



Arizona Administrative REGISTER

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From the Publisher

ABOUT THIS PUBLICATION

The paper copy of the *Administrative Register* (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the *Arizona Administrative Register* or *Code*. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the *Register*. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The printed *Code* is the official publication of a rule in the A.A.C. is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a copy.

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A price list for the *Arizona
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online. You may also request a paper
price list by mail. To purchase a paper
Chapter, contact customer service at
(602) 364-3223.

PUBLICATION DEADLINES
Publication dates are published in the
back of the *Register*. These dates
include file submittal dates with a
three-week turnaround from filing to
published document.

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Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

Arizona Administrative Register (A.A.R.): The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor's Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or "Laws": When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.," and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



NOTICES OF PROPOSED RULEMAKING

This section of the Arizona Administrative Register contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same Register issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the Register within three weeks of filing. See the publication schedule in the back of each issue of the Register for more information.

Under the APA, 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)

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency the promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 10. BOARD OF COSMETOLOGY

[R15-100]

PREAMBLE

- 1. Articles, Parts, and Sections Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:
4. The agency's contact person who can answer questions about the rulemaking:
5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:
6. A reference to any study relevant to the rule that the agency reviewed and proposes either 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:



7. 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

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

The economic impact of this rulemaking will be minimal. Although personal licensing fees are increasing, the cost per year of licensure remains the same or in some cases, decreases. The Board is also increasing the charge to take a licensing examination. As authorized by A.R.S. § 32-504(A)(3), the Board contracts with a national professional organization to prepare, administer, and grade the licensing examination. The fee increase is needed to pay the amount charged by the national professional organization.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Donna Aune
 Address: 1721 E. Broadway
 Tempe, AZ 85282-1611
 Telephone: (480) 784-4539
 Fax: (480) 784-4962
 E-mail: daune@azboc.gov
 Web site: www.boc.az.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding regarding the proposed rules will be held as follows:

Date: Wednesday, October 14, 2015
 Time: 9:00 a.m.
 Location: Arizona Board of Cosmetology
 1721 E. Broadway
 Tempe, AZ 85282

11. 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:

None

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:

A renewed cosmetologist, aesthetician, nail technician, or instructor license is a general permit consistent with A.R.S. § 41-1037 because it is issued to qualified individuals to conduct activities that are substantially similar in nature.

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:

There are no federal laws uniquely applicable to the subject of this rulemaking.

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:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 10. BOARD OF COSMETOLOGY

ARTICLE 1. GENERAL PROVISIONS

- Section
- R4-10-102. Fees and Charges
- R4-10-107. License Renewal
- R4-10-110. Reactivating an Inactive License

ARTICLE 1. GENERAL PROVISIONS

R4-10-102. Fees and Charges



- A. Subject Under the specific authority provided by A.R.S. § 32-507(A) and subject to R4-10-103(E), the Board establishes and shall collect the following fees:
 1. Written examination: ~~\$50.00~~ \$100
 2. Practical examination: ~~\$50.00~~ \$77
 3. Initial personal license: ~~\$40.00~~ 70
 4. Personal licensing renewal fees: ~~\$30.00~~ \$60
 5. Delinquent personal license renewal: \$90 for ~~each year~~ every two years or portion of a year two years for which that the license is inactive to a maximum of four years ~~delinquent fees: \$50.00~~
 6. Duplicate license: \$20.00
 7. Personal reciprocity license: ~~\$110.00~~ \$140
 8. Salon initial license: \$110.00
 9. Salon renewal: \$50.00
 10. Salon delinquent renewal: \$80.00
 11. School license: \$600.00
 12. School renewal: \$500.00
 13. Delinquent school renewal: \$600.00
- B. Under the specific authority provided by A.R.S. § 32-507(B) and subject to R4-10-103(E), the Board establishes and shall collect the following charges for the services provided:
 - ~~14-1.~~ Board administered educational classes: \$25.00
 - ~~15-2.~~ Review of examination: \$50.00
 - ~~16-3.~~ Regrading ~~Re-grading~~ of examination: \$25.00
 - ~~17-4.~~ Certification of licensure or hours: \$30.00
 - ~~18-5.~~ Service charge for ~~For use of an~~ alternative payment method of payment: \$3.00 per transaction: ~~2.5%~~ of applicable fee
 - ~~19-6.~~ The fee for ~~For~~ copying public documents: is 50¢ per page. ~~The fee for~~
 7. For audiotapes, videotapes, computer discs, or other media used for recording sounds, images, or information, is: \$15 per tape, disc, page, or other medium.
 - ~~20-8.~~ The fee for providing ~~For~~ a list of licensees' names and addresses: is 25¢ per name.
- ~~21-C.~~ The ~~As~~ authorized by A.R.S. § 44-6852, the Board shall charge a service fee of \$20.00 for the return of a dishonored check or the failure of any other means of payment to be honored plus the actual charges assessed by the financial institution dishonoring the check or other means of payment.

