

## 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.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security  
**Chapter and its heading:** 5, Department of Economic Security - Social Services  
**Articles and their headings:** 25, Case Record  
26, Civil Rights  
27, Overpayments and Underpayments  
61, Resource Services  
68, Relinquishment and Severance Services  
**Section numbers:** R6-5-2501 through R6-5-2503, R6-5-2601 through R6-5-2607, R6-5-2701 through R6-5-2707, R6-5-6101 through R6-5-6104, and R6-5-6801 through R6-5-6808.
2. **Subject matter of the proposed rules:**

In keeping with the proposed plan of action set forth in the report of the Department's 5-year Review of the rules in 6 A.A.C. 5, the Department plans to repeal the rules listed here. Many of the rules are very old and were written before the development of the many specialized programs the Department now offers. They are also written in a style and format that is no longer appropriate for rulemaking. In addition, they are not necessary for the following reasons:

**Article 25.** The rules in this Article govern internal procedural matters which are not appropriate subjects for rules. To the extent that these rules govern matters which directly or substantially affect the public, these matters are covered in more specific rules dealing with particular programs.

**Article 26.** These rules are no longer necessary because the Department has a comprehensive civil rights rule in 6 A.A.C. 1 which contains matters of general applicability to all Departmental programs and administrations. This Article of rules simply repeats matters that are adequately covered in the Chapter 1 civil rights rule.

**Article 27.** These rules are no longer necessary because the programs which are the subject of this Article do not provide any benefits which are subject to monetary recoupment or underpayment. Other programs with monetary benefits have specific rules governing overpayments and underpayments. Moreover, much of the information which is the subject of these rules is covered in statute or in general departmental rules concerning set-offs.

**Article 61.** These general rules are no longer necessary because they have been replaced by rules in other Articles governing specific programs through which the Department provides various services.

**Article 68.** These rules are no longer necessary because they are duplicative of state statutes passed during the past several years. Any matters not currently addressed in statute are more appropriately placed in internal policy rather than in rule.
3. **A citation to all published notices relating to the proceeding:**

None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Vista Thompson Brown, Legal Analyst  
Address: Department of Economic Security  
1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005

Telephone: (602) 542-6555  
Fax: (602) 542-6000
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**

From the present until the close of record, which has not yet been scheduled.

Notices of Rulemaking Docket Openings

6. **A timetable for agency decisions or other action in the proceeding:**  
The Department expects to file a proposed rulemaking package to repeal these rules no later than late summer 1996. The Department will not schedule public hearings on this repeal action unless 5 or more people request a hearing.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security  
**Chapter and its heading:** 6, Department of Economic Security - Developmental Disabilities  
**Article and its heading:** 12, Contribution for Care  
**Section numbers:** R6-6-1205(A)(5)
2. **Subject matter of the proposed rules:**  
The rule represents the method for determination of the financial contribution from and individual client for residential services. The subsection specifically prescribes the method for determination of the contribution from earned income.  
  
Based on a request submitted to the Division, this rule will be revised to prescribe a simpler and less costly mechanism for determining the amount of earned income that individual clients would be required to pay for residential services.
3. **A citation to all published notices relating to the proceeding:**  
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Vista Thompson Brown, Legal Analyst  
Address: Department of Economic Security  
1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007  
  
or  
  
P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005  
  
Telephone: (602) 542-6555  
Fax: (602) 542-6000
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**  
During regular business hours, from the present until the close of record, at the located designated above. No date has yet been selected for the close of record and no oral proceedings have yet been scheduled.
6. **A timetable for agency decisions or other action in the proceeding:**  
The Division of Developmental Disabilities is intending on submitting a proposed rule packet to the Secretary of State for publication by September 1996.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 13, Department of Environmental Quality - Solid Waste Management  
**Articles and its heading:** 14, Medical Waste  
**Section numbers:** R18-13-1401 through R18-13-1421
2. **Subject matter of the proposed rules:**  
Pursuant to A.R.S. § 49-761, this rule package identifies categories of regulated biohazardous medical waste and sets forth proper segregation, packaging, storage, transportation, treatment standards, and disposal requirements. In addition, it sets forth requirements for solid waste facilities which accept biohazardous medical waste.
3. **A citation to all published notices relating to the proceeding:**  
Notice of  
1 A.A.R. 1068, July 14, 1995

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

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**4. Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:                   Katheryn A. Cross  
Address:                Department of Environmental Quality  
                              3033 North Central Avenue  
                              Phoenix, Arizona 85012  
Telephone:             (602) 207-2222  
Fax:                     (602) 207-2251

**5. The time during which written submissions may be made and the time and place where oral comments may be made:**

The Department will accept written comments from June 10, 1996, through June 28, 1996. For further information, please see the Notice of Proposed Rulemaking for 18 A.A.C. 13 found in this issue of the *Register*.

**6. A timetable for agency decisions or other action in the proceeding:**

The Department will accept written comments from June 10, 1996, through June 28, 1996. For further information, please see the Notice of Proposed Rulemaking for 18 A.A.C. 13 found in this issue of the *Register*.