

NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

NOTICE OF PUBLIC INFORMATION

[M10-398]

1. **Name of the agency:** Arizona Department of Administration (ADOA)
2. **Title and its heading:** 2, Administration
- Chapter and its heading:** 1, Department of Administration
- Article and its heading:** 6, Adjusted Work Hours
- Section numbers:** R2-1-601 to R2-1-605
3. **The public information relating to the listed Section:**
On September 24, 2010, a Notice of Proposed Rulemaking was published in the *Arizona Administrative Register*. The oral proceeding originally scheduled in Phoenix on November 3, 2010, has a new location for the public to attend:
Date: Wednesday, November 3, 2010
Time: 2:00 p.m.
Location: Department of Administration
100 N. 15th Ave., **Room 304**
Phoenix, AZ 85007
4. **A list of previous notices published in the *Arizona Administrative Register* relating to the listed Section:**
Notice of Rulemaking Docket Opening: 14 A.A.R. 1752, May 9, 2008 (*Expired*)
Notice of Rulemaking Docket Opening: 16 A.A.R. 1766, September 3, 2010
Notice of Proposed Rulemaking: 16 A.A.R. 1906, September 24, 2010
5. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Melvin G Brender, Employee Relations Section
Address: ADOA Human Resources
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007
Telephone: (602) 542-0544
Fax: (602) 542-1980
E-mail: Mel.Brender@azdoa.gov
or
Name: Kayelen Rolfe, Manager, Travel Reduction Programs
Address: ADOA Human Resources
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007
Telephone: (602) 542-3638
Fax: (602) 542-3636
E-mail: Kayelen.Rolfe@azdoa.gov

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NOTICE OF PUBLIC INFORMATION

OFFICE OF THE SECRETARY OF STATE

CORRECTION NOTICE

[M10-412]

1. Name of the Agency: Arizona Health Care Cost Containment System

2. Correction request for 16 A.A.R. 1638, August 27, 2010:

As indicated under A.A.C. R1-1-109, please find a typographical error made in Section R9-22-206(D). Where the language reads "Organ and tissue transplant services are not covered for qualified aliens or noncitizens members of FESP under A.R.S. § 36-2903.03(D)." It should read: "Organ and tissue transplant services are not covered for non-qualified aliens"

As a matter of federal law non-qualified aliens are only entitled to receive coverage for treatment of emergency medical conditions. 8 U.S.C. 1611(b)(1)(A). This coverage does not include coverage of transplants. 42 U.S.C. 1396b(v). See also A.R.S. § 36-2903.03(D).

3. Per the correction page provided by the Arizona Health Care Cost Containment System [File number: M10-397], R9-22-206(D) shall read:

D. Organ and tissue transplant services are not covered for non-qualified aliens or noncitizens members of FESP under A.R.S. § 36-2903.03(D).

NOTICE OF PUBLIC INFORMATION

LAWS 2010, CH. 287

Revisions to the Rulemaking Process in the Administrative Procedures Act
Extension of the Rulemaking Moratorium Through Fiscal Year 2011

[M10-191]

1. Reason for the Notice of Public Information:

Laws 2010, Ch. 287 revised the Administrative Procedure Act and extended the moratorium on rulemaking through fiscal year 2011

2. Effective date of Laws 2010, Ch. 287:

July 29, 2010

3. Summary of Laws 2010, Ch. 287:

Revises the rulemaking process by expanding the use of summary rulemaking, authorizing a general permit and expanding the role of the governor's Office of Strategic Planning and Budgeting.

Requires the rule's benefits to outweigh its probable costs and the agency to demonstrate it selected the least burdensome and costly alternative. (Strikes the requirement for this to be by clear and convincing evidence).

Expands the requirements for the Economic, Small Business and Consumer Impact Statement.

For the agency's five-year review, requires a determination that the rule imposes the least burden and cost to the regulated community.

During an appeal of an agency rule, outlines an additional reason for filing an objection.

Extends the rulemaking moratorium on rulemaking through fiscal year 2011

(Excerpted from Arizona House of Representatives House Majority Research Memorandum of April 28, 2010. Available online at www.azleg.gov.)

4. Contact for rulemaking moratorium questions:

Communications regarding exceptions to the moratorium, or questions regarding the moratorium generally, should be addressed to Richard Bark, Deputy Chief of Staff, Policy, at rbark@az.gov.

5. Location of full text of Laws 2010, Ch. 287:

The entire text of Laws 2010, Ch. 287 is available online at www.azsos.gov under Legislative Filings.