R4-10-107. License Renewal

- A. An aesthetician, cosmetologist, nail technician, or instructor licensee shall postmark or electronically submit an application for renewal to the Board on or before the licensee's birthday every two years.
 1. If ~~an applicant's~~ a licensee's birthday falls on a Saturday, Sunday, or legal holiday, the ~~applicant~~ licensee may file the renewal application on the next business day following the ~~applicant's~~ licensee's birthday.
 2. ~~As~~ A renewal application consists of:
 - a. A form provided by the Board that contains: the ~~applicant's~~ licensee's name, address, Social Security number, and signature or Personal Identification Number (PIN) supplied by the Board if filed electronically;
 - b. A statement of whether the ~~applicant~~ licensee has changed the ~~applicant's~~ licensee's name since the previous application and, if name has changed, a copy of a legal document, such as a marriage license or divorce decree, showing the name change; and
 - c. The fee required in R4-10-102.
- B. An establishment licensee shall annually postmark or electronically submit to the Board an application for renewal and the fee required in R4-10-102 on or before the license renewal date.
 1. If the license renewal date falls on a Saturday, Sunday, or legal holiday, the ~~applicant~~ licensee may file the application on the next business day following the license renewal date.
 2. ~~As~~ A renewal application consists of a form provided by the Board that contains:
 - a. The establishment's name and license number;
 - b. If the owner is an individual or partnership, the signature and tax identification number of the owner; if the owner is a corporation, the signature of the authorized signer and the tax identification number of the corporation; if filed electronically, the Personal Identification Number (PIN) supplied by the Board may be used in place of the signature; and
 - c. The fee required in R4-10-102.

R4-10-110. Reactivating an Inactive License

- A. A cosmetology, nail technology, aesthetics, or instructor license that has been inactive for less than ~~one year~~ will two years may be reactivated by paying the delinquent renewal fee.
- B. A cosmetology, nail technology, aesthetics, or instructor license that has been inactive for more than ~~one year~~ two years, but less than five years, may be reactivated by the licensee paying the delinquent renewal fee and paying for and completing the infection protection class and law review class, offered by the Board, ~~but paid for by the licensee.~~
- C. A cosmetology, nail technology, aesthetics, or instructor license that has been inactive for more than five years, but less



to find a partnering political subdivision to provide the non-federal share of the payment). The continued inclusion of DSH in the calculation in current rules allows hospitals which are able to find a partner to obtain both a higher DSH payment and a higher RHIF payment.

Finally, the Agency proposes amending the rule to clarify that RHIF payments are only made to acute care hospitals which are neither an Indian Health Services or a tribal owned and operated facility and that "PPS beds" do not include subprovider beds. These changes are consistent with the current protocol.

These changes have been presented to all hospitals currently receiving a RHIF payment, and hospitals (including both CAHs and non-CAHs) have expressed widespread support for this change.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either 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:

A study was not referenced or relied upon when revising the regulations.

7. 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

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

The Administration does not anticipate an overall economic impact since the aggregate payments made from the Rural Hospital Inpatient Fund remains the same. However, there may be an economic impact to individual providers as the money will be distributed in a more equitable manner than if there were no rule change.

9. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Mariaelena Ugarte
Address: AHCCCS
Office of Administrative Legal Services
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSRules@azahcccs.gov
Web site: www.azahcccs.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Proposed rule language will be available on the AHCCCS website www.azahcccs.gov the week of August 17, 2015. Please send written or email comments to the above address by the close of the comment period, 5:00 p.m., October 5, 2015.

