

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.

Editor's Note: The following Notices of Rulemaking Docket Opening were filed with the Secretary of State's Office before the implementation Governor's Regulatory Review Plan memorandum, January 22, 2009. See a copy of the memorandum in this issue on page 342.

Because the Governor's Office memorandum does not specifically request agencies to withdraw Notices of Rulemaking Docket Opening already filed, they remain on file with our office.

Please be advised that the following Notices of Rulemaking Docket Opening may fall under the review of Governor's Regulatory Review Plan memorandum, January 22, 2009. Contact the agency for more information.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING

[R09-03]

- 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: 15, Abortion Clinics
Section numbers: R9-10-1501, R9-10-1503, R9-10-1505, R9-10-1506, R9-10-1507, R9-10-1508, and R9-10-1511 (Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rule:**
The Department is promulgating amendments to the abortion clinic rules to comply with a Stipulation of Settlement approved by the U.S. District Court on September 10, 2008. The proposed rulemaking will include provisions for adding definitions; amending provisions for access to the facility and patient medical records, training requirements for performing ultrasounds, patient intravenous access, and follow-up visit scheduling; and deleting requirements for a patient care staff and volunteer written work schedule; the treatment of patients with consideration, respect, and full recognition of the patient's dignity and individuality; and the submission of ultrasounds to a Department contractor.

The agency docket number, if applicable:

RE-001-09

- 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, Administrative Counsel and Rules Administrator

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

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Kathy McCanna, Program Manager

Address: Department of Health Services
Division of Licensing Services
Office of Medical Facilities Licensing
150 N. 18th Ave.
Phoenix, AZ 85007

Telephone: (602) 364-2841

Notices of Rulemaking Docket Opening

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 will be included in the Notice of Proposed Rulemaking. 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:

To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING**

[R09-04]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 16, Department of Health Services – Occupational Licensing
Article and its heading: 5, Licensing Speech-Language Pathologist Assistants
Section numbers: R9-16-501 through R9-16-510 (Sections may be added, deleted, or modified as necessary.)

2. The subject matter of the proposed rules:

Laws 2006, Ch. 390, § 5 created A.R.S. § 36-1940.04 to establish licensure requirements for speech-language pathologist assistants. The Arizona Department of Health Services (Department) is writing new rules, consistent with A.R.S. § 36-1940.04, for licensing speech-language pathologist assistants. The Department is creating a new Article in the *Arizona Administrative Code* for this rulemaking.

The rules will conform to the rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

The agency docket number:

RE-004-09

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 rules:

Name: Kathleen Phillips, Administrative Counsel and Rules Administrator

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

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Rohno Geppert, Program Manager

Address: Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Ave., Suite 460
Phoenix, AZ 85007

Telephone: (602) 364-2079

Fax: (602) 364-4769

E-mail: gepperr@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 at the addresses 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:**
None

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF HEALTH SERVICES
VITAL RECORDS AND STATISTICS

[R09-05]

- 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; 2, Duties of Persons Responsible for Birth Records; Birth Certificate Amendments; 3, Vital Records for Death
Section numbers: R9-19-101, R9-19-201 through R9-19-209, R9-19-304 (Sections may be added, deleted, or modified as necessary.)

- 2. The subject matter of the proposed rule:**
This Notice of Rulemaking Docket Opening replaces the Notice of Rulemaking Docket Opening that was published November 23, 2007 and has expired. Laws 2004, Chapter 17, 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. Requirements and procedures for birth certificates for individuals who are born and death certificates for individuals who die in the state of Arizona are contained in 9 A.A.C. 19. In this rulemaking the Department will amend and add definitions in Article 1 pertinent to birth records; amend Article 2, which contains requirements and procedures for vital records concerning birth, birth certificates, and amending a registered birth certificate; and amend one subsection in Article 3 to reflect a definition amendment, consistent with current statutory authority, Department policies, and industry standards.

The agency docket number, if applicable:
RE-003-09

- 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, Administrative Counsel and Rules Administrator
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1740 W. Adams St., Suite 200
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Telephone: (602) 542-1264
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E-mail: phillik@azdhs.gov

or

Name: Patricia Adams, Office Chief
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1818 W. Adams St.
Phoenix, AZ 85007
Phone: (602) 364-1225
Fax: (602) 364-1257
E-mail: adamsp@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:**
The Department plans to submit a Notice of Proposed Rulemaking in February 2009.