

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

ACUPUNCTURE BOARD OF EXAMINERS

[R04-525]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 8, Acupuncture Board of Examiners
Article and its heading: 1, General Provisions
3, Training Programs and Continuing Education
4, Regulatory Provisions
5, Public Participation Procedures
Section numbers: R4-8-101; R4-8-105; R4-8-303; R4-8-304; R4-8-307; R4-8-311
R4-8-312; R4-8-401; R4-8-402; R4-8-501 through R4-8-506 (As part
of the rulemaking, other Sections may be added, deleted or modified
as necessary)
- 2. The subject matter of the proposed rule:**
This rulemaking will establish guidelines for Preceptorship training pursuant to A.R.S. § 32-3903(6).
- 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: Allen Imig, Executive Director
Address: Acupuncture Board of Examiners
1400 W. Washington, Suite 230
Phoenix, AZ 85007
Telephone: (602) 542-3095
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:**
The Board will accept written comments between 8:00 a.m. and 5:00 p.m. Monday through Friday. The Board will publish an opportunity to request an oral hearing with 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

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

[R04-526]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 12, Board of Funeral Directors and Embalmers
Article and its heading: 1, General Provisions
Sections numbers: R4-12-120 (The Board may add, delete, or modify Sections as
necessary)
- 2. Subject matter of the proposed rules:**
The Board is proposing a rule that sets out its inspection procedures for inspections for funeral establishments and crematories as required by A.R.S. §§ 32-1307(A)(5)(h) and 32-1383(C) and to comply with the Auditor General's recommendation in its 03-04 report. The Board may add, delete, or modify Sections as necessary.
- 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 rules:**

Notices of Rulemaking Docket Opening

Name: Rodolfo R. Thomas, Executive Director
Address: State Board of Funeral Directors and Embalmers
1400 W. Washington, Suite 230
Phoenix, AZ 85007
Telephone: (602) 542-3095
Fax: (602) 542-3093
E-mail: rudy.thomas@funeralbd.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 accepts written comments at the location listed above between 8 a.m. and 5 p.m. Monday through Friday, until the close of record. The Board has not scheduled oral proceedings 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 PHYSICAL THERAPY

[R04-527]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 24, Board of Physical Therapy
Article and its heading: 1, General Provisions
2, Licensing Provisions

Sections numbers: R4-24-101 through R4-24-107 and R4-24-201 through R4-24-209,
Table 1, Exhibit 1 (The Board may add, delete, or modify Sections
as necessary)

2. Subject matter of the proposed rules:

The Board is revising its rules in Articles 1 and 2 consistent with its five-year-review report approved by the Governor's Regulatory Review Council in October 2004. The Board is amending definitions and adding definitions to allow for consistent interpretation of its rules. Provisions are being amended or added for Board officers and access to Board records. Application requirements for a renewal license or certificate and an initial physical therapist license and physical therapist assistant certificate are being clarified, including applications by individuals educated in the United States and applications by individuals educated outside the United States. The provisions for reinstatement, interim permits, and supervised clinical practice are being amended. The Interim Period Evaluation Form is being repealed because an applicant will be evaluated using the Physical Therapist Assistant Clinical Performance Instrument or Physical Therapist Clinical Performance Instrument. The time-frames for Board action on the applications are being amended. The fee provisions are being moved from Article 2 to Article 1.

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 rules:

Name: Heidi Herbst Paakkonen, Executive Director
Address: State Board of Physical Therapy
1400 W. Washington, Suite 230
Phoenix, Arizona 85007
Telephone: (602) 542-3095
Fax: (602) 542-3093
E-mail: heidi.herbst-paakkonen@ptboard.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 accepts 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 oral proceedings at this time.

