

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 25. DEPARTMENT OF HEALTH SERVICES EMERGENCY MEDICAL SERVICES

[R08-446]

PREAMBLE

- | <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
|-----------------------------|--------------------------|
| R9-25-304 | Amend |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
Authorizing statute: A.R.S. §§ 36-2202(A)(3) and (4)
Implementing statute: A.R.S. §§ 36-2204(1) and (3)
- 3. A list of all previous notices appearing in the Register addressing the proposed rules:**
Notice of Rulemaking Docket Opening: 14 A.A.R. 3902, October 10, 2008
- 4. The name and address of the agency personnel with whom persons may communicate regarding the rulemaking:**
- | | |
|------------|--|
| Name: | Terry Mullins, Bureau Chief |
| Address: | Department of Health Services
Bureau of Emergency Medical Services and Trauma System
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007-3248 |
| Telephone: | (602) 364-3150 |
| Fax: | (602) 364-3568 |
| E-mail: | mullint@azdhs.gov |
| or | |
| Name: | Kathleen Phillips, Administrative Counsel and Rules Administrator |
| Address: | Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 200
Phoenix, AZ 85007-3248 |
| Telephone: | (602) 542-1264 |
| Fax: | (602) 364-1150 |
| E-mail: | phillik@azdhs.gov |
- 5. An explanation of the rule, including the agency's reason for initiating the rules:**
The purpose of this rulemaking is to amend R9-25-304 to remove the requirement that a training program director or instructor for a specific course session of a certified training program does not enroll in that course session or issue a certificate of completion for that course session to himself or herself. The rule is also being amended to remove the

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requirement that the training program director or a course instructor cannot proctor the final examination for that course.

6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review any study and does not propose to rely on or not to rely on any study during this rule-making.

7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The summary of the economic, small business, and consumer impact:

Annual cost/revenues designated as “minimal” means less than \$1,000.00; “moderate” means between \$1,000.00 and \$10,000.00; “substantial” means \$10,000.00 or more; and “significant” means meaningful or important, but not readily subject to quantification.

Cost bearers

The Department will bear minimal costs for staff time to write and review the rulemaking.

Beneficiaries

Certified training programs run by county and city governments and privately run certified training programs will benefit from the rule due to the opportunity to use students who are enrolled in a particular course session as instructors for that course session if they have expertise in that subject. Especially in rural areas, allowing students to act as instructors for course sessions in their area of expertise allows the certified training program to avoid having to arrange for outside instructors, who often must travel from other areas, to provide the instruction. In addition, allowing training program directors and course instructors to act as proctors when administering examinations will allow the certified training programs to avoid having to arrange for other individuals to act as proctors. While the costs of arranging for other instructors and other proctors is usually minimal, the benefit from being able to utilize the expertise of students in the course session is significant, as these students often have as much or more knowledge of the subject area as an outside instructor.

Individuals who are enrolled in a course session and who have the expertise to teach that particular course session will significantly benefit from this rule. These individuals will have the opportunity to learn and maintain essential skills through their enrollment in the course session, while still being able to share their expertise as instructors or training program directors. The compensation for instructors for a particular session of a course is usually minimal to none.

9. The name and address of the agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Terry Mullins, Bureau Chief
Address: Department of Health Services
Bureau of Emergency Medical Services and Trauma System
150 N. 18th Ave., Suite 540
Phoenix, AZ 85007-3248
Telephone: (602) 364-3150
Fax: (602) 364-3568
E-mail: mullint@azdhs.gov

or

Name: Kathleen Phillips, Administrative Counsel and Rules Administrator
Address: Department of Health Services
Office of Administrative Counsel and Rules
1740 W. Adams St., Suite 200
Phoenix, AZ 85007-3248
Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: phillik@azdhs.gov

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where when, and how persons may request an oral proceeding on the proposed rules:

Date: February 10, 2009
Time: 10:00 a.m.
Location: Department of Health Services
150 N. 18th Ave., Room 540A
Phoenix, AZ 85007-3248

A person may submit written comments on the proposed rules to either individual listed in items 4 or 9 until the close of record at 5:00 p.m., February 10, 2009. Persons with a disability may request reasonable accommodation by contacting Elizabeth Roig at roige@azdhs.gov or (602) 364-3959. Requests should be made as early as possible to allow sufficient time to arrange for accommodation.

11. Any other matters prescribed by statute that are applicable to the specific agency or any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

**CHAPTER 25. DEPARTMENT OF HEALTH SERVICES
EMERGENCY MEDICAL SERVICES**

ARTICLE 3. TRAINING PROGRAMS

Section

R9-25-304. Course and Examination Requirements (Authorized by A.R.S. §§ 36-2202(A)(3) and (A)(4) and 36-2204(1) and (3))

ARTICLE 3. TRAINING PROGRAMS

R9-25-304. Course and Examination Requirements (Authorized by A.R.S. §§ 36-2202(A)(3) and (A)(4) and 36-2204(1) and (3))

- A.** For each session of a course provided, a training program certificate holder shall:
1. Designate a training program medical director qualified under R9-25-310 and ensure that the training program medical director fulfills all responsibilities established in R9-25-310;
 2. Designate a training program director qualified under R9-25-311 and ensure that the training program director fulfills all responsibilities established in R9-25-311;
 3. Assign a lead instructor qualified under R9-25-312;
 4. Ensure that clinical training and field training are provided under the supervision of a preceptor qualified under R9-25-312;
 5. Meet all requirements that are established for the course as prescribed in this Article;
 6. For clinical training in the course, have a maximum ratio of four students to one preceptor or instructor;
 7. For field training in the course, have a maximum ratio of one student to one preceptor or instructor; and
 8. Not allow a student more than six months from the official session completion date to complete all course requirements.
- B.** For a course's clinical training or field training that is not provided directly by a training program, the training program shall have a written agreement between the training program and each health care institution, emergency medical services provider, or ambulance service providing the training that:
1. Requires that all training be provided under the supervision of a preceptor qualified under R9-25-312; and
 2. Contains a termination clause that provides sufficient time for students to complete the training upon termination of the agreement.
- C.** A certified training program authorized to provide the Arizona EMT-B refresher may administer an Arizona EMT-B refresher challenge examination to an individual eligible for admission into the Arizona EMT-B refresher. The certified training program shall limit the individual to one attempt to pass the Arizona EMT-B refresher challenge examination.
- D.** A certified training program authorized to provide the Arizona ALS refresher may administer an Arizona ALS refresher challenge examination to an individual eligible for admission into the Arizona ALS refresher. The certified training program shall limit the individual to one attempt to pass the Arizona ALS refresher challenge examination.
- E.** A training program certificate holder shall ensure that:

