

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 BEHAVIORAL HEALTH EXAMINERS

[R08-173]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 6, Board of Behavioral Health Examiners
Articles and their headings: 3, Licensure; 7, Substance Abuse Counseling
Section numbers: R3-6-304, R4-6-701 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
During the 48th Legislative Session in 2008, the Legislature passed House Bill 2325. The proposed rulemaking will include necessary changes to establish minimum requirements for issuance of reciprocal licenses and substance abuse technician licenses.
- 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: Board of Behavioral Health Examiners
3443 N. Central Ave., Suite 1700
Phoenix, AZ 85012
Telephone: (602) 542-1889
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 8:00 a.m. to 5:00 p.m. at the location listed in item 4. The schedule for oral proceedings 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 COMMISSION FOR POSTSECONDARY EDUCATION

[R08-174]

- 1. Title and its heading:** 7, Education
Chapter and its heading: 3, Commission for Postsecondary Education
Article and its heading: 1, Rulemaking; 2, Adjudications; 3, Arizona Leveraging Educational Assistance Partnership Program; 4, Arizona Private Postsecondary Education Student Financial Assistance Program
Section number: R7-3-101, R7-3-103 through R7-3-106, R7-3-108, R7-3-201 through R7-3-205, R7-3-301 through R7-3-309, R7-3-401 through R7-3-405 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The Commission for Postsecondary Education hereby gives notice of the docket opening for proposed rules concerning the Arizona Leveraging Educational Assistance Partnership program (LEAP) and Arizona Private Postsecondary Education Student Financial Assistance Program (PFAP) conformity with Arizona statutes.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 14 A.A.R. 2210, June 6, 2008 (*in this issue*)

Notices of Rulemaking Docket Opening

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

Name: Dr. April L. Osborn, Executive Director
Address: Commission for Postsecondary Education
2020 N. Central Ave., Suite 650
Phoenix, AZ 85004
Telephone: (602) 258-2435, ext. 106
Fax: (602) 258-2483
E-mail: aosborn@azhighered.gov

or

Name: Hugo Gomes, Program Director
Address: Commission for Postsecondary Education
2020 N. Central Ave., Suite 650
Phoenix, AZ 85004
Telephone: (602) 258-2435, ext. 103
Fax: (602) 258-2483
E-mail: hgomes@azhighered.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 may be submitted on or before 10:00 a.m. July 14, 2008 at the location listed below. The schedule for oral proceedings is as follows:

Date: July 14, 2008
Time: 10:00 a.m. – 12:00 p.m.
Location: 2020 N. Central Ave., Suite 650
Phoenix, AZ 85004

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

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

COMMISSION FOR POSTSECONDARY EDUCATION

[R08-177]

- 1. Title and its heading:** 7, Education
Chapter and its heading: 3, Commission for Postsecondary Education
Article and its heading: 5, Arizona Family College Savings Program
Section number: R7-3-501 through R7-3-507 (Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rule:**
The Commission for Postsecondary Education hereby gives notice of the docket opening for proposed rules concerning the Arizona Family College Savings Program (AFCSP) rules into conformity with Arizona statutes and IRS ruling.

- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 14 A.A.R. 2219, June 6, 2008 (*in this issue*)

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

Name: Dr. April L. Osborn, Executive Director
Address: Commission for Postsecondary Education
2020 N. Central Ave., Suite 650
Phoenix, AZ 85004
Telephone: (602) 258-2435, ext. 106
Fax: (602) 258-2483
E-mail: aosborn@azhighered.gov

or

Arizona Administrative Register / Secretary of State
Notices of Rulemaking Docket Opening

Name: Hugo Gomes, Program Director
Address: Commission for Postsecondary Education
2020 N. Central Ave., Suite 650
Phoenix, AZ 85004
Telephone: (602) 258-2435, ext. 103
Fax: (602) 258-2483
E-mail: hgomes@azhighered.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 may be submitted on or before 10:00 a.m. July 14, 2008 at the location listed below. The schedule for oral proceedings is as follows:

Date: July 14, 2008
Time: 10:00 a.m. – 12:00 p.m.
Location: 2020 N. Central Ave., Suite 650
Phoenix, AZ 85004

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

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS
DIVISION OF EMERGENCY MANAGEMENT**

[R08-164]

- 1. Title and its heading:** 8, Emergency and Military Affairs
Chapter and its heading: 2, Department of Emergency and Military Affairs – Division of Emergency Management
Article and its heading: 7, Emergency Volunteer Worker Program
Section numbers: R8-2-701, R8-2-702, R8-2-703 (Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rule:

This docket opening is being filed to create new rules. The subject matter of the proposed rule is to address terminology and procedures relating to the registration of emergency volunteer workers.

