

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 38, Board of Homeopathic Medical Examiners  
**Articles and their headings:** 1, General  
**Section numbers:** R4-38-101, R4-38-102, R4-38-103, R4-38-106, R4-38-107, R4-38-108, and R4-38-201
2. **Subject matter of the proposed rule:**

R4-38-101 lists criteria for certification or other methods of obtaining licensure qualification for graduates of unapproved colleges or universities. The definition for "Approved school of medicine" contained in subsection (A) of the rule repeats A.R.S. § 32-2901(4). The deletion of subsection (A) will eliminate repetition or contradiction between rule and statute. Subsection (B) will be renumbered respectfully.

R4-38-102 lists criteria for approval of post-graduate courses and homeopathic educational institutions. The correct statute reference, A.R.S. § 32-2901(11) will be inserted into subsection (E).

R4-38-103 defines "approved internship" and precludes completion of a preceptorship as a substitution for an internship. The rule is repetitive with the statutes and it is proposed that the Section be repealed.

R4-38-106 sets procedures for applicants to attend a personal interview with the Board to determine qualification for licensure as part of the examination process. Grammatical change made to sentence structure and the correct statutory reference will be incorporated into subsection (B). Technical and grammatical changes to the rule will list the correct statutory reference, A.R.S. § 32-2901(11).

R4-38-107 lists the criteria acceptable for waiver of the Homeopathic examination. The correct statutory reference will be incorporated into subsections (B) and (C). Technical changes to the rule will correct the statutory references, A.R.S. § 32-2913(A)(1) and (2).

R4-38-108 requires notification of Licensee's addresses. The rule repeats A.R.S. § 32-2916(B) and should be repealed to avoid repetition and contradiction between rule and statute.

R4-38-201 provides definitions relating to drugs and dispensing. The Board is planning to delete subsections (B), (C), and (D) which contained language defined by A.R.S. § 32-2901(A)(7), (8), (9), and (24). Technical changes to the rule will eliminate repetition and contradiction between rule and statute.

**The agency docket number, if applicable:**  
None.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Cyndi Weaver, Executive Director  
Address: Board of Homeopathic Medical Examiners  
1400 West Washington, Room 230  
Phoenix, Arizona 85007  
Telephone: (602) 542-3095  
Fax: (602) 542-3093
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Board will accept written comments between 8 a.m. and 5 p.m. Monday through Friday through July 12, 1995.  
The Board will accept oral comments by appointment which can be scheduled by calling (602) 542-3095.  
The Board will hold an open meeting in July regarding these proposed rules.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.