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1. The training program director for a specific session of a course does not:
 - a. ~~Enroll in that session of the course as a student or allow an instructor for that session of the course to enroll in that session of the course as a student;~~
 - b. ~~Issue to himself or herself or to an instructor for that session of the course a certificate of completion for that session of the course;~~
 - e-a. Administer to himself or herself or to an instructor for that session of the course a refresher challenge examination,
 - d-b. Allow an instructor for that session of the course to administer to himself or herself a refresher challenge examination, or
 - e-c. Issue to himself or herself or to an instructor for that session of the course a certificate of completion for a refresher challenge examination;
2. During a final examination or refresher challenge examination, a student does not receive verbal or written assistance from any other individual or use notes, books, or documents of any kind as an aid in taking the examination;
3. The identity of each student taking a final examination or refresher challenge examination is verified through photo identification before the student is permitted to take the examination;
4. A student who violates subsection (E)(2) is not permitted to complete the examination or to receive a certificate of completion for the course or refresher challenge examination;
5. An instructor who allows a student to violate subsection (E)(2) or assists a student in violating subsection (E)(2) is no longer permitted to serve as an instructor;
6. Each examination for a course is completed onsite at the training program or at a facility used for course instruction; and
7. Each final examination for a course is proctored; and
8. ~~Each individual who proctors or administers a final examination for a course is neither the training program director nor an instructor for the course.~~

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TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

[R08-449]

PREAMBLE

1. **Sections Affected**

R12-4-102	Amend
R12-4-106	Amend
R12-4-216	Amend
R12-4-406	Amend
R12-4-409	Amend
R12-4-412	New Section
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. §§ 17-231(A)(1), 17-231(B)(8) and 17-238
Implementing statute: A.R.S. §§ 17-102, 17-231(B)(8), 17-301, 17-306, 17-333, 17-345, and 41-1073
3. **A list of all previous notices appearing in the Register addressing the proposed rule:**

Notice of Rulemaking Docket Opening: 15 A.A.C. 133, January 9, 2009 (*in this issue*)
4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name:	Ron Day
Address:	Game and Fish Department 5000 W. Carefree Hwy. Phoenix, AZ 85086
Telephone:	(623) 236-7352
Fax:	(623) 236-7929

E-mail: Rday@azgfd.gov

5. An explanation of the rules, including the agency's reasons for initiating the rulemaking:

The Commission proposes creating a new Section, R12-4-412, to allow for the issuance of an Off-Site Weigh-In Permit. In order to ensure proper enforcement of this new Section and that all affected rule changes occur simultaneously, the Department is amending R12-4-106, R12-4-406, and R12-4-409. R12-4-106 is amended to include the licensing time-frames for the new permit in the licensing time-frames chart. In addition, the Commission proposes amending the Section title from "Licensing Time-frames" to "Special Licenses Time-frames" to clearly indicate that the Section only addresses special licenses. Subsection (B) is removed because special license tags are exempt from administrative and substantive review under A.R.S. §§ 41-1073(E)(2) and (3). This subsection does not apply to special licenses. R12-4-406 is amended to clarify existing language and to include a reference to R12-4-412 because this Section refers to other rules that have requirements for the use of wildlife taken alive with a fishing license. R12-4-409 is amended to clarify existing language and to include the new Off-Site Weigh-In Permit in the list of special licenses under the general provisions and penalties for special licenses.

The Commission proposes to amend R12-4-102 to mirror amendments made to R12-4-307, changing the name of the "bobcat permit tag" to the "bobcat export tag." The current tag is required by CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) and must be attached to the pelt prior to its sale or export from the state. This tag is not a permit tag, but an export tag, and the proposed amendment reflects this change in terminology. In addition, outdated information and language regarding fees that were in effect prior to 2007 were removed as those fees are outdated. The Department proposes to amend the license fee table to list the "Youth group 2-day fishing license" after the "Class D, One Day Fishing License" as this mirrors the order in which A.R.S. § 17-333(A)(6) describes the licenses. The rule is also amended to include the "Apprentice Hunting License" in the list under the "Class H, Three-day Hunting License" in accordance with recent legislative amendments made by Laws 2008, Ch. 34, House Bill 2251. In addition, the "Resident" and "Nonresident" youth licenses under the "Class F, Combination Hunting and Fishing License" are amended to state that the fee applies before and through the calendar year of the applicant's 17 birthday. This change makes the license consistent with juniors-only hunts, in which youth ages 10-17 may participate. Currently, applicants can purchase a Youth Combo license through age 20, but cannot participate in juniors-only hunts if they are older than 17 years of age. The rule is further amended to remove statutory references in response to legislative amendments made to A.R.S. § 17-333 in the descriptions provided for the "Class I, Resident Family Fishing License," "Class J, Resident Family Fishing License," and "Class K, Combination Family Hunting and Fishing License."

