

NOTICES OF RULEMAKING DOCKET OPENING

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

VETERINARY MEDICAL EXAMINING BOARD

1. **Title and its heading:** 3, Agriculture
Chapter and its heading: 11, Veterinary Medical Examining Board
Articles and their headings: 1, General Provisions
2, Application and Examination for Licensure
3, Temporary Permittees
4, Continuing Education Requirements
5, Veterinary Technicians
6, Standards of Practice
7, Veterinary Medical Premises and Equipment
8, Drug Dispensing
9, Investigations and Hearings
Sections Numbers: R3-11-101, R3-11-102, R3-11-103, R3-11-105, R3-11-107, R3-11-108, R3-11-109, R3-11-202, R3-11-302, R3-11-303, R3-11-304, R3-11-305, R3-11-401, R3-11-402, R3-11-403, R3-11-404, R3-11-405, R3-11-501, R3-11-502, R3-11-603, R3-11-604, R3-11-605, R3-11-606, R3-11-701, R3-11-702, R3-11-703, R3-11-704, R3-11-705, R3-11-706, R3-11-801, R3-11-802, R3-11-803, R3-11-804, R3-11-805, R3-11-807, R3-11-901, R3-11-902, R3-11-903, R3-11-904, and R3-11-905 (*additional sections may be added, deleted, or modified as necessary*).
2. **The subject matter of the proposed rule:**
The Veterinary Medical Board (Board) is proposing rules that contain clear standards of practice for veterinarians and clarify the ethical standards for veterinarians in Article 5. The standards for a veterinary medical premises in Article 7 are also being updated. Additionally, the Board is making changes to Articles 1 (Definitions), 2 (Application and Examination for Licensure), 3 (Temporary Permittees), 4 (Continuing Education Requirements), 6 (Veterinary Technicians), 8 (Drug Dispensing), and 9 (Investigations and Hearings) as stated in its 5-Year-Review Report that was approved by the Governor's Regulatory Review Council in December 1998. Many of these changes include changing active to passive voice and clarifying subjective standards used in the rules to render the rules enforceable. Terms or phrases used in the rules are being amended to reflect changes in the use of the terms or phrases and to conform to current rulemaking style and format requirements. Additional definitions are also being added to clarify terms or phrases and afford consistent interpretation of the rules. A provision has been added for the ombudsman-citizens-aid. Requirements for renewals are being amended. The Board is adding the penalty fee stated in A.R.S. § 32-2218.
3. **A citation to all published notices relating to the proceeding:**
Not applicable.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Louise Battaglia, Executive Director
Address: 1400 W. Washington, Suite 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:**

Arizona Administrative Register
Notices of Rulemaking Docket Opening

The Board will continue to accept written comments at the location listed above between 8 a.m. and 5 p.m. Monday through Friday, until the close of record. The Board will schedule oral proceedings, within the statutory mandated time-frame, which will be noticed by publication in the *Arizona Administrative Register*.

6. **A time table for agency decisions or other actions in the proceeding:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHYSICAL THERAPY EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 24, Board of Physical Therapy Examiners
Articles and their headings: 1, General Provisions
2, Licensing and Examination Provisions
3, Regulatory Provisions
4, Continuing Competence
5, Public Participation Procedures
Sections Numbers: R4-24-101 through R4-24-106, R4-24-201 through R4-24-208, Table 1, Exhibit 1, R4-24-301 through R4-24-311, R4-24-401 through R4-24-403, and R4-24-501 through R4-24-506 (*additional sections and articles may be added, deleted, or modified as necessary*).
2. **The subject matter of the proposed rule:**
The proposed rules will involve a substantial revision and expansion of the scope of the existing rules to conform to the new statutes that were passed during the 1998 legislative session to replace the Physical Therapy Practice Act that was established in 1952. The proposed rulemaking will entail repeal and amendment of existing rules, in whole or in part, and the promulgation of new rules. There are substantial changes to definitions and other general provisions as well as to licensing and regulatory provisions. Additional articles for continuing competence and public participation procedures are being added.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Delores CDeBaca, Executive Director
Address: Board of Physical Therapy Examiners
1400 W. 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:**
Persons may provide written comments on the proposed rules to the Board for the record at any time following the publication of the Notice of Proposed Rulemaking in the Register until the close of record that will be included with the Notice of Proposed Rulemaking. Comments regarding the proposed rulemaking that will not be included in the formal rulemaking record may be provided at any time prior to the publication of the Notice of Proposed Rulemaking.
6. **A time table for agency decisions or other actions in the proceeding:**
Not yet determined.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
NONCOMMUNICABLE DISEASES**

