

# NOTICES OF RULEMAKING DOCKET OPENING

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

## NOTICE OF RULEMAKING DOCKET OPENING

### STATE RETIREMENT SYSTEM BOARD

- |   |                                  |
|---|----------------------------------|
| <b>1. <u>Title and its heading:</u></b> | 2, Administration                |
| <b><u>Chapter and its heading:</u></b>  | 8, State Retirement System Board |
| <b><u>Article and its heading:</u></b>  | 2, Retirement System             |
| <b><u>Section numbers:</u></b>          | R2-8-126                         |

**2. The Subject matter of the proposed rule:**

The Legislature amended A.R.S. § 38-760 to provide that a member of the Arizona State Retirement System who retires after August 9, 2001 and who elects a period certain and life annuity may rescind the election of the period certain and life annuity and thereafter receive a straight life annuity. As a result of this benefit change, the System's consulting actuaries have recommended that the Board adopt new factors for calculating a period certain and life annuity retirement benefit.

A transfer of members' service credits between the Arizona State Retirement System and other retirement systems under A.R.S. § 38-922 requires the Arizona State Retirement System to calculate the actuarial present value of benefits, the actuarial present value of benefit increases and the actuarial accrued liability of the Arizona State Retirement System relative to the service credits that members are transferring. The Legislature has amended A.R.S. § 38-757 to increase the multiplier for calculating retirement benefits under the Arizona State Retirement System. Because of the increase in the multiplier for calculating retirement benefits, the System's consulting actuaries have recommended that the Board adopt new transfer factors to reflect the effect of the increased multiplier under the actuarial method and assumptions used in calculating the System's funding requirements.

**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: Fred Stork, Assistant Attorney General  
Address: State Retirement System  
3300 N. Central Avenue, P.O. Box 33910  
Phoenix, AZ 85067-3910  
Telephone: (602) 240-2052  
Fax: (602) 264-6113

or:

Name: Ryan Edmonson, Employer Relations Liason  
Address: State Retirement System  
3300 N. Central Avenue, P.O. Box 33910  
Phoenix, AZ 85067-3910  
Telephone: (602) 240-2022  
Fax: (602) 264-6113

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or

Name: Thomas Finnerty, Legislative Liaison  
Address: State Retirement System  
3300 N. Central Avenue, P.O. Box 33910  
Phoenix, AZ 85067-3910  
Telephone: (602) 240-2027  
Fax: (602) 264-6113

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

The agency will receive written comments during normal business hours at the State Retirement System, 3300 N. Central Avenue, P.O. Box 33910, Phoenix, AZ 85067-3910. No date has been set for the close of record and no oral proceedings have been scheduled.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**BOARD OF PHARMACY**

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| <b><u>1. Title and its heading:</u></b>    | 4, Professions and Occupations |
| <b><u>Chapter and its heading:</u></b>     | 23, Board of Pharmacy          |
| <b><u>Articles and their headings:</u></b> | 1, Administration              |
|  | 4, Professional Practices      |
| <b><u>Section numbers:</u></b>             | To be determined               |

**2. Subject matter of the proposed rule:**

H.B. 2415 passed in the 2000 Legislative session. The bill establishes a new section, A.R.S. § 32-1970, that allows a pharmacist to participate in collaborative drug therapy management with a physician. H.B. 2415 mandates that the Board make rules approved by the Allopathic Board of Medical Examiners and the Board of Osteopathic Examiners in Medicine and Surgery to implement section 32-1970. The proposed rule will fulfill that mandate by establishing specific requirements and standards for the expansion of pharmacist practice into drug therapy management and collaborative practice. Collaboration with the Allopathic Board of Medical Examiners, Board of Osteopathic Examiners, and other interested parties in drafting a proposed rule has taken longer than expected. The original docket expired on May 8, 2001.

**The agency docket number, if applicable:** R0106

**3. A citation to all published notices relating to the proceeding:**

Notice of Rulemaking Docket Opening: 6 A.A.R. 1674, May 8, 2000

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

Name: Dean Wright, Compliance Officer  
Address: Board of Pharmacy  
5060 N. 19th Avenue, Suite 101  
Phoenix, AZ 85015  
Telephone: (602) 255-5125, ext. 131  
Fax: (602) 255-5740  
E-mail: rxcop@qwest.net

**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 Monday through Friday, 8:00 a.m. to 5:00 p.m.

The time and place where oral comments may be made:

Time: Monday through Friday, 8:00 a.m. to 4:30 p.m.