The Commission proposes creating a new Section, R12-4-412, to establish the Department's requirements for a new Off-Site Weigh-In Permit. The Department wants to be more accommodating by allowing off-site weigh-ins for fishing tournaments throughout the state. Currently, the Department may authorize tournament sponsors to act as the Department's agent in possessing fish for transport to off-site weigh-ins under direct Department supervision, but no specific permit exists to accommodate this activity. The Department proposes this new Section and the permit it authorizes to provide a mechanism for the lawful conduct of off-site fishing tournament weigh-ins by creating accountability for the sponsor organizing a fishing tournament. Forrest L. Wood (FLW) Outdoors asked the Game and Fish Commission to amend Commission rules to allow off-site weigh-ins at FLW sponsored Bass Fishing Tournaments at Lake Pleasant and Lake Havasu. FLW Outdoors conducts off-site weigh-in activities in conjunction with their partner/sponsor Wal-Mart. FLW Outdoors and other similar fishing competition organizers and their sponsors are large commercial enterprises offering significant prizes and purses. FLW Outdoors conducts these kinds of weigh-in events in numerous states, but the transport of live fish to a weigh-in event is currently prohibited in Arizona. FLW Outdoors highlighted the economic benefit to local communities from the visitation and recreation that these tournaments stimulate, the positive exposure local communities receive from national media exposure, and the role these tournaments can play in encouraging fishing recreation and the recruitment of new anglers. In addition, FLW (and other similar organizations) provide a large commercial presence offering millions of dollars in competitive fishing purses. Recent FLW tournaments produced purses of \$1,000,000 and a championship purse of \$2,000,000. The Commission denied the request for an immediate rule change, but directed the Department to consider amendments necessary to implement an off-site weigh-in permitting process in conjunction with regular rulemaking for Article 3 and Article 4. The Department believes permitting off-site weigh-ins must be accompanied by strict regulation because of the risks posed for the introduction of fish disease causing organisms and aquatic invasive species. The Department proposes a rigorous application and permitting process where applicants must demonstrate capabilities to appropriately and safely handle live fish; ownership of appropriate equipment to transport, hold, and release the fish; and appropriate best management practices designed to minimize risks to the fish and the lakes or waters involved. The Department envisions that standards must be met by applicants, permits shall be stipulated with specific procedural requirements, and permit holders would be subject to direct oversight by individuals who administer or enforce laws and regulations governing restricted live wildlife, aquatic invasive species and off-site weigh-ins.

The Commission proposes to amend R12-4-216 to provide additional descriptions of allowable methods of take to mirror the language prescribed under R12-4-304. The Commission proposes to amend R12-4-304 to improve consistency and reduce confusion among hunters regarding the use of crossbows. The Department currently allows the use

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of bows that are drawn and held with an assisting device, but does not clearly state this in rule. These rule changes must occur simultaneously to maintain consistency between rules and allow for proper enforcement.

6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not rely on any study in its evaluation of or justification for the proposed rules.

7. A showing of good cause why the rules are necessary to promote a statewide interest if the rules will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

In proposing these amendments to R12-4-106, R12-4-406, R12-4-409, and R12-4-412, the Commission's intent is to enact changes relating to the establishment of a "Fishing Tournaments; Off-Site Weigh-In Permit" rule simultaneously to ensure proper enforcement. These amendments must occur simultaneously with the Article 3. Taking and Handling of Wildlife rulemaking package because the new rule is referenced in R12-4-315. These amendments benefit the public, private industry, and the Department by clearly outlining the new rule, and clarifying the licensing time-frames, general provisions, and penalties rule language. In addition, amendments to R12-4-106 are intended to clearly indicate the rule relates to special permits.

In proposing the amendments to R12-4-102, the Commission's intent is to maintain consistency with amendments made to R12-4-307, by removing outdated fee information, organizing the rule in a more appropriate manner, including information related to recent statutory changes, and aligning the age requirements for participation in juniors-only hunts with the Youth Combo License. These amendments benefit the Department and the public by providing additional clarity to the rule.

In proposing the amendment to R12-4-216, the Commission's intent is to identify and allow the use of a bow drawn and held with an assisting device as lawful to use as a method of take during any season or permit where a crossbow is a lawful method of take. This change benefits the public by clarifying the use of a bow drawn and held with an assisting device as a lawful method of take.

The Department has determined that there are no alternative means of achieving the objective of this rulemaking.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

See item 4.

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rules or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Written comments will be accepted at the above address for 30 days following date of the publication of this Notice in the *Arizona Administrative Register*. An oral proceeding regarding the proposed rules will be held as follows:

Date: April 17, 2009
Time: 8:00 a.m. to 5:00 p.m.
Location: Game and Fish Department
5000 W. Carefree Hwy.
Phoenix, AZ 85086

The rulemaking record will close at 5:00 p.m. on April 17, 2009.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Any material incorporated by reference its location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 12. NATURAL RESOURCES

CHAPTER 4. GAME AND FISH COMMISSION

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

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Section

- R12-4-102. Fees for Licenses, Tags, Stamps, and Permits
 R12-4-106. ~~Licensing~~ Special Licenses Time-frames

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

Section

- R12-4-216. Crossbow Permit

ARTICLE 4. LIVE WILDLIFE

Section

- R12-4-406. Restricted Live Wildlife
 R12-4-409. General Provisions and Penalties for Special Licenses
 R12-4-412. ~~Repeated~~ Fishing Tournaments; Off-Site Weigh-In Permit

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-102. Fees for Licenses, Tags, Stamps, and Permits

An individual who purchases a license, tag, stamp, or permit listed in this Section shall pay all applicable fees at the time of application, or pay fees as prescribed by the Director under R12-4-115.

Hunting and Fishing License Fees		Fees effective for licenses, tags, stamps, and permits to be used beginning in 2007
Class A, General Fishing License		
Resident	\$18.00	\$23.50
Nonresident		
Under A.R.S. § 17-333(A)(1), the fee for this license issued in November or December of the year for which the license is valid is half price; that includes half of the surcharge prescribed as authorized by A.R.S. § 17-345.	\$51.50	\$70.25
Class B, Four-month Fishing License		
Nonresident	\$37.50	\$39.75
Class C, Five-day Fishing License		
Nonresident	\$26.00	\$32.00 + \$9.00 for each additional consecutive day
Class D, One-day Fishing License		
Resident	\$12.50	\$16.25 + \$8.00 for each additional consecutive day
Nonresident		\$17.25 + \$9.00 for each additional consecutive day
<u>Resident Youth Group Two-day Fishing License</u>		<u>\$25.00</u>
Class E, Colorado River Only Fishing License		
Nonresident	\$42.50	\$48.75
Class F, Combination Hunting and Fishing License		
Resident Adult	\$44.00	\$54.00
Nonresident Adult	\$177.50	\$225.75
Resident or Nonresident Youth. Fee applies before and through the calendar-year of the applicant's 20th <u>17th</u> birthday.	\$25.50	\$26.50
Resident or Nonresident Child. Fee applies to children who will be at least 10 years of age during the license year but will be less than 14 years of age.		\$20.00
Class G, General Hunting License		
Resident	\$25.50	\$32.25
Nonresident	\$113.50	\$151.25

