

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

DEPARTMENT OF AGRICULTURE - ANIMAL SERVICES DIVISION

- 1. Title and its heading:** 3, Agriculture
Chapter and its heading: 2, Department of Agriculture - Animal Services Division
Article and its heading: 4, Animal Disease Prevention and Control
5, State-Federal Cooperative Disease Control Program
6, Health Requirements Governing Admission of Animals
Section numbers: R3-2-412, R3-2-505, R3-2-606, R3-2-614
As a part of this rulemaking, the Department may add, delete or modify additional Sections as necessary.
- 2. The subject matter of the proposed rule:**
This rulemaking conforms the Department's rules with amendments to the Code of Federal Regulations at 9 CFR Parts 54 and 79 effective September 20, 2001. The amendments establish requirements for moving sheep and goats interstate to help prevent the interstate spread of scrapie. Additionally, the Department will promulgate a new rule requiring official scrapie eartag identification for all exhibition sheep and goats, whether they are imported from another state or native to Arizona.
- 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: Sherry D. Blatner
Address: Department of Agriculture
1688 W. Adams Street
Phoenix, AZ 85007
Telephone: (602) 542-0962
Fax: (602) 542-5420
E-mail: sherryblatner@agric.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:**
Written comments: 8:00 a.m. – 5:00 p.m., Monday through Friday
Oral comments: 8:00 a.m. – 4:00 p.m., Monday through Friday
Department of Agriculture
1688 W. Adams Street
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
Unknown

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF BEHAVIORAL HEALTH EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 6, Board of Behavioral Health Examiners
Articles and their headings: 1, Definitions
2, General Provisions
3, Certification
4, Social Work
5, Counseling
6, Marriage and Family Therapy
7, Substance Abuse Counseling and Treatment
8, Certificate Renewal and Continuing Education
9, Appeal of Certification or Renewal Ineligibility
10, Disciplinary Process for Unprofessional Practices
11, Standards of Practice
12, Unprofessional Practice
To be determined

Section numbers:

2. Subject matter of the proposed rule:

The Board's five-year rule review process that started in mid-2001 identified numerous Sections of all ten Articles for amending or repeal. The process also identified a need for two new Articles regarding standards of practice and unprofessional practice and a new Section in Article 8 regarding continuing education for Certified Substance Abuse Counselors. The five-year rule revision will be completed and submitted to the Governor's Regulatory Review Council by March 2002. In light of that report, the Board staff is issuing this notice of docket opening and beginning preliminary work on draft proposed rules. Many of the amendments to the rules will be format, style, grammar, and punctuation changes to comply with Secretary of State and G.R.R.C. rules. Additionally, the changes will involve new definitions, clarifying language, citation changes, the official repeal of R4-6-506, and the new Articles 11 and 12. Article 11 will establish standards of practice regarding consent for treatment, treatment plans, treatment records, financial and billing records, and confidentiality. To improve clarity, understandability, and compliance, Article 12 will identify specific unprofessional practices based on the unprofessional practices established in statute.

The agency docket number, if applicable: R0101

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: Debra Rinaudo, Executive Director
Address: Board of Behavioral Health Examiners
1400 W. Washington, #350
Phoenix, AZ 85007
Telephone: (602) 542-1882
Fax: (602) 542-1830
E-mail: rinaudo_debra@pop.state.az.us

5. The time during which the agency will accept written comments:

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.
Location: Board of Behavioral Health Examiners
1400 W. Washington #350
Phoenix, AZ 85007
Nature: Oral comments

