

## 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

#### VETERINARY MEDICAL EXAMINING BOARD

[R05-223]

- 1. Title and its heading:** 3, Agriculture  
**Chapter and its heading:** 11, Veterinary Medical Examining Board  
**Article and its heading:** 1, General Provisions  
2, Application and Examination for Licensure  
3, Temporary Permittees  
4, Continuing Education Requirements  
5, Standards of Practice  
6, Veterinary Technicians  
8, Drug Dispensing  
9, Investigations and Hearings

**Section numbers:** R3-11-101, R3-11-102, R3-11-105, R3-11-108, Table 1, R3-11-109, R3-11-201, R3-11-203, R3-11-304, R3-11-401 through R3-11-403, R3-11-501, R3-11-502, R3-11-606, R3-11-803, R3-11-805, R3-11-807, R3-11-902 through R3-11-904 (The Board may add, delete, or modify sections as necessary.)
- 2. The subject matter of the proposed rule:**  
The Board is amending its rules by addressing issues identified in its five-year review report approved by the Governor's Regulatory Review Council on December 7, 2004. Most of the changes are technical in nature and are being made to improve clarity, conciseness, and understandability, update references, and correct statutory and rule time-frames and citations. The Board is adding continuing education requirements for veterinary technicians and amending its standards of practice in Article 5.
- 3. A citation to all published notices relating to the proceeding:**  
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:	Jenna Jones, Executive Director
Address:	1400 W. Washington, Suite 240 Phoenix, AZ 85007
Telephone:	(602) 542-1739
Fax:	(602) 364-1039
E-mail:	jenna.jones@vetbd.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:**  
The Board will accept written comments at the location listed in item #4 between 8 a.m. and 5 p.m. Monday through Friday, until the close of record. The Board has not scheduled an oral proceeding at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF BEHAVIORAL HEALTH EXAMINERS

[R05-222]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 6, Board of Behavioral Health Examiners  
**Article and its heading:** 6, Marriage and Family Therapy

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**Section number:** R4-6-604 (The Board may add, delete, or modify Sections as necessary.)

- 2. The subject matter of the proposed rule:**  
The purpose of this rulemaking is to modify the hours of clinical supervision required for licensure as a marriage and family therapist to include a specific number of hours that focus on couples, families, and relational systems.
- 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, Enforcement Manager  
Address: Arizona Board of Behavioral Health Examiners  
1400 W. Washington, #350  
Phoenix, AZ 85007  
Telephone: (602) 542-1899  
Fax: (602) 364-0890  
E-mail: sherry.blatner@bbhe.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 Monday through Friday from 8 a.m. to 5 p.m. at the location listed in item #4. The schedule for an oral proceeding is to be determined and will be published in a future issue of the *Register*.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**  
**DEPARTMENT OF HEALTH SERVICES**  
**ADMINISTRATION**

[R05-220]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 1, Department of Health Services – Administration  
**Article and its heading:** 2, Public Participation in Rulemaking  
3, Disclosure of Medical Records  
**Section numbers:** R9-1-203, R9-1-311, and R9-1-312 (The Department may add, delete, or modify sections as necessary.)
- 2. The subject matter of the proposed rule:**  
R9-1-203, R9-1-311, and R9-1-312 were substantially revised effective July 15, 2002. On August 3, 2004, the Governor’s Regulatory Review Council approved the Department’s five-year review report of 9 A.A.C. 1, Articles 1 through 4, which included R9-1-203, R9-1-311, and R9-1-312.  
A.R.S. § 41-1033 authorizes a person to petition an agency to request the making of a final rule or the review of an existing agency practice or substantive policy statement that the petitioner alleges to be a rule. The statute authorizes an agency to prescribe the petition’s manner and form. The Department established in R9-1-203 the requirements for a petition for a rule or review of a practice or policy. The Department is amending R9-1-203 for consistency with A.R.S. § 41-1033(A).  
The Department is also amending R9-1-311 and R9-1-312, dealing with disclosure of medical records, for consistency with state and federal statutes and rules. The Department will make additional changes that improve these rules.
- The agency docket number, if applicable:**  
RE-012-05
- 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: Kathleen Phillips, Rules Administrator  
Address: Office of Administrative Rules  
Arizona Department of Health Services  
1740 W. Adams, Room 202  
Phoenix, AZ 85007  
Telephone: (602) 542-1264  
Fax: (602) 364-1150

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E-mail: phillik@azdhs.gov

**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 at the locations listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

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

To be announced

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES  
VITAL RECORDS AND STATISTICS**

[R05-208]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

19, Department of Health Services – Vital Records and Statistics

**Article and its heading:**

1, Administrative Organization, Duties and Procedures

3, Duties of Persons Responsible for Death Records; Post-mortem Procedures

**Section numbers:**

R9-19-101 and Sections in Article 3 to be determined (The Department may add, delete, or modify sections as necessary.)

