

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

BOARD OF BARBER EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 5, Board of Barber Examiners
Articles and their headings: 1, General Provisions
2, Examination and Practitioner Licensing
3, Shops
4, Schools
5, Hearings
Section numbers: R4-5-101, R4-5-102, R4-5-103, R4-5-104, R4-5-105, R4-5-106, R4-5-107, R4-5-201, R4-5-202, R4-5-203, R4-5-204, R4-5-205, R4-5-301, R4-5-302, R4-5-303, R4-5-304, R4-5-401, R4-5-402, R4-5-403, Exhibit 1, Exhibit 2, R4-5-404, R4-5-405, R4-5-406, R4-5-407, R4-5-408, R4-5-501, and R4-5-502
(The Board may add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rules:**
In this rulemaking, the Board amends 4 A.A.C. 5 with the following objectives:

 - A. To bring the Chapter into conformity with current Arizona Administrative Procedure Act standards for clarity, conciseness, and understandability.
 - B. To add new Sections that set forth provisions for:
 1. Licensing time-frames;
 2. Application forms;
 3. Inspections; and
 4. Minimum school curriculum.
 - C. To modify the Board's Article on hearings to bring provisions into full conformity with A.R.S. Title 46, Chapter 6, Article 10.

This rulemaking arises from five-year rule review F-99-1201 approved by the Governor's Regulatory Review Council on December 7, 1999.
- 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 rules:**

Name: Mario J. Herrera, Executive Director
Address: Board of Barbers
1400 W. Washington, Suite 200
Phoenix, AZ 850007
Telephone: (602) 542-4498
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:**
An interested person may submit written or oral comments to the agency official listed in item #4 from 8:00 a.m. to 5:00 p.m. Monday through Friday except state holidays.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

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NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
ARIZONA LONG-TERM CARE SYSTEM

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System
Arizona Long-term Care System
Articles and their headings: 1, Definitions
3, Preadmission Screening (PAS)
Section numbers: R9-28-101, R9-28-103, and R9-28-306
- 2. The subject matter of the proposed rules:**
The rules provide definitions for the ALTCS program rules and the criteria for reassessment of ALTCS clients.
- 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 rules:**
Name: Barbara Ledder
Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4580
Fax: (602) 253-9115
- 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 listed in item #4.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
The Administration anticipates filing a Notice of Proposed Rulemaking in November 2003.

NOTICE OF RULEMAKING DOCKET OPENING

RADIATION REGULATORY AGENCY
MEDICAL RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS

- 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 headings: 1, General Provision
2, Application and Certification of Technologists
4, Schools of Practical Radiologic Technology
5, Nuclear Medicine Technologist Certification
6, Peripheral Bone Mineral Densitometry Technologist Certification
Section numbers: R12-2-101, R12-2-201, R12-2-202, R12-2-401, R12-2-501, R12-2-502, R12-2-503, R12-2-504, R12-2-505, R12-2-506, R12-2-601, R12-2-602, R12-2-603, R12-2-604, and R12-2-605 (As part of this rulemaking, the Agency may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**
R12-2-101—Adds a definition to limit the practice of performing radiography of biopsied human tissue to radiologic technologists.
R12-2-102—Adds Board recognized nuclear medicine and bone densitometry certifying bodies.
R12-2-104—Will be amended to include schools of nuclear medicine technology.
R12-2-201—Will be amended to include application requirements for the nuclear medicine and practical technologist in bone densitometry.

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R12-2-202—Addition of waiver of refresher exam for inactive certificate holders or new applicants who equal or exceed MRTBE statutory continuing education requirements.

R12-2-401—Adds provision permitting application for examination and certification by graduates of non-MRTBE approved schools of Practical Technology in Radiology.

R12-2-501—Adds definitions of nuclear medicine and nuclear medicine technologist and other related terms as required by HB 2042 (Ch. 233, 2002).

R12-2-502—Adds rule restricting the use of “nuclear medicine technologist” or “CNMT” to only nuclear medicine technologists certified by the MRTBE.

R12-2-503—Adds requirement that a certificate must be displayed at technologist’s place of employment.

R12-2-504—Adds requirements to apply for school of nuclear medicine approval.

R12-2-505—Adds standards for Schools of Nuclear Medicine Technology; adds list of approved schools.

R12-2-506—Adds grandfather clause.

R12-2-601—Adds definitions relative to peripheral bone densitometry technologists and technology.

