

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 ADMINISTRATION

- 1. Title and its heading:** 2, Administration
Chapter and its heading: 5, Department of Administration – Personnel Administration
Article and its heading: 1, General,
4, Benefits
Section Numbers: R2-5-101, R2-5-414, R2-5-416, R2-5-417
- 2. Subject matter of the proposed rule:**
R2-5-101 defines the terms used in Chapter 5. The Department is amending the definitions of “child,” “eligible dependent,” and “knowledge, skills, and abilities (KSAs)” to conform to current usage. Amendments to R2-5-414 governing administration of leave without pay, R2-5-416 regarding the health benefit plan, and R2-5-417, regarding life insurance and short-term disability income insurance plans are to codify agency and employee financial responsibility while an employee is on leave without pay, to include benefits for qualifying returning university retirees, and to reformat and clarify benefit eligible dependents.
The agency docket number, if applicable:
None
- 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: Claudia Smith, Human Resources Consultant
Address: ADOA Human Resources
100 N. 15th Avenue, Suite 261
Phoenix, AZ 85007
Telephone: (602) 542-4894
Fax: (602) 542-2796
E-mail: Claudia.Smith@ad.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. M-F
Oral Comments: 8:00 a.m. – 4:00 p.m. W-F
ADOA Human Resources
100 N. 15th Avenue, Suite 261
Phoenix, AZ 85007
- 6. A timetable for agency decisions or other action in the proceeding:**
The timetable for approval is October 2004.

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 - Administration
Article and its heading: 10, First- and Third-party Liability and Recovery
Section numbers: R9-22-1003 (As part of this rulemaking, AHCCCS may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**

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AHCCCS is amending R9-22-1003 to clarify payment when a contractor reimburses a non contracting provider after liability by a third party has been established.

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

At this time R9-22-1003 has been approved by GRRC, but has not reached it's effective date.

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

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
E-mail Address: proposedrules@ahcccs.state.az.us

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 question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

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

AHCCCS filed a Notice of Proposed Rulemaking in March 2004.

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:

9, First- and Third-party Liability and Recoveries

Section numbers:

R9-28-901, R9-28-911, R9-28-913 through R9-28-919 (As part of this rulemaking, AHCCCS may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rule:

AHCCCS is clarifying "Undue Hardship" and proposing rules to implement Tefra liens under 42 U.S.C. 1396p

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

At this time R9-28-901 and R9-28-911 have been approved by GRRC, but have not reached their effective date.

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

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
E-mail: proposedrules@ahcccs.state.az.us

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 question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

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

AHCCCS filed a Notice of Proposed Rulemaking in March 2004.

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NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
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: 16, Services for Native Americans
Section numbers: R9-31-1616 (Other Sections may be added, deleted, or modified as necessary.)
2. **The subject matter of the proposed rule:**
The subject matter of the proposed rule addresses AHCCCS payment requirements to IHS. The rules are being amended to make them 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: Barbara Ledder
Address: AHCCCS
Office of Legal Assistance
801 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4580
Fax: (602) 253-9115
E-mail: proposedrules@ahcccs.state.az.us
5. **The time which the agency will accept written comments and the time and place where oral comments may be made:**
AHCCCS will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. A public hearing 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:**
AHCCCS anticipates filing a Notice of Proposed Rulemaking in April 2004.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 8, Department of Environmental Quality – Waste Management
Article and its heading: 2, Hazardous Waste
Section numbers: R18-8-260, R18-8-261, R18-8-263, R18-8-264, R18-8-265, R18-8-266, R18-8-268, R18-8-270, R18-8-271
(As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rule:**
The Department of Environmental Quality (DEQ) is amending the state's hazardous waste rules to incorporate the text of federal regulations for the purpose of obtaining re-authorization of the state's hazardous waste management program by the United States Environmental Protection Agency. This year's amendments cover changes in the federal regulations promulgated between June 30, 2000, and July 1, 2002. In addition to incorporating federal regulations, with technical changes, this rulemaking: corrects errors; updates the rules to reflect amendments to state statute; clarifies DEQ's existing practices; and makes the language more clear and concise.
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: Denise McConaghy
Address: Arizona Department of Environmental Quality
Waste Programs Division
1110 W. Washington Street
Phoenix, AZ 85007
Telephone: (602) 771-4110

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Fax: (602) 771-4138
E-mail: McConaghy.Denise@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 on the proposed rule will be accepted at the above address until 5:00 p.m. on May 12, 2004. A public hearing on the proposed rule will be held on May 11, 2004, at 1:00 p.m. in Suite 145 at the above address.

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

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

BANKING DEPARTMENT

1. Title and its heading:

20, Commerce, Banking, and Insurance

Chapter and its heading:

4, Banking Department

Article(s) and its (their) heading:

17, Arizona Interstate Bank and Savings and Loan Association Act

Section numbers:

R20-4-1701, R20-4-1702, R20-4-1703, R20-4-1704, R20-4-1705,
R20-4-1706

2. The subject matter of the proposed rule:

This group of revisions was delayed after the Department first opened its docket on account of pending federal legislation contained in H.R. 1375, introduced in Congress March 20, 2003. These Sections, in the Department's original 1986 rulemaking, implemented the Arizona Interstate Bank and Savings and Loan Association Act, A.R.S. § 6-321 *et seq.*, ("the Act"). Since 1986, the federal Congress has enacted the Riegle-Neal Interstate Banking and Branching Efficiency Act ("Riegle-Neal Act," 12 U.S.C. § 1831 *et seq.*). Riegle-Neal changed the legal framework and procedure regulating banks' and bank holding companies' interstate branching transactions. The Riegle-Neal Act also preempted much of Arizona's Act. As a result, parts of Article 17 are now dated and in need of revision.

On November 7, 2000, the Council approved the Department's five-year-rule-review report. In that report, the Department promised to amend or repeal several Sections of Article 17 in response to the new federal statutes and the Arizona legislature's acknowledgement that the federal banking authorities have modernized and streamlined interstate branching. This rulemaking is to fulfill the Department's promise to harmonize these Sections of the Administrative Code with the modern federal trend to ease interstate branching.

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

Notice of Rulemaking Docket Opening, 9 A.A.R. 390, February 7, 2003

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

Name: John P. Hudock
Address: Banking Department
2910 N 44th Street, Suite 310
Phoenix, AZ 85018-7270
Telephone: (602) 255-4421, ext.167
Fax: (602) 381-1225
E-mail: jhudock@azbanking.com

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

The department accepts written comments during business hours at the address stated in item 4 of this Notice. Comments are welcome at any time until the close of the record in this proceeding. The date for closure of the record depends on the publication date of the actual proposed rules, which has not yet occurred. Notice of any opportunity to make public oral comment will be published as required by law.

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

No timetable has been projected or established. In December 2004 the department expects to submit the rules to GRRC for approval.