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Resident or Nonresident Child. Fee applies to children who will be at least 10 years of age during the license year but will be less than 14 years of age.		\$15.00
Class H, Three-day Hunting License Nonresident Resident Youth Group Two-day Fishing License <u>Apprentice Hunting License</u>	\$51.50 \$25.00	\$61.25 \$25.00 <u>Free*</u>
Class I, Resident Family Fishing License For Primary Adult For one additional adult in the immediate family, as prescribed in A.R.S. § 17-333 For any child in the immediate family, as prescribed in A.R.S. § 17-333	\$28.50 +\$22.80 +\$2.00 per child	\$36.25 +\$29.00 +\$2.00 per child
Class J, Resident Family Hunting License For primary adult For one additional adult in the immediate family, as prescribed in A.R.S. § 17-333 For any child in the immediate family, as prescribed in A.R.S. § 17-333		\$32.25 +25.80 +\$15.00 per child
Class K, Combination Resident Family Hunting and Fishing License For primary adult For one additional adult in the immediate family, as prescribed in A.R.S. § 17-333 For any child in the immediate family, as prescribed in A.R.S. § 17-333		\$54.00 +\$43.20 +\$20.00 per child
Class L, Super Conservation Fishing License- Gives the same privileges as a Class A General Fishing License, a Class U Urban Fishing License, and a Trout Stamp. Resident Nonresident		\$53.00 \$63.00
Class M, Super Conservation Hunting License- Gives the same privileges as a Class G General Hunting License, and includes a nonpermit-tag for archery deer, archery turkey, fall bear, and mountain lion, and a Unit 12A (North Kaibab) Habitat Management Stamp, a State Waterfowl Stamp, and a State Migratory Bird Stamp. Resident		\$118.00
Class N, Combination Super Conservation Hunting and Fishing License- Gives the same privileges as a Class F Combination Hunting and Fishing License and a Class U Urban Fishing License, and includes a nonpermit-tag for archery deer, archery turkey, fall bear, and mountain lion, and a Unit 12A (North Kaibab) Habitat Management Stamp, a State Waterfowl Stamp, and a State Migratory Bird Stamp. Resident		\$163.00
Class U, Urban Fishing License Resident or Nonresident The fee for this license issued in November or December of the year for which the license is valid is half price. That includes half the surcharge prescribed as authorized by A.R.S. § 17-345.	\$16.00	\$18.50
Hunt Permit-tag Fees		
Antelope		
Resident	\$65.00	\$77.50
Nonresident	\$325.00	\$477.50
Bear		
Resident	\$14.50	\$22.25
Nonresident	\$200.00	\$237.50

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Bighorn Sheep		
Resident	\$195.00	\$265.00
Nonresident	\$1,000.00	\$1,400.00
Buffalo		
Adult Bulls or Any Buffalo		
Resident	\$750.00	\$1,087.50
Nonresident	\$3,750.00	\$5,444.75
Adult Cows		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Yearling		
Resident	\$240.00	\$355.25
Nonresident	\$1,200.00	\$1,747.25
Yearling or Cow		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Deer and Archery Deer		
Resident	\$19.50	\$34.75
Nonresident	\$125.50	\$225.25
Junior, resident and nonresident		\$25.00
Elk		
Resident	\$78.00	\$114.00
Nonresident	\$400.00	\$587.50
Junior, resident and nonresident		\$50.00
Javelina and Archery Javelina		
Resident	\$12.50	\$21.25
Nonresident	\$70.00	\$97.50
Junior, resident and nonresident		\$15.00
Mountain Lion		
Resident	\$10.00	\$14.50
Nonresident	\$200.00	\$225.00
Pheasant		
Resident and nonresident, non-archery, non-falconry		Permit application fee only
Turkey and Archery Turkey		
Resident	\$11.00	\$18.00
Nonresident	\$50.50	\$70.25
Junior, resident and nonresident		\$10.00
Sandhill Crane		
Resident or Nonresident	\$5.00	\$7.50
Nonpermit-tag and Restricted Nonpermit-tag Fees		
Antelope		
Resident	\$65.00	\$77.50
Nonresident	\$325.00	\$477.50
Bear		
Resident	\$14.50	\$22.25
Nonresident	\$200.00	\$237.50
Bighorn Sheep		

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Resident	\$195.00	\$265.00
Nonresident	\$1,000.00	\$1,400.00
Buffalo		
Adult Bulls or Any Buffalo		
Resident	\$750.00	\$1,087.50
Nonresident	\$3,750.00	\$5,444.75
Adult Cows		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Yearling		
Resident	\$240.00	\$355.25
Nonresident	\$1,200.00	\$1,747.25
Yearling or Cow		
Resident	\$450.00	\$652.00
Nonresident	\$2,250.00	\$3,255.25
Deer and Archery Deer		
Resident	\$19.50	\$34.75
Nonresident	\$125.50	\$225.25
Junior, resident and nonresident		\$25.00
Elk		
Resident	\$78.00	\$114.00
Nonresident	\$400.00	\$587.50
Junior, resident and nonresident		\$50.00
Javelina and Archery Javelina		
Resident	\$12.50	\$21.25
Nonresident	\$70.00	\$97.50
Junior, resident and nonresident		\$15.00
Mountain Lion		
Resident	\$10.00	\$14.50
Nonresident	\$200.00	\$225.00
Pheasant		
Resident and nonresident, non-archery, non-falconry		Permit application fee only
Turkey and Archery Turkey		
Resident	\$11.00	\$18.00
Nonresident	\$50.50	\$70.25
Junior, resident and nonresident		\$10.00
Sandhill Crane		
Resident or Nonresident	\$5.00	\$7.50
Stamps and Special Use Permit Fees		
Arizona Colorado River Special Use Permit Stamp. For use by California fishing license holders, resident or nonresident.	\$3.00	\$3.00
Arizona Colorado River Special Use Permit Stamp. For use as prescribed by R12-4-312.	\$3.00	\$3.00
Arizona Lake Powell Stamp. For use by resident Utah licensees.	\$3.00	\$3.00
Bobcat Permit <u>Export</u> Tag. For resident or nonresident.	\$2.00	\$3.00
State Waterfowl Stamp, as prescribed in A.R.S. § 17-333.01, resident or nonresident. Validates a hunting license to allow the license holder to take waterfowl as prescribed in R12-4-203.	\$7.50	\$8.75

