

Notices of Exempt Rulemaking

Under A.R.S. § 41-1005(A)(24), the Board is exempt from Title 41, Chapter 6 for rulemaking. The Board is submitting this rulemaking to the Secretary of State's office in accordance with the exemption authorized in Executive Order 2011-05, State Regulatory Rulemaking Moratorium.

The Board is aware of A.R.S. § 41-1008 and will re-evaluate the fee schedule and address the fee rules through the mandated rulemaking process within the two-year time frame.

7. **A reference to any study relevant to the rules that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rules, 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 Board did not review or rely on any study.

8. **A showing of good cause why the rulemaking is 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

9. **A summary of the economic, small business, and consumer impact:**

The Board is exempt under A.R.S. § 41-1005(A)(24).

10. **A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

Not applicable

11. **An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

The Board did not receive any comments.

12. **All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

- a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

The Board issues a license or certificate, which falls within the definition of general permit.

- b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

Federal law is not applicable to the subject of the rule.

- c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**

The Board did not receive such an analysis from any person.

13. **A list of any incorporated material and its location in the rules:**

None

14. **Whether the rule was previously made, amended or repealed as an emergency rule. If so, shall state where the text changed between the emergency and exempt rulemaking packages:**

The Board did not make, amend, repeal, or renumber the rule as an emergency rule.

15. **The full text of the rules follows:**

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 18. NATUROPATHIC PHYSICIANS MEDICAL BOARD

ARTICLE 1. GENERAL PROVISIONS

Section
R4-18-107. Fees

ARTICLE 1. GENERAL PROVISIONS

R4-18-107. Fees

- A. Application fees are as follows:
1. Medical license, ~~\$150~~ \$225

Notices of Exempt Rulemaking

or

Address: Department of Economic Security
P.O. Box 6123, Site Code 837A
Phoenix, AZ 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

E-mail: bbroeker@azdes.gov

Website: http://www.azdes.gov

6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:

A.R.S. § 41-1005(A)(25) gives the Department an exemption from the Administrative Procedure Act to develop rules under A.R.S. § 46-805. This statute gives the Department the authority to establish payment rates for child care assistance and a sliding fee scale and formula for determining child care assistance. The Department is adopting a new Child Care Assistance Gross Monthly Income Eligibility Chart and Fee Schedule to adjust the eligibility limits for child care assistance, to reflect updated Federal Poverty Guidelines.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not 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:

Not applicable

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

Not applicable

9. The summary of the economic, small business, and consumer impact, if applicable:

Because these rules are exempt from the Administrative Procedure Act under A.R.S. § 41-1005(A)(25), the Department did not prepare an economic impact statement.

10. A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and the final rulemaking package (if applicable):

Not applicable

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:

Not applicable

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Not applicable

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than the federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

Not applicable

13. A list of any incorporated by reference material and its location in the rule:

Not applicable

14. Whether the rule was previously made, amended, repealed or renumbered as an emergency rule. If so, the agency shall state where the text changed between the emergency and the exempt rulemaking packages:

Not applicable

15. The full text of the rules follows:

Notices of Exempt Rulemaking

TITLE 6. ECONOMIC SECURITY

CHAPTER 5. DEPARTMENT OF ECONOMIC SECURITY - SOCIAL SERVICES

ARTICLE 49. CHILD CARE ASSISTANCE

Sections

Appendix A. ~~Child Care Assistance Gross Monthly Income Eligibility Chart & Fee Schedule~~

Appendix A. ~~Child Care Assistance Gross Monthly Income Eligibility Chart & Fee Schedule~~

Appendix A. ~~Child Care Assistance Gross Monthly Income Eligibility Chart and Fee Schedule~~

ARIZONA DEPARTMENT OF ECONOMIC SECURITY
CHILD CARE ASSISTANCE GROSS MONTHLY INCOME-
ELIGIBILITY CHART AND FEE SCHEDULE

EFFECTIVE JULY 1, 2012

Family Size ↓	FEE LEVEL 1 (L1) INCOME MAXIMUM EQUAL TO OR- LESS THAN 85% FPL*	FEE LEVEL 2 (L2) INCOME MAXIMUM EQUAL TO OR- LESS THAN 100% FPL*	FEE LEVEL 3 (L3) INCOME MAXIMUM EQUAL TO OR- LESS THAN 135% FPL*	FEE LEVEL 4 (L4) INCOME MAXIMUM EQUAL TO OR- LESS THAN 145% FPL*	FEE LEVEL 5 (L5) INCOME MAXIMUM EQUAL TO OR- LESS THAN 155% FPL*	FEE LEVEL 6 (L6) INCOME MAXIMUM EQUAL TO OR- LESS THAN 165% FPL*
1	0—792	793—931	932—1,257	1,258—1,350	1,351—1,444	1,445—1,537
2	0—1,072	1,073—1,261	1,262—1,703	1,704—1,829	1,830—1,955	1,956—2,081
3	0—1,353	1,354—1,591	1,592—2,148	2,149—2,307	2,308—2,467	2,468—2,626
4	0—1,633	1,634—1,921	1,922—2,594	2,595—2,786	2,787—2,978	2,979—3,170
5	0—1,914	1,915—2,251	2,252—3,039	3,040—3,264	3,265—3,490	3,491—3,715
6	0—2,194	2,195—2,581	2,582—3,485	3,486—3,743	3,744—4,001	4,002—4,259
7	0—2,475	2,476—2,911	2,912—3,930	3,931—4,221	4,222—4,513	4,514—4,804
8	0—2,755	2,756—3,241	3,242—4,376	4,377—4,700	4,701—5,024	5,025—5,348
9	0—3,036	3,037—3,571	3,572—4,821	4,822—5,178	5,179—5,536	5,537—5,893
10	0—3,316	3,317—3,901	3,902—5,267	5,268—5,657	5,658—6,047	6,048—6,437
11	0—3,597	3,598—4,231	4,232—5,712	5,713—6,135	6,136—6,559	6,560—6,900**
12	0—3,877	3,878—4,561	4,562—6,158	6,159—6,614	6,615—7,050**	