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Location: Board of Pharmacy  
5060 N. 19th Avenue, Suite 101  
Phoenix, AZ 85015

Nature: Oral comments

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

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

None

**NOTICE OF RULE MAKING DOCKET OPENING**

**RADIATION REGULATORY AGENCY**

**1. Title and its heading:**

12, Natural Resources

**Chapter and its heading:**

1, Radiation Regulatory Agency

**Article and its heading:**

7, Use of Radionuclides in the Healing

9, Particle Accelerators

**Section numbers:**

R12-1-714, R12-1-717, R12-1-718, and R12-1-905.

**2. Subject matter of the proposed rules:**

The rules in Article 7 and 9 are being amended to keep them abreast of current standards and practices in the affected medical fields

The following describes the proposed changes:

R12-1-714, R12-1-717, and R12-1-718 are being amended to ensure that a physicist assisting physicians in brachytherapy procedures meets the qualification requirements imposed on a physicist that assists physicians that treat cancer patients using teletherapy and particle accelerator systems.

R12-1-905 is being amended to correct a rule deficiency that came to the Agency's attention when the requirements in R12-1-612 were moved to Article 9 in June of 2001. R12-1-905 does not allow users of a particle accelerators to take diagnostic x-rays when the therapy system is set up for electron therapy. The rule states that the therapy system must have an interlock system that prevents irradiation with x-rays when the particle accelerator is set to produce electron radiation.

**Agency docket number:** RMP-0052 and RMP-0054

**3. A citation to all published notices relating to the proceedings:**

None

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

Name: Aubrey Godwin

Address: Radiation Regulatory Agency  
4814 S. 40th Street  
Phoenix, AZ 85040

**5. The time during which written comment can be made:**

Written comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday

The time and place where oral comment can be made:

Oral comments will be accepted 8:00 a.m. to 4:30 p.m., Monday through Friday, at the Radiation Regulatory Agency, 4814 S. 40th Street, Phoenix, AZ 85040.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control  
**Article and its heading:** 7, Existing Stationary Source Performance Standards  
**Section numbers:** R18-2-715 and R18-2-715.01
- 2. The subject matter of the proposed rule:**  
The Arizona Department of Environmental Quality will propose source-requested reductions in emission limits in R18-2-715 that are applicable to a copper smelter that has been shut down and is considering resuming operation. This rule will also propose changes to compliance and monitoring provisions in R18-2-715.01.
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 7 A.A.R. 2776, June 29, 2001  
Notice of Proposed Rulemaking: 7 A.A. R. 4048, September 14, 2001
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Mark Lewandowski  
Address: Department of Environmental Quality  
3033 N. Central Ave., T5109B  
Phoenix, AZ 85012  
Telephone: (602) 207-2230  
Fax (602) 207-2366
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
See Notice of Proposed Rulemaking: 7 A.A.R. 4048, September 14, 2001
- 6. A timetable for agency decisions or other action on the proceeding:**  
See Notice of Proposed Rulemaking: 7 A.A.R. 4048, September 14, 2001

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**DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 1. Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control  
**Article and its heading:** 10, Motor Vehicles; Inspection and Maintenance  
**Section numbers:** R18-2-1024
- 2. The subject matter of the proposed rule:**  
The Arizona Department of Environmental Quality (ADEQ) is proposing a rule to implement a pilot program for roadside diesel testing according to Sections 10 and 19 of Chapter 371, Laws 2001 (HB2538). Such a program would be implemented by contractors interested in participating in the permanent roadside diesel testing program under A.R.S. § 49-542.06.
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 7 A.A.R. 4098, September 14, 2001
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Mark Lewandowski  
Address: Department of Environmental Quality  
3033 N. Central Ave.  
Phoenix, AZ 85012  
Telephone: (602) 207-2230  
Fax: (602) 207-2366

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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:**

See Notice of Proposed Rulemaking: 7 A.A.R. 4086, September 14, 2001

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

See Notice of Proposed Rulemaking: 7 A.A.R. 4086, September 14, 2001