Date: October 5, 2015
Time: 1:00 p.m.
Location: AHCCCS
701 E. Jefferson
Phoenix, AZ 85034
Nature: Public Hearing

Date: October 5, 2015
Time: 1:00 p.m.
Location: ALTCS: Arizona Long-Term Care System
1010 N. Finance Center Dr, Suite 201
Tucson, AZ 85710
Nature: Public Hearing

Date: October 5, 2015
Time: 1:00 p.m.
Location: 2717 N. 4th St., Suite 130
Flagstaff, AZ 86004
Nature: Public Hearing

11. 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:

No other matters have been prescribed.

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 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:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
ADMINISTRATION

ARTICLE 7. STANDARDS FOR PAYMENTS

Section

R9-22-712.07. Rural Hospital Inpatient Fund Allocation

ARTICLE 7. STANDARDS FOR PAYMENTS

R9-22-712.07. Rural Hospital Inpatient Fund Allocation

- A.** For purposes of this Section, the following words and phrases have the following meanings unless the context specifically requires another meaning:
1. "Calculated inpatient costs" means the sum of inpatient covered charges multiplied by the Milliman study's implied cost-to-charge ratio of .8959.
 2. "Claims paid amount" means the sum of all claims paid by the Administration and contractors, as reported by the contractor to the Administration, to a rural hospital for covered inpatient services rendered for dates of service during the previous state fiscal year.
 3. "Fund" means any state funds appropriated by the Legislature for the purposes set forth in A.R.S. § 36-2905.02 and any federal funds that are available for matching the state funds.
 4. "Inpatient covered charges" means the sum of all covered charges billed by a hospital to the Administration or contractors, as reported by the contractors to the Administration, for inpatient services rendered during the previous state fiscal year.
 5. "Milliman study" means the report issued by Milliman USA on March 11, 2004, to the Arizona Hospital and Healthcare Association that updated a portion of a cost study entitled "Evaluation of the AHCCCS Inpatient Hospital Reimbursement System" prepared by Milliman USA for AHCCCS on November 15, 2002. A copy of each report is on file with the Administration.
 6. "Rural hospital" means a health care institution that is licensed as ~~a~~ an acute care hospital by the Arizona Department of Health Services for the previous state fiscal year and is not an IHS hospital or a tribally owned or operated facility a hospital operated by IHS or a special hospital that limits the care provided to rehabilitation service and:
 - a. Has 100 or fewer PPS beds, not including beds reported as subprovider beds on the hospital's Medicare Cost Report, and is located in a county with a population of less than 500,000 persons, or
 - b. Is designated as a critical access hospital for the majority of the previous state fiscal year.
 7. ~~"Total inpatient payments" means the sum of:~~
 - a. ~~The the claims paid amount~~
 - b. ~~Any disproportionate share hospital payments for the previous fiscal year, and~~
 - e. ~~The inpatient component of any Critical Access Hospital payments made to the hospital for the previous state fiscal year.~~
- B.** Each February, the Administration shall allocate the Fund to the following three pools for the fiscal year:
1. Rural hospitals with fewer than 26 PPS beds not including subprovider beds and all Critical Access Hospitals, regardless of the number of beds in the Critical Access Hospital;
 2. Rural hospitals other than Critical Access Hospitals with 26 to 75 PPS beds not including subprovider beds; and
 3. Rural hospitals other than Critical Access Hospitals with 76 to 100 PPS beds not including subprovider beds.
- C.** The Administration shall allocate the Fund to each pool according to the ratio of ~~total inpatient payments to~~ claims paid amount for all hospitals assigned to the pool to ~~total inpatient payments to~~ claims paid amount for all rural hospitals.
- D.** The Administration shall determine each hospital's claims paid amount and allocate the funds in each pool to each hos-



pital in the pool based on the ratio of each hospital’s claims paid amount to the sum of the claims paid amount for all hospitals assigned to the pool.