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

Notice of Rulemaking Docket Opening: 14 A.A.R. 752, March 7, 2008

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

Name: David Ervine, Information Technology Specialist III
Address: Department of Emergency and Military Affairs
Division of Emergency Management
5636 E. McDowell Road, Building 103
Telephone: (602) 231-6334
Fax: (602) 231-6271
E-mail: david.ervine@azdema.gov

or

Name: Louis B. Trammell, Director
Address: Department of Emergency and Military Affairs
Division of Emergency Management
5636 E. McDowell Road, Building 101
Telephone: (602) 231-6245
Fax: (602) 231-6356
E-mail: Lou.trammell@azdema.gov

Notices of Rulemaking Docket Opening

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

To be determined

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
HEALTH CARE INSTITUTIONS: LICENSING**

[R08-167]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services – Health Care Institutions: Licensing
Article and its heading: 2, Hospitals
Section numbers: R9-10-201, R9-10-202, R9-10-203, R9-10-234 (Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rule:**
Currently, a hospital designates a specific area of the hospital to be used to provide one specific organized service. To better meet the needs of patients, hospitals would like to provide more than one organized service in a designated area of the hospital. This rulemaking is amending the rules to allow a hospital to designate multi-organized service units that will provide more than one organized service in a specific designated area of the hospital. The rulemaking also adds a definition of “continuing care nursery” to clarify which services may be provided in a multi-organized service unit.

The agency docket number, if applicable:

RE-004-08

- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 14 A.A.R. 2229, June 6, 2008 (*in this issue*)

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

Name: Kathleen Phillips, Rules Administrator and Administrative Counsel

Address: Department of Health Services
1740 W. Adams St., Suite 200
Phoenix, AZ 85007-3233

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Kathy McCanna, Program Manager

Address: Department of Health Services
Medical Facilities Licensing
150 N. 18th Ave., Suite 450
Phoenix, AZ 85007-3233

Telephone: (602) 364-3030

Fax: (602) 364-4764

E-mail: mccannk@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, 8:00 a.m. to 5:00 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.

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

See the Notice of Proposed Rulemaking (published in this issue).

Notices of Rulemaking Docket Opening

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

[R08-165]

- 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 Recoveries
Section numbers: R9-22-1001 through R9-22-1009 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The AHCCCS Administration proposes to amend the sections identified above as a result of a Five-Year Review Report approved by the Governor's Regulatory Review Council on May 6, 2008. The subjects requiring amendment are the definitions, payor of last resort requirements, cost avoidance requirements and other technical changes.
- 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 Administrative Legal Services
701 E. Jefferson St., Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov
- 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. E-mail comments will be accepted.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
The agency intends to file the Notice of Proposed by June 2008.

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

[R08-166]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System – Arizona Long-term Care System
Article and its heading: 8, Repealed; 9, First- and Third-party Liability and Recoveries
Section numbers: R9-28-801 through R9-28-807; R9-28-901 through R9-28-919
(Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**
The AHCCCS Administration proposes to amend the sections identified above as a result of a Five-Year Review Report approved by the Governor's Regulatory Review Council on May 6, 2008. The subjects requiring amendment are definitions, recovery of funds prior to death or after death of a member, hearing rights and other technical changes as necessary. AHCCCS also proposes a separate article for the TEFRA program.
- 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 Administrative Legal Services
701 E. Jefferson St., Mail Drop 6200

Notices of Rulemaking Docket Opening

Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov

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. E-mail comments will be accepted.

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

The agency intends to file the Notice of Proposed by June 2008.

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL**

[R08-171]

1. Title and its heading: 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality – Air Pollution Control
Articles and their headings: 2, Ambient Air Quality Standards; Area Designations; Classifications
Section numbers: R18-2-201 and R18-2-203 (Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rule:
The Arizona Department of Environmental Quality is proposing to update its ambient air quality standards for PM 2.5 and 8-hour ozone to reflect the current national standards promulgated by EPA at 71 FR 61144 (10/17/2006) and 73 FR 16436 (03/27/2008).

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: Thomas C. Luch
Address: ADEQ
1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-4480
Fax: (602) 771-2366
E-mail: tcl@azdeq.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 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