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

Notice of Proposed Rulemaking: 9 A.A.R. 3922, September 12, 2003

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

Name: John M. Gray
Address: 4814 S. 40th Street
Phoenix, AZ 85040
Telephone: (602) 255-4845, ext. 241
Fax: (602) 437-0705

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

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

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

The Agency intends to adopt rules under this rulemaking as soon as possible. The Agency will publish a Notice of Proposed Rulemaking in the *Arizona Administrative Register* which will include the exact wording of the proposed rules and the date, time, and location of an oral proceeding.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER POLLUTION CONTROL**

1. Title and its heading:

18, Environmental Quality

Chapter and its heading:

9, Department of Environmental Quality

Article and its heading:

Water Pollution Control

Parts and their headings:

9, Arizona Pollutant Discharge Elimination System

A, General Requirements

C, General Permits

D, Animal Feeding Operations and Concentrated Animal Feeding

Operations

Section numbers:

18-9-A901, 18-9-A902, 18-9-A905, 18-9-A907, 18-9-C901,

18-9-C905, 18-9-D901, 18-9-D902, 18-9-D903, 18-9-D904,

and 18-9-D905

2. The subject matter of the proposed rules:

The purpose of this rulemaking is to update the Arizona Pollutant Discharge Elimination System (AZPDES) program rules to conform with updates to the National Pollutant Discharge Elimination System (NPDES) regulations. This rulemaking makes other minor changes.

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

Notice of Proposed Rulemaking: 9 A.A.R. 3927, September 12, 2003

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

Name: Jane DeRose-Bamman
Address: ADEQ
1110 W. Washington
Phoenix, AZ 85007
Telephone: (602) 771-4374
Fax: (602) 771-4674
E-mail: jdb@ev.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 will be accepted through October 14, 2003. An oral proceeding for the proposed rulemaking is scheduled for Tuesday, October 14, 2003, 1:00 p.m. in Conference Room 250, 1110 W. Washington, Phoenix, AZ 85007.

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

The Department's notice of proposed rulemaking should be published the same date as this docket opening. The Department anticipates that the final rulemaking will be heard at the December 2, 2003, Governor's Regulatory Review Council's (G.R.R.C.) hearing. If G.R.R.C. approves the final rulemaking on December 2, 2003, the final rules should take effect by February 12, 2004.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF LIQUOR LICENSES AND CONTROL

1. Title and its heading:

19, Alcohol, Horse and Dog Racing, Lottery, and Gaming

Chapter and its heading:

1, Department of Liquor Licenses and Control

Article and its heading:

2, Director

Section numbers:

R19-1-201, R19-1-202, R19-1-203, R19-1-204, R19-1-205, R19-1-206, R19-1-207, R19-1-208, R19-1-209, R19-1-210, R19-1-211, R19-1-212, R19-1-213, R19-1-214, R19-1-215, R19-1-216, R19-1-217, R19-1-218, R19-1-219, R19-1-220, R19-1-221, R19-1-222, R19-1-223, R19-1-224, R19-1-225, R19-1-226, R19-1-227, R19-1-228, R19-1-229, R19-1-230, R19-1-231, R19-1-232, R19-1-233, R19-1-234, and R19-1-235

2. The subject of the proposed rules:

The Department of Liquor is amending its rules to meet current drafting standards and to ensure consistency with state and federal statutes.

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

Notice of Rulemaking Docket Opening: 8 A.A.R. 3486, August 9, 2002

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

Name: Special Investigator Michael Williams or Wes Kuhl
Address: 800 W. Washington, 5th Floor
Phoenix, AZ 85007
Telephone: (602) 542-9789 or (602) 542-9072
Fax: (602) 542-5707

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:

To be determined

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF LIQUOR LICENSES AND CONTROL

- 1. Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 1, Department of Liquor Licenses and Control
Article and its heading: 3, Unlicensed Premises Definitions and Hearing Procedures
Section numbers: R19-1-301, R19-1-302, R19-1-303, R19-1-304, R19-1-305, R19-1-306, R19-1-307, R19-1-308, R19-1-309, R19-1-310, R19-1-311, R19-1-312, R19-1-313, R19-1-314, R19-1-315, R19-1-316, and R19-1-317
- 2. The subject of the proposed rules:**
The Department of Liquor is amending its rules to meet current drafting standards and to ensure consistency with state and federal statutes.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 8 A.A.R. 3759, August 30, 2002
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Special Investigator Michael Williams or Wes Kuhl
Address: 800 W. Washington, 5th Floor
Phoenix, AZ 85007
Telephone: (602) 542-9789 or (602) 542-9072
Fax: (602) 542-5707
- 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:**
To be determined