MINIMUM REQUIRED CO-PAYMENTS

Per child in care	full day = \$1.00 part day = \$.50	full day = \$2.00 part day = \$1.00	full day = \$3.00 part day = \$1.50	full day = \$5.00 part day = \$2.50	full day = \$7.00 part day = \$3.50	full day = \$10.00 part day = \$5.00
-------------------	---------------------------------------	--	--	--	--	---

For families receiving Transitional Child Care (TCC) there is no co-pay assigned beyond the third child in the family.

Full day = Six or more hours; Part day = Less than six hours.

Families receiving Child Care Assistance based on Child Protective Services/Foster Care, the Jobs Program or those who are receiving Cash Assistance (CA) and are employed, may not have an assigned fee level and may not have a minimum required co-payment. However, all families may be responsible for charges above the minimum required co-payments if a provider's rates exceed allowable state reimbursement maximums and/or the provider has other additional charges.

*Federal Poverty Level (FPL) = US DHHS 2012 poverty guidelines. The Arizona state statutory limit for child care assistance is 165% of the Federal Poverty Level.

**The Federal Child Care & Development Funds statutory limit (for eligibility for child care assistance) of 85% of the state median income.

Notices of Exempt Rulemaking

Appendix A. Child Care Assistance Gross Monthly Income Eligibility Chart and Fee Schedule

ARIZONA DEPARTMENT OF ECONOMIC SECURITY

CHILD CARE ASSISTANCE GROSS MONTHLY INCOME ELIGIBILITY CHART AND FEE SCHEDULE

EFFECTIVE JULY 1, 2013

Family Size ↓	FEE LEVEL 1 (L1) INCOME MAXIMUM EQUAL TO OR LESS THAN 85% FPL*	FEE LEVEL 2 (L2) INCOME MAXIMUM EQUAL TO OR LESS THAN 100% FPL*	FEE LEVEL 3 (L3) INCOME MAXIMUM EQUAL TO OR LESS THAN 135% FPL*	FEE LEVEL 4 (L4) INCOME MAXIMUM EQUAL TO OR LESS THAN 145% FPL*	FEE LEVEL 5 (L5) INCOME MAXIMUM EQUAL TO OR LESS THAN 155% FPL*	FEE LEVEL 6 (L6) INCOME MAXIMUM EQUAL TO OR LESS THAN 165% FPL*
1	0 – 815	816 – 958	959 – 1,294	1,295 – 1,390	1,391 – 1,485	1,486 – 1,581
2	0 – 1,100	1,101 – 1,293	1,294 – 1,746	1,747 – 1,875	1,876 – 2,005	2,006 – 2,134
3	0 – 1,384	1,385 – 1,628	1,629 – 2,198	2,199 – 2,361	2,362 – 2,524	2,525 – 2,687
4	0 – 1,669	1,670 – 1,963	1,964 – 2,651	2,652 – 2,847	2,848 – 3,043	3,044 – 3,239
5	0 – 1,954	1,955 – 2,298	2,299 – 3,103	3,104 – 3,333	3,334 – 3,562	3,563 – 3,792
6	0 – 2,239	2,240 – 2,633	2,634 – 3,555	3,556 – 3,818	3,819 – 4,082	4,083 – 4,345
7	0 – 2,523	2,524 – 2,968	2,969 – 4,007	4,008 – 4,304	4,305 – 4,601	4,602 – 4,898
8	0 – 2,808	2,809 – 3,303	3,304 – 4,460	4,461 – 4,790	4,791 – 5,120	5,121 – 5,450
9	0 – 3,093	3,094 – 3,638	3,639 – 4,912	4,913 – 5,276	5,277 – 5,639	5,640 – 6,003
10	0 – 3,378	3,379 – 3,973	3,974 – 5,364	5,365 – 5,761	5,762 – 6,159	6,160 – 6,556
11	0 – 3,662	3,663 – 4,308	4,309 – 5,816	5,817 – 6,247	6,248 – 6,678	6,679 – 6,710**
12	0 – 3,947	3,948 – 4,643	4,644 – 6,269	6,270 – 6,733	6,734 – 6,847**	

MINIMUM REQUIRED CO-PAYMENTS

Per child in care	full day = \$1.00	full day= \$2.00	full day = \$3.00	full day = \$5.00	full day = \$7.00	full day = \$10.00
	part day= \$.50	part day= \$1.00	part day= \$1.50	part day = \$2.50	part day = \$3.50	part day = \$5.00

For families receiving Transitional Child Care (TCC) there is no co-pay assigned beyond the third child in the family

Full day = Six or more hours; Part day = Less than six hours.

Families receiving Child Care Assistance based on Child Protective Services/Foster Care, the Jobs Program or those who are receiving Cash Assistance (CA) and are employed, may not have an assigned fee level and may not have a minimum required co-payment. However, all families may be responsible for charges above the minimum required co-payments if a provider's rates exceed allowable state reimbursement maximums and/or the provider has other additional charges.

*Federal Poverty Level (FPL) = US DHHS 2013 poverty guidelines. The Arizona state statutory limit for child care assistance is 165% of the Federal Poverty Level.

**The Federal Child Care & Development Funds statutory limit (for eligibility for child care assistance) is 85% of the 2013 state median income.