

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when 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

CITIZENS CLEAN ELECTIONS COMMISSION

- 1. Title and its heading:** 2, Administration
Chapter and its heading: 20, Citizens Clean Elections Commission
Article and its heading: 3, Standard of Conduct for Commissioners and Employees
5, Rulemaking
6, Ex Parte Communications
7, Audits and Repayments
Section numbers: R2-20-301, R2-20-302, R2-20-303, R2-20-304, R2-20-305, R2-20-306, R2-20-307, R2-20-308, R2-20-309, R2-20-310, R2-20-311, R2-20-312, R2-20-501, R2-20-502, R2-20-503, R2-20-504, R2-20-505, R2-20-506, R2-20-601, R2-20-602, R2-20-603, R2-20-604, R2-20-701, R2-20-702, R2-20-703, R2-20-704, R2-20-705, R2-20-706, R2-20-707, R2-20-708, R2-20-709, R2-20-710
- 2. The subject matter of the proposed rule:**
The rules will be adopted to carry out the proposed and provisions of the Citizens Clean Elections Act set forth in A.R.S. §§ 16-940 through 16-961.
The agency docket number, if applicable:
None
- 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: M. Colleen Connor, Director
Address: 4001 N. 3rd Street, Suite 200
Phoenix, Arizona 85012
Telephone: (602) 200-0013
Fax: (602) 200-8670
E-mail: connor_colleen@pop.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
This will appear in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Rules to be proposed within seven days of filing this notice.

NOTICE OF RULEMAKING DOCKET OPENING

ALLOPATHIC BOARD OF MEDICAL EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 16, Allopathic Board of Medical Examiners
Article and its heading: 1, General Provisions
4, Executive Director Authorities
Section numbers: R4-16-101, R4-16-103, R4-16-109, R4-16-401 through R4-16-410
- 2. The subject matter of the proposed rule:**

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The purpose of R4-16-101 is to designate the number of hours of required annual continuing medical education (CME), those programs which are approved for license holders to attend in order to meet the CME requirement, the process for requesting an extension to complete CME, and the CME reporting requirements. The proposed rule amends the existing rule to be consistent with current rulewriting standards. The need for this amendment was identified during the Board's five-year review. The Arizona Board of Medical Examiners is amending R4-16-103 to interpret A.R.S. § 32-1426(C), added by Laws 1999, Ch. 218. Amended language in A.R.S. § 32-1426(C) is implemented by this amendment. Specifically an applicant seeking licensure by endorsement based upon the passage of a written examination or combination of examinations as provided by A.R.S. § 32-1426(B)(4), the most recent of which precedes the application by more than ten years, shall demonstrate his ability to safely engage in the practice of medicine by one of the following: (1) taking and passing a special purpose licensing examination, or (2) holding a current certification in a specialty with the American Board of Medical Specialties ("ABMS"). Additionally, Laws 1999, Ch. 218 and Laws 2001, Ch. 270 allows the Arizona Board of Medical Examiners to delegate various authorities to the Executive Director. Laws 1999, Ch. 218 additionally require the Arizona Board of Medical Examiners to adopt substantive policy statements prior to delegating the authority. The Board was subsequently informed that the proper vehicle would be to adopt rules as opposed to substantive policy statements in order to be consistent with the Arizona Administrative Procedures Act. Therefore, although the Board has already adopted substantive policy statements it is now opening a rulemaking docket to ensure appropriate public comment. This rulemaking will therefore promulgate guidelines describing the circumstances under which the Executive Director may be delegated the authorities to require evaluations and investigational interviews, refer cases to the board for formal interview, grant uncontested requests for inactive status and cancellation of a license, enter into a consent agreement, close cases resolved through mediation, directly refer cases to a formal hearing, dismiss complaints that do not involve medical incompetence and deny licenses if applicants do not meet the requirements of law. The Board is also promulgating rules regarding fees currently in use pursuant to A.R.S. § 32-1436.

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: Dominick Spatafora, Legislation and Regulatory Liaison

Address: 9545 E. Doubletree Ranch Road
Scottsdale, AZ 85258

Telephone: (480) 551-2700

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Submissions may be made to the legislative and regulatory liaison at the above designated address until the close of the record, which is unknown at this time. The specific date for the close of record will be set forth in the Notice of Proposed Rulemaking to be filed with the Secretary of State and published in the *Register*.