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State Migratory Bird Stamp, as prescribed in A.R.S. § 17-333.03, resident or nonresident. Validates a hunting license to allow the license holder to take migratory game birds as prescribed in R12-4-203.	\$3.00	\$4.50
Trout Stamp. Validates a Class A license to allow the license holder to take trout. Resident Nonresident	\$10.50 \$49.50	\$15.75 \$57.75
Two-Pole Stamp, resident or nonresident. Validates a fishing license to allow the license holder to engage in simultaneous fishing, as defined in R12-4-101.	The fee for a two pole stamp shall be \$4.00 until September 1, 2006. Afterwards, the fee shall be \$5.00 .	\$6.00
Unit 12A (North Kaibab) Habitat Management Stamp, resident or nonresident. Sikes Act stamp, validates a hunting license to allow the license holder to take deer in unit 12A as prescribed by R12-4-204.	\$15.00	\$15.00
Other License Fees		
Game Bird Field Trial License	\$5.00	\$6.00
Game Bird Hobby License	\$5.00	\$5.00
Game Bird Shooting Preserve License	\$100.00	\$115.00
Fur Dealer's License	\$100.00	\$115.00
Guide License Resident or Nonresident	\$100.00	\$300.00
License Dealer's License	\$75.00	\$100.00
License Dealer's Outlet License	\$25.00	\$25.00
Live Bait Dealer's License	\$30.00	\$35.00
Private Game Farm License	\$40.00	\$57.50
Sport Falconry License (3-year license)	\$75.00	\$87.50
Taxidermist License	\$50.00	\$150.00
Trapping License Resident Nonresident Resident Juvenile	\$10.00 \$50.00 \$10.00	\$30.00 \$275.00 \$10.00
White Amur Stocking and Holding License Non-business. Under R12-4-424, an individual who holds a non-business white amur stocking and holding license does not pay the required fee if renewing the license. Business	\$200.00 \$200.00	\$250.00 \$250.00
Zoo License	\$100.00	\$115.00
Administrative Fees		
Duplicate Fee. Duplicates are not issued for Trout Stamps, Arizona Colorado River Special Use Permits, Arizona Colorado River Special Use Permit Stamps, Arizona Lake Powell Stamps, State Migratory Bird Stamps, or State Waterfowl Stamps, Two-Pole Stamps, Resident Additional Fishing Day Stamps, Nonresident Additional Fishing Day Stamps, and the Unit 12A (North Kaibab) Habitat Management Stamps.	\$3.00	\$4.00
Permit Application Fee.	\$5.00	\$7.50

*This license must be obtained by a mentor hunter as outlined in A.R.S. § 17-333(A)(18).

R12-4-106. Licensing Special Licenses Time-frames

~~A~~ As required by A.R.S. § 41-1072 et seq., the Department shall either grant or deny the following licenses, as defined under

Notices of Proposed Rulemaking

R12-4-401, within the listed time-frames. During the administrative completeness review time-frame, the Department may return to the applicant, without denial, any incomplete application that is lacking information required by the Section governing the specific license. The Department shall issue a written notice that accompanies each returned application listing the information that the applicant failed to provide. The administrative completeness review time-frame and the overall time-frame for the applicable license in this Section are suspended from the date on the notice until the date that the Department receives the missing information from the applicant. During the substantive review time-frame, the Department may make one comprehensive written request for additional information, except the Department and the applicant may mutually agree in writing to allow the agency to submit supplemental requests for additional information. The substantive review time-frame and the overall time-frame listed for the applicable license in this Section are suspended from the date on the request until the date that the Department receives the additional information from the applicant. All periods listed are calendar days, and all are maximum time periods. Licenses may be reviewed and issued or denied in less time.

Name of License	Governing Rule	Administrative Completeness Review Time-frame	Substantive Review Time-frame	Overall Time-frame
Aquatic Wildlife Stocking Permit	R12-4-410	10 days	170 days	180 days
Challenged Hunter Access/Mobility Permit	R12-4-217	1 day	29 days	30 days
Crossbow Permit	R12-4-216	1 day	29 days	30 days
Disabled Veteran's License	R12-4-202	1 day	29 days	30 days
Fishing Permits	R12-4-310	10 days	20 days	30 days
<u>Fishing Tournaments; Off-Site Weigh-In Permit</u>	<u>R12-4-412</u>	<u>10 days</u>	<u>20 days</u>	<u>30 days</u>
Game Bird Field Training Permit	R12-4-416	10 days	20 days	30 days
Game Bird Field Trial License	R12-4-415	10 days	20 days	30 days
Game Bird Hobby License	R12-4-419	10 days	20 days	30 days
Game Bird Shooting Preserve License	R12-4-414	10 days	20 days	30 days
Guide License	R12-4-208	10 days	20 days	30 days
License Dealer's License	R12-4-105	10 days	20 days	30 days
Live Bait Dealer's License	R12-4-411	10 days	20 days	30 days
Pioneer License	R12-4-201	1 day	29 days	30 days
Private Game Farm License	R12-4-413	10 days	20 days	30 days
Scientific Collecting Permit	R12-4-418	10 days	20 days	30 days
Small Game Depredation Permit	R12-4-113	10 days	20 days	30 days
Sport Falconry License	R12-4-422	10 days	20 days	30 days
Watercraft Agents	R12-4-509	10 days	20 days	30 days
White Amur Stocking License	R12-4-424	10 days	20 days	30 days
Wildlife Holding License	R12-4-417	10 days	20 days	30 days
Wildlife Rehabilitation License	R12-4-423	10 days	50 days	60 days
Wildlife Service License	R12-4-421	10 days	50 days	60 days
Zoo License	R12-4-420	10 days	20 days	30 days

B. Issuance of Special License Tags is governed by R12-4-120. Proposals are accepted between March 1 to May 31 of each year. Administrative review is completed by the Department within 10 days. The Game and Fish Commission makes its decision on issuance or denial in an open meeting within 30 days after the closing date for proposals. The substantive review time frame is 110 days and the overall time frame is 120 days.