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

Laws 2004, Ch. 117, effective August 2004, revised A.R.S. Title 36, Chapter 3, Vital Records and Public Health Statistics that provides statutory authority for 9 A.A.C. 19, Department of Health Services, Vital Records and Statistics. A.A.C. Title 9, Chapter 19, contains requirements and procedures for birth and death certificates for individuals who die in the state of Arizona. The Department plans to amend all the rules and will begin by adding new definitions in R9-19-101 and amending Article 3, which contains requirements and procedures for disposition-transit permits, death certificates, fetal death certificates, delayed death certificates, disposition of human remains, and disinterment permits, consistent with current statutory authority, Department policies, and industry standards.

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

RE-010-05

**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: Kathleen Phillips, Rules Administrator

Address: Department of Health Services  
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Phoenix, AZ 85020

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Pat Adams, Office Chief

Address: Arizona Department of Health Services  
Division of Public Health Services  
Office of Vital Records  
1818 W. Adams St.  
Phoenix, AZ 85007

Telephone: (602) 364-1225

Fax: (602) 364-1257

E-mail: adamp@azdhs.gov

**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 Monday through Friday, 8 a.m. to 5 p.m., at the addresses listed in item #4 until the close of record, which has not yet been determined. The schedule for public hearings, at which oral comments may be presented, will be included in the notice of proposed rulemaking.

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

The Department has not yet determined a timetable for submitting a notice of proposed rulemaking.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES  
ARIZONA MEDICALLY UNDERSERVED AREA HEALTH SERVICES**

[R05-221]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

24, Department of Health Services – Arizona Medically Underserved Area Health Services

**Article and its heading:**

1, General  
2, Arizona Medically Underserved Areas  
3, Coordinating Medical Providers

**Section numbers:**

R9-24-101, R9-24-102, R9-24-201 through R9-24-203, Table 1, R9-24-204, R9-24-301, and R9-24-302 (The Department may add, delete, or modify sections as necessary.)

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

The eight rules and one table in 9 A.A.C. 24 became effective January 17, 2001. Article 1, General, and Article 2, Arizona Medically Underserved Areas, establish the Department's process for designating Arizona medically underserved areas (AzMUAs) as required by A.R.S. § 36-2352. Article 3, Coordinating Medical Providers, establishes the functions of coordinating medical providers in AzMUAs as directed by A.R.S. § 36-2354.

The Governor's Regulatory Review Council approved the Department's five-year review report for Chapter 24 on December 7, 2004. The Department is proceeding with rulemaking according to the five-year review report.

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

RE-011-05

**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: Myriam Vega, Office Chief

Address: Office of Health Systems Development  
Arizona Department of Health Services  
1740 W. Adams, Room 410  
Phoenix, AZ 85007

Telephone: (602) 542-1219

Fax: (602) 542-2011

E-mail: vegami@azdhs.gov

Or

Name: Kathleen Phillips, Rules Administrator

Address: Office of Administrative Rules  
Arizona Department of Health Services  
1740 W. Adams, Room 202  
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

**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 at the locations listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

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

To be announced

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE  
TRANSACTION PRIVILEGE AND USE TAX SECTION

[R05-212]

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, Transaction Privilege Tax – Administration  
**Section numbers:** R15-5-2241 and R15-5-2242
2. **The subject matter of the proposed rule:**  
A.R.S. § 42-5015, the implementing statute for A.A.C. R15-5-2241 and R15-5-2242, governs the refunds of Arizona transaction privilege and use taxes provided to qualifying motion picture production companies. The Department is repealing the rules pursuant to the underlying legislative repeal of A.R.S. § 42-5015. *See* 2005 Ariz. Sess. Laws 317 § 4 (signed by Governor Janet Napolitano on May 20, 2005). The legislative repeal has a general effective date of August 12, 2005.  
**The agency docket number:**  
05-5-02
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: Hsin Pai, Analyst  
Address: Tax Policy and Research Division  
Arizona Department of Revenue  
1600 W. Monroe  
Phoenix, AZ 85007  
Telephone: (602) 716-6851  
Fax: (602) 716-7995  
E-mail: hpai@azdor.gov
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:**  
None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WEIGHTS AND MEASURES

[R05-224]

1. **Title and its heading:** 20, Commerce, Banking, and Insurance  
**Chapter and its heading:** 2, Department of Weights and Measures  
**Article and its heading:** 7, Motor Fuels and Petroleum Products  
**Section numbers:** R20-2-701, R20-2-702, R20-2-708, R20-2-709, R20-2-710, R20-2-711, R20-2-714, R20-2-715, R20-2-716, R20-2-750, R20-2-751, R20-2-752, R20-2-753, R20-2-755, R20-2-757, R20-2-758, R20-2-759, R20-2-760, Table 1, Table 2 (The Department may add, delete, or modify sections as necessary.)
2. **The subject matter of the proposed rule:** The Arizona Department of Weights and Measures (ADWM), in consultation with the Arizona Department of Environmental Quality (ADEQ), is considering proposing a rule to make changes to fuel formulation, quality assurance, and other requirements related to CBG (Cleaner Burning Gasoline) and conventional fuel to reflect recent legislation, contemporary standards, and improvements in clarity, conciseness, and understandability.
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: Duane Yantorno  
Address: ADWM  
4425 W. Olive, Suite 134  
Glendale, AZ 85302

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or

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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:**

To be announced in the Notice of Proposed Rulemaking

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

To be announced in the Notice of Proposed Rulemaking