- E. The Administration shall not make a Fund payment to a hospital that will result in the hospital’s ~~total inpatient payments claims paid amount~~ plus that hospital’s Fund payment being greater than that hospital’s calculated inpatient costs.
 1. If a hospital’s ~~total inpatient payments claims paid amount~~ plus the hospital’s Fund payment would be greater than the hospital’s calculated inpatient costs, the Administration shall make a Fund payment to the hospital equal to the difference between the hospital’s calculated inpatient costs and the hospital’s ~~total inpatient payments claims paid amount~~.
 2. The Administration shall reallocate any portion of a hospital’s Fund allocation that is not paid to the hospital due to the reason in subsection (E)(1) to the other eligible hospitals in the pool based upon the ratio of the claims paid amount for each hospital remaining in the pool to the sum of the claims paid amount for each hospital remaining in the pool.
- F. If funds remain in a pool after allocations to each hospital in the pool under subsections (D) and (E), the Administration shall reallocate the remaining funds to the other pools based upon the ratio of each pool’s original allocation of the Fund as determined under subsection (C) to the sum of the remaining pools’ original Fund allocations under subsection (C). The Administration shall allocate remaining funds to the hospitals in the remaining pools under subsection (D) and (E). See Exhibit 1 for an example.
- G. Subject to CMS approval of the method and distribution of the Fund, the administration or its contractors will distribute the Fund as a lump sum allocation to the rural hospitals in either one or two installments by the end of each state fiscal year.

Exhibit 1. Pool Example

Pool A receives \$2,000,000. Pool B receives \$7,000,000. Pool C receives \$3,000,000.
 If all of the funds in Pool B are paid to eligible hospitals and there is \$1,000,000 remaining, the remaining funds would be allocated to Pool A and Pool C based on the ratio of each pool’s original allocation (original allocations of \$2,000,000 and \$3,000,000) to the total of their original allocation (\$2,000,000 + \$3,000,000 = \$5,000,000).
 Pool A would receive 2/5 of the remaining funds (\$400,000) and Pool C would receive 3/5 of the remaining funds (\$600,000).



NOTICES OF PROPOSED EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Proposed Exempt Rulemaking. An agency may be exempt from rulemaking standards outlined in the Arizona Administrative Procedures Act (APA).

An agency's exemption is listed in the Preamble of the rulemaking as specified under: A.R.S. §§ 41-1005 or 41-1057; or a specific statute; or if a rule is promulgated by the Corporation Commission, it is exempt from Attorney General review under a court decision as determined by the Commission.

If an agency determines it is exempt under the law or court decision, the law may still require publication of the Proposed Exempt Rulemaking in this section to solicit and review public comments on the rulemaking.

Some agencies, even though completely exempt, may still elect to follow certain provisions of the APA, such as circulating its exempt rulemaking for comment. If an agency chooses this option, our office encourages filing the notice with our office for publication in the Register.

Please note, if a statute dictates that an agency is completely exempt from the rulemaking process, the agency is authorized to file a Notice of Exempt Rulemaking.

In all cases, an agency must still follow the procedures as established by our office in order to have its rulemaking package published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed exempt rule should be directed to the agency proposing them. Refer to Item #5 of the Preamble to contact the person charged with the rulemaking.

NOTICE OF PROPOSED EXEMPT RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

[R15-113]

PREAMBLE

- 1. Article, Part or Sections Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific) and the statute or session law authorizing the exemption:
3. The effective date of the rule and the agency's reason it selected the effective date:
4. A list of all notices published in the Register as specified in R9-1-409(A) that pertain to the record of the exempt rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered to include an explanation about the rulemaking:



The Commission's rulemakings are exempt from Title 41, Ch. 6, Article 3, pursuant to A.R.S. § 16-956.

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 rule 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:**
Not applicable
10. **A description of any changes between the proposed rulemaking, including any supplemental proposed rulemaking, and final rulemaking package, (if applicable):**
The proposed rule amendment clarifies the process in which the Commission will find reasonable cause in a matter that has been declined by the Secretary of State's Office. The proposed amendment was developed by the Commission during a review of its rules and was proposed in an open meeting on August 20, 2015. There were no Notices of Supplemental Proposed Rulemakings related to this Section, and no other substantive changes are being made.
11. **An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments, if applicable:**
The Commission solicits public comment throughout the rulemaking process.
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 the 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 rules:**
Not applicable
14. **Whether this rule 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:**
The rule was not previously made, amended, repealed, or renumbered as an emergency rule.
15. **The full text of the rules follows:**