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

R12-4-216. Crossbow Permit

A. For the purposes of this Section, "crossbow permit" means a document issued by the Department that authorizes the permit holder to use a crossbow, or any bow to be drawn and held with an assisting device, during an archery-only season, as prescribed under R12-4-318.

- B. A crossbow permit is valid ~~only when the designated animal for the archery-only season may otherwise be taken by cross-bow under~~ during archery-only seasons for big game species for which a crossbow, or any bow to be drawn and held with an assisting device, is allowed under R12-4-304. Possession of a crossbow permit does not waive any other requirement for method of take or licensing.
- C. No change
 - 1. No change
 - 2. No change
- D. No change
- E. No change
- F. No change
- G. No change
- H. No change
- I. No change

ARTICLE 4. LIVE WILDLIFE

R12-4-406. Restricted Live Wildlife

- A. For the purposes of this Section, “transgenic species” means any organism that has had genes from another organism put into its genome through direct human manipulation of that genome. Transgenic species do not include natural hybrids nor ~~individuals~~ individual organisms that have had their chromosome number altered to induce sterility. A transgenic animal is considered wildlife if the animal is an offspring of a wildlife species.
- B. No change
- C. Requirements for the use of wildlife that occurs in the wild in this state and that has been taken alive under the authority of a valid state hunting and fishing license are prescribed in ~~R12-4-404 and R12-4-405~~ R12-4-404, R12-4-405, and R12-4-412.
- D. No change
- E. No change
- F. No change
- G. No change
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 - 36. No change

- L.** No change
 - 1. No change
 - 2. No change

- M.** No change

1. No change
2. No change
3. No change
4. No change
5. No change

R12-4-409. General Provisions and Penalties for Special Licenses

A. Special licenses are listed as follows:

1. No change
2. ~~Fishing Tournaments; Off-Site Weigh-In Permit, prescribed by R12-4-412;~~
- ~~2-3.~~ Game bird field training permit, prescribed by R12-4-416;
- ~~3-4.~~ Game bird field trial license, prescribed by R12-4-415;
- ~~4-5.~~ Game bird hobby license, prescribed by R12-4-419;
- ~~5-6.~~ Game bird shooting preserve license, prescribed by R12-4-414;
- ~~6-7.~~ Live bait dealer's license, prescribed by R12-4-411;
- ~~7-8.~~ Private game farm license, prescribed by R12-4-413;
- ~~8-9.~~ Scientific collecting permit, prescribed by R12-4-418;
- ~~9-10.~~ Sport falconry license, prescribed by R12-4-422;
- ~~10-11.~~ White amur stocking and holding license, prescribed by R12-4-424;
- ~~11-12.~~ Wildlife holding license, prescribed by R12-4-417;
- ~~12-13.~~ Wildlife rehabilitation license, prescribed by R12-4-423;
- ~~13-14.~~ Wildlife service license, prescribed by R12-4-421; and
- ~~14-15.~~ Zoo license, prescribed by R12-4-420.

B. No change

C. No change

1. No change
2. No change
3. No change
4. No change

D. No change

E. No change

F. No change

G. No change

H. No change

I. No change

J. No change

K. No change

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change

L. No change

M. No change

N. No change

O. If required by the governing Section, a special license holder shall submit an annual report to the Department before January 31 of each year on activities performed under the license for the previous calendar year. If the license holder is acting as a representative of an institution, organization, or agency for the purposes of the special license, the annual report is due within 30 days after the license holder's termination of affiliation with that entity. The special license holder shall submit the following information and any additional information required by the governing Section:

1. No change
2. No change
3. No change
4. No change
5. No change

R12-4-412. Repealed Fishing Tournaments: Off-Site Weigh-In Permit

- A.** For the purposes of this Section, the following definitions apply:
1. “Fishing tournament” means any organized fishing activity on any waters in the state if competition is the primary intent of the organized activity and prizes or incentives are awarded.
 2. “Off-site weigh-in” means the transport and weighing of live fish at a location separate and discrete from the body of water where the fish was taken, in association with a fishing tournament.
 3. “Sponsor” means a person who conducts, directs, establishes, organizes, promotes or otherwise is responsible for the operation of a fishing tournament.
- B.** A sponsor shall ensure that a fishing tournament is conducted in compliance with existing statutes, rules, and Commission Orders pertaining to fishing and any stipulations identified on the permit.
- C.** A Sponsor shall obtain and possess an off-site weigh-in permit to conduct off-site weigh-ins in association with the fishing tournament. The off-site weigh-in permit shall allow the Sponsor and official participants to transport fish caught during a tournament from specified fishing tournament waters to a specific off-site location for the purposes of a fishing tournament weigh-in and return of the fish to the originating waters or as directed by the Department. The Sponsor and all participants shall comply with any additional stipulations placed by the Department on the permit for conducting and reporting an off-site weigh-in.
- D.** The Sponsor shall apply for an off-site weigh-in permit on a form provided by the Department and available from any Department office. The Sponsor shall provide the following information:
1. Sponsor’s name, address, and telephone number or numbers;
 2. Wildlife species that will be transported and possessed under the permit;
 3. The beginning and ending dates of the fishing tournament;
 4. The name, address, and telephone number of the location of the tournament, if applicable. Otherwise, the applicant shall provide the physical description of the location, including townships, ranges, and sections;
 5. The name, address, and telephone number of the off-site location where the weigh-in will take place, if applicable. Otherwise, the applicant shall provide the physical description of the location, including townships, ranges, and sections;
 6. Detailed description of off-site weigh-in and holding equipment;
 7. Description of methods and equipment used to transport fish from and returning fish to the originating water;
 8. Number of participants and maximum number of fish to be transported and possessed;
 9. The Sponsor’s signature and the date of signing. By signing the application, the Sponsor attests that the information provided is true and correct to the best of the Sponsor’s knowledge.
- E.** The Department shall issue an off-site weigh-in permit in compliance with R12-4-106. The Department shall deny a permit request when it is in the best interest of wildlife health and well-being.
- F.** An off-site weigh-in permit shall only be valid for the dates, locations, and fishing tournament specified.
- G.** A tournament participant shall carry on the participant’s person a copy of the permit and make the permit immediately available for inspection by agents of the Arizona Game and Fish Department or certified peace officers at all times during the off-site weigh-in.
- H.** The Sponsor shall ensure that an individual will be present and monitor the event and fish health from the point the fish are transported from the water where the tournament was conducted until the fish are released at the location indicated on the off-site weigh-in permit. The individual who is present must be responsible for administering or enforcing laws and regulations governing restricted live wildlife, aquatic invasive species and off-site weigh-ins.
- I.** Within 30 days of the end date of the fishing tournament, the sponsor shall provide a report to the Arizona Game and Fish Department with the information required by the stipulations on the permit.

