response:** Minimal fiscal impact.

**LSA Response:** The LSA concurs.

**Rule Summary** **ARC 1924C**  
Establishes a vision screening requirement for children enrolled in a public or accredited nonpublic elementary school pursuant to 2013 Iowa Acts, chapter 76 (Vision Screening for School Children Act). Describes the vision screening requirement for children enrolling in kindergarten and third grade, and specifies the procedures that constitute a vision screening, who can conduct a screening, and reporting requirements.

**Agency Stated Authority:** Iowa Code section 135.39D.

**Fiscal Impact**

**Agency Response:** The one-time software programming cost to develop the Vision Module in the Immunization Registry Information System (IRIS) is \$150,000. Annual ongoing hosting and maintenance costs are estimated at \$63,000.

**LSA Response:** The LSA concurs. The original Fiscal Note estimated staffing for the Program that has not taken place. Funding for the software development has come from the IOWAccess Revolving Fund and the utilization of Title V Maternal and Child Health Services Block Grant. The Preventative Health and Human Services Block Grant is being utilized for outreach materials for the Program. Ongoing sources of funds to maintain the Program could come from the Title V Block Grant, but are not guaranteed to be available.

**Rule Summary**

Replaces language in the IAC Chapter on Local Public Health Services. Updates language regarding the allocation of appropriations from the General Assembly. Makes technical corrections to Iowa Code citations, minimum agency requirements for coordination of services, and qualifications for home care aide and case management services.

**ARC 1925C**

**Agency Stated Authority:** Iowa Codes section 135.11(13).

**Fiscal Impact**

**Agency Response:** No fiscal impact.

**LSA Response:** The LSA concurs.

**Rule Summary**

Repeals and replaces IAC Chapter 155 on licensure standards for substance use disorder and problem gambling treatment programs. Amendments implement changes made to Iowa Code chapter 125 including conforming the current standards to the Iowa Code, updating the current standards to match revisions to national practice standards, aligning the current standards with national accreditation standards for similar programs, and making technical corrections.

**ARC 1926C**

**Agency Stated Authority:** Iowa Code sections 125.13, 125.21, and 135.150.

**Fiscal Impact**

**Agency Response:** No fiscal impact.

**LSA Response:** The LSA concurs.

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**Regents Board**

**Rule Summary**

Provides an alternative formula for the three Regents universities to use in the Regent Admission Index (RAI) for high school students in school districts that do not assign a class rank. Until now, each university developed a substitute for the missing class rank; the new formula provides consistency between the universities.

**ARC 1916C**

**Agency Stated Authority:** Iowa Code section 262.9(3).

**Fiscal Impact**

**Agency Response:** No fiscal impact.

**LSA Response:** The LSA concurs.

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Department of Revenue

**ARC 1949C**

**Rule Summary** Amends the Department of Revenue's rules on the Redevelopment Tax Credit Program to reflect the enactment of 2014 Iowa Acts, Senate File 2339. Clarifies existing rules and updates the information requirements for tax credit transfers to help the Department gather more complete data about the Program that will aid the tax expenditure committee in its evaluation.

**Agency Stated Authority:** Iowa Code sections 17A.3, 421.14, and 422.68.

**Fiscal Impact** **Agency Response:** The amended rules themselves will not have a fiscal impact, but the related legislation, SF 2339 did. The Legislation will not affect the overall amount of credit dollars claimed, but rather the timing of those claims. This will reduce General Fund revenue by \$ 1.4 million between FY 2017 and FY 2022. Additional information can be found in the corresponding LSA Fiscal Note for SF 2339.

**LSA Response:** The LSA concurs.

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Department of Transportation

**ARC 1923C**

**Rule Summary** Authorizes the Department of Transportation (DOT) to control the visibility of junkyards located along certain routes on the National Highway System. The rule will require new junkyard operators to establish screening. Currently, the Department's control is limited to the interstate highway system. The National Highway System includes the interstates, most major state highways, and a few principal arterial and connector routes under municipal or county jurisdiction. Control of junkyards along the National Highway System is required by the current federal transportation funding authorization.