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

None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

[R04-528]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 6, Department of Health Services – Communicable Diseases and Infestations
Articles and their headings: 1, General
2, Communicable Disease and Infestation Reporting
3, Control Measures for Communicable Diseases and Infestations
4, AIDS Drug Assistance Program (ADAP)
9, HIV-Related Testing
Section numbers: R9-6-101; R9-6-204; R9-6-301; R9-6-339; R9-6-340; R9-6-401 through R9-6-409; and R9-6-901 through R9-6-903, including Exhibits A and B (ADHS may add or delete Sections or Exhibits as necessary.)
- 2. The subject matter of the proposed rule:**
In October 2004, the Governor’s Regulatory Review Council approved the Department’s five-year-review report concerning 9 A.A.C. 6, Articles 4 and 9, the Department’s rules for the AIDS Drug Assistance Program (ADAP) and HIV-related testing. In this rulemaking, the Department will revise the rules in 9 A.A.C. 6, Articles 4 and 9 as described in that five-year-review report. In addition, the Department will clarify provisions related to anonymous HIV-related testing in Article 3, will add a definition of “anonymous HIV-related testing” in Article 1, will change references to “anonymous HIV testing” in Article 2 to read “anonymous HIV-related testing,” and will make an unrelated technical correction in R9-6-340.
The agency docket number:
RE-017-04
- 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: Bruce Porter, Chief
Address: Department of Health Services
Office of HIV/AIDS
150 N. 18th Ave., Suite 110
Phoenix, AZ 85007
Telephone: (602) 364-3280
Fax: (602) 364-3268
E-mail: porterb@azdhs.gov
or
Name: Kathleen Phillips, Rules Administrator
Address: Department of Health Services
Office of Administrative Rules
1740 W. Adams, Suite 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:**
ADHS will accept written comments until the close of record, which has not yet been determined. ADHS has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
None

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
ADMINISTRATION

[R04-529]

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: 1, Definitions
Section numbers: 5, General Provisions and Standards
R9-22-101, R9-22-105, R9-22-501, R9-22-502, R9-22-504, R9-22-505, R9-22-507 through R9-22-514, R9-22-518, R9-22-521, R9-22-522, and R9-22-524. Other Sections may be added, deleted, or modified as necessary.
2. **The subject matter of the proposed rule:**
The rules outline the general provisions and standards applicable to the Administration and program contractors. They address quality, continuity and coordination of member care, as well as certain rights and prohibitions.
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: Mariaelena Ugarte
Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSRules@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 a.m. to 5 p.m., at the address indicated in question #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:**
The Administration anticipates filing a Notice of Proposed Rulemaking in 2005.

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

[R04-530]

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: 1, Definitions
Section numbers: 5, Program Contractor and Provider Standards
R9-28-101, R9-28-105, R9-28-502 through R9-28-505, R9-28-507, R9-28-510, R9-28-511, R9-28-513 through R9-28-515. Other Sections may be added, deleted, or modified as necessary.
2. **The subject matter of the proposed rule:**
The rules outline the general provisions and standards applicable to program contractors and providers. They address quality, continuity and coordination of member care, as well as certain rights and prohibitions.
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: Mariaelena Ugarte
Address: AHCCCS

Notices of Rulemaking Docket Opening

Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034

Telephone: (602) 417-4580
Fax: (602) 253-9115
Email: AHCCCSRules@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 a.m. to 5 p.m., at the address indicated in question #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:

The Administration anticipates filing a Notice of Proposed Rulemaking in 2005.

NOTICE OF RULEMAKING DOCKET OPENING

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

[R04-531]

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:

1, Definitions

Section numbers:

5, General Provisions and Standards
R9-31-101, R9-31-105, R9-31-501, R9-31-502, R9-31-504 through
R9-31-510, R9-31-512 through R9-31-514, R9-31-518, R9-31-520
through R9-31-524. Other Sections may be added, deleted, or modified
as necessary.

2. The subject matter of the proposed rule:

The rules outline the general provisions and standards applicable to program contractors and providers. They address quality, continuity and coordination of member care, as well as certain rights and prohibitions.

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: Mariaelena Ugarte
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: AHCCCSRules@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 a.m. to 5 p.m., at the address indicated in question #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:

The Administration anticipates filing a Notice of Proposed Rulemaking in 2005.

NOTICE OF RULEMAKING DOCKET OPENING

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

[R04-532]

1. Title and it's heading:

9, Health Services

Chapter and it's heading:

31, Arizona Health Care Cost Containment System – Children's Health

Notices of Rulemaking Docket Opening

Article and its heading: Insurance Program
7, Standards for Payments
16, Services for Native Americans
Section numbers: R9-31-710; R9-31-1616 (Other Sections may be added, deleted, or modified as necessary).

- 2. The subject matter of the proposed rule:**
The rules pertain to payment to providers and non-contracting providers for non-hospital services. 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: Mariaelena Ugarte
Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
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 2005.

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL

[R04-534]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality – Air Pollution Control
Article and its heading: 3, Permits and Permit Revisions
Section numbers: R18-2-327 (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 Arizona Department of Environmental Quality is considering proposing a rule to add emissions of ammonia (NH₃) to the pollutants to be reported by permitted sources on the Annual Emissions Inventory Questionnaire in R18-2-327, to bring Arizona into compliance with 40 CFR Part 51 Subpart A.
- 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: Kevin Force
Address: Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-4480
Fax: (602) 771-2366
- 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:**
To be announced in the Notice of Proposed Rulemaking.