6. A timetable for agency decisions or other action on the proceeding, if known:

Unknown at this time

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
CHILDREN'S HEALTH CARE INSURANCE**

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 31, Arizona Health Care Cost Containment System - Children's Health Insurance
Article and its heading: 1, Definitions
2, Scope of Services
3, Eligibility and Enrollment
Other Articles may be added, deleted, or modified as necessary.
Section numbers: R9-31-101 through R9-31-103, R9-31-105, R9-31-112, R9-31-201, R9-31-211,
R9-31-212, R9-31-301 through R9-31-303, R9-31-306 through R9-31-308
(Other Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**

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The Administration is amending these rules for the Children's Health Insurance Program in order to conform to statutory changes in A.R.S. §§ 36-2982, 36-2983, 36-2988, and 36-2989 (SB 1087). The Administration will make the language comply with the Secretary of State's requirements.

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: Cheri Tomlinson
Address: AHCCCS Administration
Office of Policy Analysis and Coordination
801 E. Jefferson St., Mail Drop 4200
Phoenix, AZ 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Administration will file a Notice of Proposed Rulemaking and hold a public hearing at a time to be determined.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
PRESCRIPTION MEDICATION COVERAGE PILOT PROGRAM**

1. Title and its heading: 9, Health Services

Chapter and its heading: 32, Arizona Health Care Cost Containment System - Prescription Medication Coverage Pilot Program

Article and its heading: Articles to be determined

Section numbers: Sections to be determined

2. The subject matter of the proposed rule:

This package creates rules for the Prescription Medication Coverage Pilot Program established by Laws 2001, Ch. 347 (SB 1118). The Administration will make the language comply with the Secretary of State's requirements.

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: Cheri Tomlinson
Address: AHCCCS Administration
Office of Policy Analysis and Coordination
801 E. Jefferson St., Mail Drop 4200
Phoenix, AZ 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties.

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6. A timetable for agency decisions or other action on the proceeding, if known:

The Administration will hold at least two public meetings as required by Laws 2001, Ch. 347 (SB 1118).

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF REVENUE
TRANSACTION PRIVILEGE AND USE TAX SECTION**

- 1. Title and its heading:** 15, Revenue
Chapter and its heading: 5, Department of Revenue - Transaction Privilege and Use Tax Section
Article and its heading: 22, Administration
Section numbers: R15-5-2213
- 2. The subject matter of the proposed rule:**
R15-5-2213 provides information related to alternative basis for reporting transaction privilege, use, and severance tax. The Department will amend the rule to clarify when a taxpayer may report and remit transaction privilege, use, and severance tax on other than a monthly basis.
- 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: Christine Comanita, Supervisor
Address: Tax Research and Analysis Section
Department of Revenue
1600 W. Monroe
Phoenix, AZ 85007
Telephone: (602) 542-4672
Fax: (602) 542-4680
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be published in the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF TRANSPORTATION
HIGHWAYS DIVISION**

- 1. Title and its heading:** 17, Transportation
Chapter and its heading: 3, Department of Transportation - Highways Division
Article and its heading: 3, Right-of-Way Acquisition and Management
Section numbers: R17-3-301 through R17-3-306
- 2. The subject matter of the proposed rule:**
This rulemaking deals with the relocation assistance program under A.R.S. §§ 28-7141 through 28-7149. Under this program, the Arizona Department of Transportation is authorized to pay certain expenses for persons and businesses who have been displaced due to construction or reconstruction of transportation facilities. This rulemaking arises from proposed agency action in the five-year review report approved by the Governor's Regulatory Review Council on May 2, 2000 (F-00-0402).
- 3. A citation to all published notices relating to the proceeding:**
None

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

Name: Wendy S. LeStarge
Address: Arizona Department of Transportation
Administrative Rules Unit, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, Arizona 85014-5017
Telephone: (602) 712-6007
Fax: (602) 241-1624
E-mail: wlestarge@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters:
www.dot.state.az.us/about/rules.

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Oral or written comments will be accepted at the location listed in item #4 between 8:00 a.m. and 4:30 p.m., Monday through Friday.

6. A timetable for agency decisions or other action on the proceeding, if known:

To be determined