**Agency Stated Authority:** Iowa Code sections 307.10 and 307.12 and SF 2355 (DOT Omnibus Policy Bill).

**Fiscal Impact** **Agency Response:** No fiscal impact. Failure to establish control of junkyards may trigger a 7.0% decrease in federal highway apportionment, an estimated \$32.0 million per year.

**LSA Response:** The LSA concurs.

**ARC 1922C**

**Rule Summary** Updates a reference to adopt updated Federal Motor Carrier Safety Regulations (FMCSR) and Hazardous Material Regulations (HMR). The effect of this rulemaking will be to adopt 28 separate federal rulemakings since October 1, 2012.

**Agency Stated Authority:** Iowa Code sections 307.10, 307.12, 321.449, and 321.450.

**Fiscal Impact** **Agency Response:** Fiscal impact cannot be determined. Adopted federal regulations were subject to fiscal review by the Federal Motor Carrier Safety Administration or the Pipeline and Hazardous Material Safety Administration and determined to not be cost prohibitive.

**LSA Response:** The DOT does not anticipate additional expenditure for FTE positions or enforcement. Adoption of federal rulemakings may prevent reduced federal aid. The amount of federal aid that may be impacted is unknown.

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**Professional Licensure Division**

**ARC 1909C**

**Rule Summary** Eliminates the requirement that a physician assistant practicing at a remote medical site have a supervising physician physically visit and practice every two weeks.

**Agency Stated Authority:** Iowa Code section 148C.3.

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

**LSA Response:** The LSA concurs.

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**Iowa Finance Authority**

**ARC 1944C**

**Rule Summary** Updates implementation sentences related to the general powers of the Iowa Finance Authority (IFA) to conform to the 2007 Iowa Acts, SF 431 (Iowa Finance Authority – Miscellaneous Changes Act).

**Agency Stated Authority:** Iowa Code section 17A.3(1)(b) and 16.5(1)(r).

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

**LSA Response:** The LSA concurs.

**ARC 1945C**

**Rule Summary** Updates implementation sentences to conform to the 2014 Iowa Acts, SF 2328 (Agricultural Development Division of Iowa Finance Act).

**Agency Stated Authority:** Iowa Code sections 17A.3(1)(b), 16.5(1)(r), and 16.5C.

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

**LSA Response:** The LSA concurs.

**ARC 1946C**

**Rule Summary** Updates implementation sentences related to the Multifamily Housing Program to conform to the 2014 Iowa Acts, SF 2328 (Agricultural Development Division of Iowa Finance Act).

**Agency Stated Authority:** Iowa Code sections 17A.3(1)(b), 16.5(1)(r), and 16.5C.

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

**LSA Response:** The LSA concurs.

**ARC 1947C**

**Rule Summary** Rescinds the Small Business Loan Program.

**Agency Stated Authority:** Iowa Code section 17A.3(1)(b), and 16.5(1)(r).

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

**LSA Response:** The LSA concurs.

**ARC 1948C**

**Rule Summary**      Rescinds the Group Home Facilities Loan Program.

**Agency Stated Authority:** Iowa Code section 17A.3(1)(b), and 16.5(1)(r).

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

**LSA Response:** The LSA concurs.

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### Labor Services Division

**ARC 1908C**

**Rule Summary**      Adopts by reference changes to the federal Occupational Safety and Health Administration (OSHA) requirements concerning crane operators safety by extending the deadline for crane operators to become certified until November 10, 2017 and by extending deadline for employers to ensure that crane operators are competent.

**Agency Stated Authority:** Iowa Code section 88.5.

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

**LSA Response:** The LSA concurs.

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### Nursing Board

**ARC 1910C**

**Rule Summary**      Establishes rules implementing the licensing reciprocity provisions of the Home Base Iowa Act (2014 Iowa Acts, chapter 1116).

**Agency Stated Authority:** 2014 Iowa Acts, chapter 1116.

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

**LSA Response:** The LSA concurs.

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