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

Arizona Administrative Register
Notices of Rulemaking Docket Opening

- 6. A timetable for agency decisions or other action in the proceeding:**
None

NOTICE OF RULEMAKING DOCKET OPENING

STATE REAL ESTATE DEPARTMENT

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 28, Real Estate Department
Article and its heading: 1, General Provisions
4, Education
Section numbers: R4-28-104, R4-28-403
- 2. Subject matter of the proposed rule:**
The Department proposes to amend A.A.C. R4-28-104 to eliminate the amounts stated for broker's and salesperson's examination application and examination. The Department proposes to amend R4-28-403 by adding a new paragraph clarifying that the amount of the fees charged applicants to apply for and take the state license exam, as required by A.R.S. § 32-2124(E), (F), and (G), shall be within the range established in A.R.S. § 32-2132(A)(1), (2), (5), and (6).
- 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: Cindy Wilkinson, Policy Officer
Address: State Real Estate Department
2910 N. 44th Street, Suite 100
Phoenix, AZ 85018
Telephone: (602) 468-1414, ext. 345
Fax: (602) 955-6284
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written and oral comments will be accepted at the location listed in item #5 until 5:00 p.m. January 17, 2002. Written comments will be accepted between 8:00 a.m. and 5:00 p.m., Monday through Friday (excluding state holidays). Oral comments will be accepted at the oral proceedings, scheduled for 10:00 a.m. January 17, 2002. The close of record is scheduled for 5:00 p.m. on January 17, 2002.
- 6. A timetable for agency decisions or other action in the proceeding:**
Unknown

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF APPRAISAL

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 46, Board of Appraisal
Article and its heading: 4, Standards of Practice
Section numbers: R4-46-401
- 2. The subject matter of the proposed rule:**
To amend the Standards of Appraisal Practice to conform, by reference, to the most recent edition of the Uniform Standards of Appraisal Practice (2002 USPAP), published by the Appraisal Foundation, which becomes effective nationally on January 1, 2002.
- 3. A citation to all published notices relating to the proceeding:**
None to date
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Edward C. Logan
Address: 1400 W. Washington, Suite 360
Phoenix, AZ 85007
Telephone: (602) 542-1543

Arizona Administrative Register
Notices of Rulemaking Docket Opening

Fax: (602) 542-1598
E-mail: elogan@appraisal.state.az.us

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

Written comments will be accepted Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments will be heard at the Board Meeting beginning at 9:00 a.m. on January 17, 2002 in Basement Conference Room B-2 at 1400 W. Washington, Phoenix, AZ 85007 under agenda item Notice of Proposed Rulemaking.

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

The Board expects to move forward with the Notice of Proposed Rulemaking immediately after the required public exposure time. In 2000, this yearly USPAP change became effective April 4.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) - ADMINISTRATION

1. Title and its heading:

9, Health Services

Chapter and its heading:

22, Arizona Health Care Cost Containment System (AHCCCS) - Administration

Article and its heading:

2, Scope of Service

Section numbers:

R9-22-201, R9-22-204, R9-22-205, R9-22-207, R9-22-208, R9-22-209, R9-22-211, R9-22-213, R9-22-215, R9-22-216

Other Sections may be added, deleted, or modified as necessary.

2. The subject matter of the proposed rule:

The rule package is to define the scope of service for AHCCCS acute care program. The Administration is amending the rules to make the rules more clear, concise, and understandable.

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, Mail Drop 4200
Phoenix, AZ 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

5. The time 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 anticipates filing a Notice of Proposed Rulemaking in December 2001 and holding a public hearing in February 2002.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) - ADMINISTRATION

1. Title and its heading:

9, Health Services

Chapter and its heading:

22, Arizona Health Care Cost Containment System (AHCCCS) - Administration

Article and its heading:

5, General Provisions and Standards;

7, Standards for Payments

Other Articles may be added, deleted, or modified as necessary.

Section numbers:

R9-22-503, R9-22-702, R9-22-703, R9-22-704, R9-22-707,

Notices of Rulemaking Docket Opening

R9-22-711, R9-22-713

Other Sections may be added, deleted, or modified as necessary.

2. The subject matter of the proposed rule:

AHCCCS is amending the acute care rules to make the rules more clear, concise, and understandable.

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, Mail Drop 4200
Phoenix, AZ 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756

5. The time 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 anticipates filing a Notice of Proposed Rulemaking in March 2002 and holding a public hearing in April 2002.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)

ARIZONA LONG-TERM CARE SYSTEM

1. Title and its heading:

9, Health Services

Chapter and its heading:

28, Arizona Health Care Cost Containment System (AHCCCS) -
Arizona Long-term Care System

Article and its heading:

2, Scope of Service

Section numbers:

R9-28-201, R9-28-204, R9-28-205

Other Sections may be added, deleted, or modified as necessary.