NOTICE OF PROPOSED RULEMAKING

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE

[R08-447]

PREAMBLE

1. Sections Affected

R20-6-1101

Rulemaking Action

Amend

Notices of Proposed Rulemaking

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. §§ 20-143, 20-1133

Implementing statutes: A.R.S. §§ 20-142, 20-143, and 20-1133

3. List of all previous notices appearing in the register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 14 A.A.R. 4935, December 26, 2008

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

Name: Margaret McClelland
Address: Department of Insurance
2910 N. 44th St., Suite 210
Phoenix, AZ 85018
Telephone: (602) 364-3471
Fax: (602) 364-3470

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The Arizona Department of insurance (ADOI) intends to amend R20-6-1101 to conform Arizona's Medicare supplement insurance rules with the 2008 revisions adopted by the National Association of Insurance Commissioners (NAIC) to the NAIC Model Regulation to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act (Model Regulation). Authority for revisions to the Medigap model was granted by Congress in the Medicare Improvements for Patients and Providers Act of 2008 (MIPPA) (Public Law 108-175) and these changes are made throughout the Model Regulation. Additionally, Congress enacted the Genetic Information Nondiscrimination Act of 2008 (GINA) on May 21, 2008 (Public Law 110-233), which also calls for changes to the NAIC Medigap model. The changes are contained in the revised Section 24 of the Model Regulation.

This proposed rulemaking incorporates by reference the Model Regulation with some modifications that are necessary to address Arizona standards. Revisions were made to the rule to delete unnecessary language and to add language as required by the Model Regulation. The overall purpose of this rulemaking is to benefit consumers by providing for the standardization of coverage and simplification of terms and benefits of Medicare supplement policies, as well as to facilitate public understanding and comparison of the policies. This rulemaking will also provide uniformity with other states that will also adopt this Model Regulation making compliance easier for insurers who will not have to meet different requirements for each state.

There are federally mandated deadlines for implementation by states of these revisions. The deadline for states to conform their statutes or regulations to the NAIC revisions for GINA requirements is July 1, 2009. The deadline for states to adopt NAIC Medigap model changes required by MIPPA is September 24, 2009. The Department intends to request that this rulemaking become effective upon filing with the Office of the Secretary of State under A.R.S. § 41-1032(2) and (3) to meet the federally mandated deadlines.

6. A reference to any study relevant to the rule that the agency reviewed and either proposes to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business and consumer impact:

The consumers who will be impacted are consumers of Medicare supplement insurance who will benefit from uniformity and simplification of terms and benefits of Medicare supplement policies, as well as a better ability to compare and understand such policies.

The Department is not aware of small businesses that will be directly impacted by this rule.

There will be a minimal economic impact on the Department associated with the rulemaking process.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business and consumer impact statement:

Name: Margaret McClelland
Address: Department of Insurance
2910 N. 44th St., Suite 210
Phoenix, AZ 85018
Telephone: (602) 364-3471

Fax: (602) 364-3470

10. The time, place and nature of the proceeding for making, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:

The Department will hold an oral proceeding to receive public comments in accordance with A.R.S. § 41-1023 on February 10, 2009, at 9:00 a.m. at the Arizona Department of Insurance, 2910 N. 44th St., Phoenix, AZ, 3rd floor training room. The Department will accept written comments that are received at the Department by 5:00 p.m. on February 11, 2009. The comment period will end and the record will close at 5:00 p.m. on February 11, 2009.

The Department is committed to complying with the Americans with Disabilities Act. If an individual with a disability needs any type of accommodation, please contact the Department at least 72 hours before the oral proceeding.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporation by reference and its location in the rules:

R20-6-1101: Model Regulation to Implement the National Association of Insurance Commissioners (NAIC) Medicare Supplement Insurance Minimum Standards Model Act, October 2008

