

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

DEPARTMENT OF HEALTH SERVICES

[M11-188]

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: 4, Access to Records; Copies; Fees
Section numbers: R9-19-413
2. **The public information relating to the listed Section:**

On April 6, 2011, the Governor signed SB1619, a budget reconciliation bill which includes requirements for fees received by the state for vital records. SB1619 gives the Arizona Department of Health Services (Department) exempt rulemaking authority to amend the rules for the establishment of fees charged for searches, copies of registered certificates, certified copies of registered certificates, amending registered certificates and correcting certificates that are processed by the Department. SB1619 also allows the Department to establish a surcharge to be assessed on any local registrar who accesses the Department's vital records automation system. This Notice of Public Information provides notice that the Department will hold a public hearing to obtain public comment regarding the fees for vital records and a web site address where interested persons may obtain information about the rulemaking, view the draft fee changes, and learn more about the public hearing. It is anticipated that the new fees will take effect in July 2011.
3. **The name, address, and telephone number of agency personnel to whom questions and comments on the rules may be addressed:**

Name: Patricia Adams, Office Chief
Address: Department of Health Services
Bureau of Public Health Statistics
Office Vital Records
1818 W. Adams St.
Phoenix, AZ 85007
Telephone: (602) 364-1300
Fax: (602) 364-1257
E-mail: patricia.adams@azdhs.gov
or
Name: Thomas Salow, Acting Manager
Address: Department of Health Services
Office of Administrative Rules and Counsel
1740 W. Adams St., Suite 203
Phoenix, AZ 85007
Telephone: (602) 364-1935
Fax: (602) 364-1150
E-mail: salowt@azdhs.gov
4. **The web site where persons may obtain information about the rulemaking:**

http://www.azdhs.gov/diro/admin_rules/vitalrecords.htm
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Department has scheduled the following public hearings:
Date: June 23, 2011
Time: 9:30 a.m.

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Location: 1740 W. Adams St., Room 411A
Phoenix, AZ 85007

The Department will accept public comments on the draft rules until 5:00 p.m. on June 23, 2011.

A person with a disability may request a reasonable accommodation for the public hearings, such as a sign language interpreter, by contacting Thomas Salow at (602) 364-1935 or salowt@azdhs.gov. Requests should be made as early as possible to allow time to arrange the accommodation.

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.