2. The subject matter of the proposed rule:

The rule package is to define scope of service for AHCCCS Long-term Care program. The Administration is amending these rules to make the rules more clear, concise, and understandable.

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, Mail Drop 4200
Phoenix, AZ 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756

5. The time 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 anticipates filing a Notice of Proposed Rulemaking in December 2001 and holding a public hearing in February 2002.

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)

ARIZONA LONG-TERM CARE SYSTEM

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System (AHCCCS) - Arizona Long-Term Care System
Article and its heading: 7, Standards for Payments
Other Articles may be added, deleted, or modified as necessary.
Section numbers: R9-28-702, R9-28-703, R9-28-704, R9-28-709, R9-28-711, R9-28-712
Other Sections may be added, deleted, or modified as necessary.
- 2. The subject matter of the proposed rule:**
AHCCCS is amending the long-term care rules to make the rules more clear, concise, and understandable.
- 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, Mail Drop 4200
Phoenix, AZ 85034
Telephone: (602) 417-4198
Fax: (602) 256-6756
- 5. The time 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 anticipates filing a Notice of Proposed Rulemaking in March 2002 and holding a public hearing in April 2002.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)

CHILDREN'S HEALTH INSURANCE PROGRAM

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 31, Arizona Health Care Cost Containment System (AHCCCS) - Children's Health Insurance Program
Article and its heading: 7, Standards for Payments
Other Articles may be added, deleted, or modified as necessary.
Section numbers: R9-31-702, R9-31-703, R9-31-704, R9-31-707, R9-31-711, R9-31-713,
Other Sections may be added, deleted, or modified as necessary.
- 2. The subject matter of the proposed rule:**
AHCCCS is amending the Children's Health Insurance Program rules to make the rules more clear, concise, and understandable.
- 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, Mail Drop 4200

Notices of Rulemaking Docket Opening

Phoenix, AZ 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

5. The time 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 anticipates filing a Notice of Proposed Rulemaking in March 2002 and holding a public hearing in April 2002.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
CHILDREN'S HEALTH INSURANCE PROGRAM**

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 31, Arizona Health Care Cost Containment System - Children's Health Insurance Program
Article and its heading: 2, Scope of Service
Section numbers: R9-31-201, R9-31-204, R9-31-205, R9-31-207, R9-31-208, R9-31-209, R9-31-212, R9-31-213, R9-31-215, R9-31-216
Other Sections may be added, deleted, or modified as necessary.

- 2. The subject matter of the proposed rule:**
The rule package is to define Scope of Service for AHCCCS KidsCare program. The Administration is amending these rules to make the rules more clear, concise, and understandable.

- 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, Mail Drop 4200
Phoenix, AZ 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

5. The time 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 anticipates filing a Notice of Proposed Rulemaking in December 2001 and holding a public hearing in February 2002.

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: 7, Highway Encroachments and Permits
Section numbers: R17-3-701, R17-3-701.01

- 2. Subject matter of the proposed rule:**
This rulemaking deals with advertising signs that may be placed along interstate and state highways. This proposed rule-

Notices of Rulemaking Docket Opening

making will address conditions that have changed during the past 20 years, thereby enhancing administration of the rules. In order to clarify format and language, the Department proposes repealing the existing rules, and adding new Sections. The 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:

All previous docket openings have expired.

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

Name: Wendy S. LeStarge, Rules Analyst
Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079
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

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

1. Title and its heading:

20, Commerce, Banking, and Insurance

Chapter and its heading:

6, Department of Insurance

Article and its heading:

To be determined

Section numbers:

To be determined

2. Subject matter of the proposed rule:

The Arizona Department of Insurance intends to initiate a rulemaking to establish requirements regarding captive insurers, including fees for issuance and renewal of captive insurance licenses.

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: Margaret L. McClelland
Address: Department of Insurance
2910 N. 44th St., Suite 210
Phoenix, AZ 85018
Telephone: (602) 912-8456
Fax: (602) 912-8452

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 during a public comment period that will be noticed in the publication of the proposed rulemaking. The Department will schedule an oral proceeding, within the statutorily mandate time-frame, to be noticed in the Register.

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

The Department expects to file a Notice of Proposed Rulemaking during the first quarter of 2002.