13. The full text of the rules follow:

TITLE 20. COMMERCE, FINANCIAL INSTITUTIONS, AND INSURANCE

CHAPTER 6. DEPARTMENT OF INSURANCE

ARTICLE 11. MEDICARE SUPPLEMENT INSURANCE

Section

R20-6-1101. Incorporation by Reference and Modifications; ~~Applicability~~

ARTICLE 11. MEDICARE SUPPLEMENT INSURANCE

R20-6-1101. Incorporation by Reference and Modifications; ~~Applicability~~

- A.** The Department incorporates by reference the Model Regulation to Implement the National Association of Insurance Commissioners (NAIC) Medicare Supplement Insurance Minimum Standards Model Act, October 2004 ~~2008~~ (Model Regulation), and no future editions or amendments, which is on file with the Department of Insurance, 2910 N. 44th St., Phoenix, AZ 85018 and available from the National Association of Insurance Commissioners, Publications Department, 2301 McGee St., Suite 800, Kansas City, MO 64108.
- B.** The Model Regulation is modified as follows:
1. In addition to the terms defined in the Model Regulation, the following definitions apply:
 - a. "Agent" means an insurance producer as defined in A.R.S. § 20-281(5).
 - b. "Commissioner" means the Director of the Arizona Department of Insurance.
 - c. "HMO" and "health maintenance organization" mean a health care services organization as defined in A.R.S. § 20-1051(7).
 - d. "Regulation" means Article.
 2. Section 8A(7)(c) reads:
 - c. Each Medicare supplement policy shall provide that benefits and premiums under the policy shall be suspended (for any period that may be provided by federal regulation) at the request of the policyholder if the policyholder is entitled to benefits under Section 226 (b) of the Social Security Act and is covered under a group health plan (as defined in Section 1862 (b)(1)(A)(v) of the Social Security Act). If suspension occurs and if the policyholder or certificate holder loses coverage under the group health plan, the policy shall be automatically reinstated (effective as of the date of loss of coverage) if the policyholder provides notice of loss of coverage within 90 days after the date of the loss of the group health plan and pays the premium attributable to the supplemental policy period, effective as of the date of termination of enrollment in the group health plan.
 3. Section 8.1 is revised to insert the citation to A.R.S. § 20-1133 as follows:
The following standards are applicable to all Medicare supplement policies or certificates delivered or issued for delivery in this state on or after June 1, 2010. No policy or certificate may be advertised, solicited, delivered, or issued for delivery in this state as a Medicare supplement policy or certificate unless it complies with these benefit standards. No issuer may offer any [1990 Standardized Medicare supplement benefit plan] for sale on or after June 1, 2010. Benefit standards applicable to Medicare supplement policies and certificates issued before June 1, 2010 remain subject to the requirements of A.R.S. § 20-1133.

4. Section 9.1 is revised to insert the citation to A.R.S. § 20-1133 as follows:
The following standards are applicable to all Medicare supplement policies or certificates delivered or issued for delivery in this state on or after June 1, 2010. No policy or certificate may be advertised, solicited, delivered or issued for delivery in this state as a Medicare supplement policy or certificate unless it complies with these benefit plan standards. Benefit plan standards applicable to Medicare supplement policies and certificates issued before June 1, 2010 remain subject to the requirements of A.R.S. § 20-1133.
 - 3-5. A new subsection Subsection G is added to of Section 15 is revised as follows:
G. An insurer shall not file or request approval of a rate structure for its Medicare supplement policies or certificates based upon attained-age rating as a structure or methodology after September 13, 2005.
 4. The heading for the table for “~~PLAN E, MEDICARE (PART B) MEDICAL SERVICES PER BENEFIT PERIOD~~” is revised to “~~PLAN E, MEDICARE (PART B) MEDICAL SERVICES PER CALENDAR YEAR.~~”
 - 5-6. Tables for PLAN F or HIGH DEDUCTIBLE PLAN F are revised as follows:
 - a. For the table entitled “PARTS A & B” a column heading is revised from “AFTER YOU PAY \$[1690] \$[2000] DEDUCTIBLE,** PLAN PAYS” to “[AFTER YOU PAY \$[1690] \$[2000] DEDUCTIBLE,**] PLAN PAYS.”
 - b. For the table entitled “PARTS A & B” a column heading is revised from “IN ADDITION TO \$[1690] \$[2000] DEDUCTIBLE,** YOU PAY” to “[IN ADDITION TO \$[1690] \$[2000] DEDUCTIBLE,**] YOU PAY.”
 - c. For the table entitled “OTHER BENEFITS - NOT COVERED BY MEDICARE” a column heading is revised from “AFTER YOU PAY \$[1690] \$[2000] DEDUCTIBLE,** PLAN PAYS” to “[AFTER YOU PAY \$[1690] \$[2000] DEDUCTIBLE,**] PLAN PAYS.”
 - d. For the table entitled “OTHER BENEFITS - NOT COVERED BY MEDICARE” a column heading is revised from “IN ADDITION TO \$[1690] \$[2000] DEDUCTIBLE,** YOU PAY” to “[IN ADDITION TO \$[1690] \$[2000] DEDUCTIBLE,**] YOU PAY.”
 6. Tables for PLAN J or HIGH DEDUCTIBLE PLAN J are revised as follows:
 - a. For the tables entitled “~~MEDICARE (PART A) HOSPITAL SERVICES PER BENEFIT PERIOD~~” and “~~MEDICARE (PART B) MEDICAL SERVICES PER CALENDAR YEAR,~~” the last sentence of the second paragraph under the title is revised to: “This includes the Medicare deductibles for Part A and Part B, but does not include the plan’s separate foreign travel emergency deductible.”
 - b. For the table entitled “~~MEDICARE (PART B) MEDICAL SERVICES PER CALENDAR YEAR,~~” all information for “HOSPICE CARE” is moved to the bottom of the table for “~~MEDICARE (PART A) HOSPITAL SERVICES PER BENEFIT PERIOD.~~”
 - c. For the table entitled “PARTS A & B” a column heading is revised from “AFTER YOU PAY \$[1690] DEDUCTIBLE,** PLAN PAYS” to “[AFTER YOU PAY \$[1690] DEDUCTIBLE,**] PLAN PAYS.”
 - d. For the table entitled “PARTS A & B” a column heading is revised from “IN ADDITION TO \$[1690] DEDUCTIBLE,** YOU PAY” to “[IN ADDITION TO \$[1690] DEDUCTIBLE,**] YOU PAY.”
 - e. For the table entitled “PARTS A & B OTHER BENEFITS - NOT COVERED BY MEDICARE” a column heading is revised from “AFTER YOU PAY \$[1690] DEDUCTIBLE,** PLAN PAYS” to “[AFTER YOU PAY \$[1690] DEDUCTIBLE,**] PLAN PAYS.”
 - f. For the table entitled “PARTS A & B OTHER BENEFITS - NOT COVERED BY MEDICARE” a column heading is revised from “IN ADDITION TO \$[1690] DEDUCTIBLE,** YOU PAY” to “[IN ADDITION TO \$[1690] DEDUCTIBLE,**] YOU PAY.”
 7. Section 23 is revised as follows:
 - A. If a Medicare supplement policy or certificate replaces another Medicare supplement policy or certificate, the replacing issuer shall waive any time periods applicable to preexisting conditions, waiting periods, elimination periods and probationary periods in the new Medicare supplement policy or certificate to the extent such time was spent under the original policy.
 - B. If a Medicare supplement policy or certificate replaces another Medicare supplement policy or certificate which has been in effect for at least six months, the replacing policy shall not provide any time period applicable to pre-existing conditions, waiting periods, elimination periods and probationary periods.
- C. This Section is applicable to Medicare supplement insurance policies issued on or after January 1, 2006.