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 4, Department of Health Services - Noncommunicable Diseases
Article and its heading: 1, Definitions
4, Cancer Registry
Section numbers: R9-4-104, R9-4-401, R9-4-402, R9-4-403, and R9-4-404 (*additional sections may be added, deleted, or modified as necessary*).
2. **Subject matter of the proposed rule:**
R9-4-104 will be repealed and replaced with a new definitions section within Article 4, the Article to which the definitions apply. The new section will clarify the definitions and will conform to current rulemaking format and style requirements. R9-4-401 through R9-4-403 will be renumbered as R9-4-402 through R9-4-404 respectively, and will be amended to conform to current rulemaking format and style requirements. Pathology laboratories will be added as a cancer case reporting source. R9-4-404 will be repealed. The Department will make changes to any other sections within Chapter 4 as necessary to conform those sections to the changes made in R9-4-104, and R9-4-401 through R9-4-404.
The Agency docket number:
RE-009-99
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: Georgia Yee, Office Chief
Address: Bureau of Public Health Statistics
Office of Health Registries
2700 N. 3rd Street, Suite 4075
Phoenix, Arizona 85004
Telephone: (602) 542-7308
Fax: (602) 364-0296
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
1740 West Adams Street, Room 410
Phoenix, Arizona 85007
Telephone: (602) 542-1264
Fax: (602) 542-1289
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 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
NONCOMMUNICABLE DISEASES**

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 4, Department of Health Services - Noncommunicable Diseases
Article and its heading: 1, Definitions
5, Birth Defects Monitoring Program
Section numbers: R9-4-105 and R9-4-501 (*additional sections may be added, deleted, or modified as necessary*).
2. **Subject matter of the proposed rule:**
R9-4-105 will be repealed and replaced with a new definitions section within Article 5, the Article to which the definitions apply. The new section will clarify the definitions and will conform to current rulemaking format and style requirements. Prenatal diagnostic facilities will be added as a reporting source for the Birth Defects Monitoring Program. R9-4-501 will be renumbered as R9-4-502 and will be amended to conform to current rulemaking format and style requirements. The Department will make changes to any other sections within Chapter 4 as necessary to conform those sections to the changes made in R9-4-105, R9-4-501, and R9-4-502.
The Agency docket number:
RE-010-99
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: Georgia Yee, Office Chief
Address: Bureau of Public Health Statistics
Office of Health Registries
2700 N. 3rd Street, Suite 4075
Phoenix, Arizona 85004
Telephone: (602) 542-7308
Fax: (602) 364-0296
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
1740 West Adams Street, Room 410
Phoenix, Arizona 85007
Telephone: (602) 542-1264
Fax: (602) 542-1289
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 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
MEDICALLY-UNDERSERVED AREA MEDICAL SERVICES**

1. **Title and its heading:** 9, Health Services
Chapter and its heading: 24, Department of Health Services - Medically-Underserved Area Medical Services
Article and its heading: 1, General
2, Criteria
3, Coordinating Medical Providers
4, Arizona Loan Repayment Program
Section numbers: R9-24-101, R9-24-111 through R9-24-113, R9-24-201 through R9-4-205, R9-4-301, R9-4-401 through R9-24-412, and Exhibits A through D (*additional sections may be added, deleted, or modified as necessary*).
2. **Subject matter of the proposed rule:**

The proposed rulemaking will add a new definitions section at R9-24-101 and will repeal R9-24-111 through R9-24-113. The proposed rulemaking will repeal and replace R9-24-201 through R9-24-203 with new sections that will update the process and criteria used in designating geographic areas as primary care areas and primary care areas as Arizona medically-underserved areas. The proposed rulemaking will also repeal R9-24-204 and R9-24-205. The proposed rulemaking will amend R9-24-301 to conform to current rulemaking format and style requirements and to clarify the rule. In addition, the proposed rulemaking will repeal and replace R9-24-401 through R9-24-412 with new sections that will streamline the loan repayment program process, add dentists as eligible providers for the primary care provider loan repayment program, add the rural private primary care provider loan repayment program, and conform to current rulemaking format and style requirements. Finally, the proposed rulemaking will repeal Exhibits A through D. The Department may amend, repeal, or add new sections as necessary.

The Agency docket number:
RE-011-99
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**

Name: Belinda Ehlert
Address: Department of Health Services
1740 W. Adams Street, Suite 302
Phoenix, Arizona 85007
Telephone: (602) 542-2954
Fax: (602) 542-2011
E-mail: behlert@hs.state.az.us
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
1740 West Adams Street, Room 410
Phoenix, Arizona 85007
Telephone: (602) 542-1264
Fax: (602) 542-1289
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 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

Arizona Administrative Register
Notices of Rulemaking Docket Opening

6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality - Air Pollution Control
Article and its heading: 4, Permit Requirements for New Major Sources and Major Modifications to Existing Major Sources
Section numbers: R18-2-401
2. **Subject matter of the proposed rule:**
The Arizona Department of Environmental Quality will propose to add missing text to the definition of "dispersion technique" at R18-2-401(4), as discussed in a response to a comment on the Facility Change rule published in the *Register* on October 29, 1999.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel to whom persons may communicate regarding the rule:**
Name: Mark Lewandowski or Martha Seaman
Address: Department of Environmental Quality
3033 N. Central Avenue
Phoenix, Arizona 85012
Telephone: (602) 207-2222
Fax: (602) 207-2251
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking.