

## 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 EMERGENCY AND MILITARY AFFAIRS

1. **Title and its heading:** 8, Emergency and Military Affairs  
**Chapter and its heading:** 3, Department of Emergency and Military Affairs - Division of Military Affairs  
**Article and its heading:** 1, Retention and Separation Policy for Members of the Army and Air National Guard of Arizona  
**Section numbers:** R8-3-101 through R8-3-104
2. **The subject matter of the proposed rules:**  
To repeal R8-3-101 through R8-3-104 as they are no longer necessary.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: John A. McMurdie  
Address: 5636 East McDowell  
Phoenix, Arizona 85008-3495  
Telephone: (602) 267-2730  
Fax: (602) 267-2903
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments Tuesday through Friday, 8 a.m. and 5 p.m. at the address in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Not known.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Department of Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** Not yet determined  
**Section numbers:** Not yet determined
2. **The subject matter of the proposed rules:**  
Consistent with A.R.S. § 36-405(B)(1), the Department proposes consolidating 5 of the existing 6 licensure classifications for Residential Care Institutions into 1 Assisted Living classification. The consolidated rules will provide greater consistency and equity across residential care institutions and will allow residential care institutions enhanced capability to meet resident needs and ensure resident health and safety while providing greater consumer options and choices.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Laura Hartgroves  
Address: Department of Health Services  
Health and Child Care Review Services  
1647 East Morten, Suite 170  
Phoenix, Arizona 85020  
Telephone: (602) 255-1199  
Fax: (602) 255-1135

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5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments Monday through Friday, 8 a.m. and 5 p.m. at the address in question #4 until the rulemaking docket is closed.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
Not known.

**NOTICE OF RULE MAKING DOCKET OPENING**

**ARIZONA RADIATION REGULATORY AGENCY**

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 2, Radiation Regulatory Agency - Medical Radiologic Technology Board of Examiners  
**Articles and their heading:**  
**Section numbers:** R12-2-101 through R12-2-104, R12-2-201 through R12-2-207, R12-2-301, R12-2-302, and R12-2-401 through R12-2-406
2. **Subject matter of the proposed rules:**  
The changes presented in this docket opening are the result of a 5-year Review of the rules contained in the above listed Articles. The review occurred in January of this year.
- R12-2-101.** The word "regulations" needs to be changed to "rules" throughout the chapter. The definitions for "direction" and "ionizing radiation" are inconsistent with A.R.S. § 32-2801(5) and (6). "Direction" is deleted, while "ionizing radiation" is retained.
- R12-2-102.** The 2 national technologist certifying bodies have merged. The rule needs to be amended to reflect this change.
- R12-2-104.** This section is to describe how a prospective radiologic technology school may apply for approval.
- R12-2-201.** A reference to a statute is incorrect and the application for certification of radiologic technologists is outdated. The form in use is no longer the form listed in this rule.
- R12-2-202.** With the current wording, a technologist out of work for 3 years could renew a certification to practice radiologic technology without taking a refresher exam.
- R12-2-203.** The rule is reformatted to conform to current regulatory practice.
- R12-2-204.** The rule is reformatted to conform to current regulatory practice.
- R12-2-205.** The rule is reformatted to conform to current regulatory practice.
- R12-2-206.** The rule is reformatted to conform to current regulatory practice. In addition, the fees that are listed in the statute are deleted.
- R12-2-207.** The rule is reformatted to conform to current regulatory practice.
- R12-2-301.** This entire Article has been renamed to address the statutory requirements for application processing time-frames. This Section lists the number of days the Board will use to process and approve or deny an application for a certificate or to approve or deny a school.
- R12-2-302.** Is repealed.
- R12-2-401.** The rule is reformatted to conform to current regulatory practice.
- R12-2-402.** The rule is reformatted to conform to current regulatory practice.
- R12-2-403.** The rule is reformatted to conform to current regulatory practice.
- R12-2-404.** The rule is reformatted to clarify and conform to current regulatory practice.
- R12-2-405.** The rule is reformatted to conform to current regulatory practice.
- R12-2-406.** A name change for the school of practical technology listed in this rule is needed at this time. The listed name is no longer current.
- Agency docket number:** #0038
3. **A citation to all published notices relating to the proceedings:**  
None published.

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4. **Name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: John Gray  
Address: Arizona Radiation Regulatory Agency  
4814 South 40th Street  
Phoenix, Arizona 85040
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted at the location listed in question #4 between 8:00 a.m. and 5 p.m., Monday through Friday.  
Oral comments will be accepted at the location listed in question #4 between 8:00 a.m. and 4:30 p.m., Monday through Friday.
6. **A timetable for agency decision or other action in the proceeding:**  
None.

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA RACING COMMISSION**

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming  
**Chapter and its heading:** 2, Arizona Racing Commission  
**Article and its heading:** 1, Horse Racing  
**Section number:** R19-2-104
2. **The subject matter of the proposed rules:**  
The amendment to the rule will eliminate the need for a permittee to staff a physician during racing hours and replace with a licensed Emergency Medical Technician or equivalent.
3. **A Citation to all published notices relating to the proceeding:**  
None published
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Paul Ryneveld  
Address: Arizona Department of Racing  
3877 North 7th Street, Suite 201  
Phoenix, Arizona 85014  
Telephone: (602) 277-1704  
Fax: (602) 277-1165
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Commission will accept written comments for 30 days following publication of the proposed rulemaking at the address in question #4. Oral proceedings have not been scheduled.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
None.