TITLE 2. ADMINISTRATION

CHAPTER 20. CITIZENS CLEAN ELECTIONS COMMISSION

ARTICLE 2. COMPLIANCE AND ENFORCEMENT PROCEDURES

Section
R2-20-208. Complaint processing; notification

ARTICLE 2. COMPLIANCE AND ENFORCEMENT PROCEDURES

R2-20-208. Complaint processing; notification

- A. If the Commission, either after reviewing a complaint-generated recommendation as described in A.A.C. R2-20-206 and any response of a respondent submitted pursuant to A.A.C. R2-20-205, or after reviewing an internally generated recommendation as described in A.A.C. R2-20-207, determines by an affirmative vote of at least 3 of its members that it has reason to believe a respondent has violated a statute or rule over which the Commission has jurisdiction, the Commission shall notify such respondent of the Commission's finding, setting forth the sections of the statute or rule alleged to have been violated and the alleged factual basis supporting the finding. In accordance with A.R.S. § 16-957(A), the Commission shall serve on the respondent an order requiring compliance within 14 days. During that period, the respondent may provide any explanation to the Commission, comply with the order, or enter into a public administrative settlement with the Commission. If the complaint has been filed with the Arizona Secretary of State's Office and involves



facts that would constitute violations of law under both the Commission’s jurisdiction and the Secretary of State’s authority and that Office declines to determine reasonable cause to believe a violation has occurred then it shall require votes of the Commission’s members to find reason to believe a violation may have occurred.

- B. No change
- C. No change



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the

interpretation of the final exempt rule should be addressed to the agency proposing them. Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

[R15-95]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
R7-2-205 Amend
R7-2-701 Amend
R7-2-703 Amend
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:
Authorizing statute: A.R.S. §§ 15-203(A)(1) and 15-203(A)(14)
Implementing statute: Not applicable
3. The effective date of the rules and the agency's reason it selected the effective date:
May 20, 2013
4. A list of all notices published in the Register as specified in R1-1-409(A) that pertains to the record of the exempt rulemaking:
N/A
5. The agency's contact person who can answer questions about the rulemaking:
Name: Christine M. Thompson, Executive Director
Address: State Board of Education
1700 W. Washington, Suite 300
Phoenix, AZ 85007
Telephone: (602) 542-5057
Fax: (602) 542-3046
E-mail: inbox@azsbe.az.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:
As directed by the Board, staff reviewed existing rules and policies governing the Professional Practices Advisory Committee (PPAC) and daily investigative procedures. Based upon this analysis it is recommended that the Board amend R7-2-205, R7-2-701 and R7-2-703 to:
• Establish the ability to create multiple PPACs to allow for the more timely adjudication of cases;
• Restructure the PPAC membership to include a parent representative; and
• Include provisions to notify victims of proceedings and allow for submission of victim impact statements as part of PPAC proceedings.
A public hearing was held May 8, 2013. No comments were received.
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:
N/A



- 8. **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:**
N/A
- 9. **The summary of the economic, small business and consumer impact, if applicable:**
The rules are not expected to have significant, if any, economic impact on small businesses.
- 10. **A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**
N/A
- 11. **A summary of the comments made regarding the rule and the agency response to them:**
A public hearing was held May 8, 2013. No comments were received.
- 12. **Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
N/A
- 13. **Incorporations by reference and their location in the rules:**
N/A
- 14. **Was this rule previously made as an emergency rule? If so, please indicate the Register citation:**
N/A
- 15. **The full text of the rule follows:**

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

Section	
R7-2-205.	Certification Review, Suspension, and Revocation
R7-2-701.	Definitions
R7-2-703.	Contested cases; notice; hearing records

ARTICLE 2. STATE BOARD OF EDUCATION COMMITTEES

- R7-2-205. Certification Review, Suspension, and Revocation**
- A. ~~The Professional Practices Advisory Committees (“Committees”)~~ **Committees (“Committees”)** shall act in an advisory capacity to the State Board of Education (“Board”) in regard to certification or recertification unfitness to teach, and revocation, suspension, or surrender of certificates.
 - B. ~~The Committee~~ **Committees** shall each consist of seven members comprised of the following:
 1. One elementary classroom teacher,
 2. One secondary classroom teacher,
 3. One principal,
 4. One superintendent or assistant/associate superintendent,
 5. Two lay members, one lay member who shall be a parent of a student currently attending public school in Arizona, and
 6. One local Governing Board member.
 - C. ~~Selection of members~~ **Members of the Committee** appointed pursuant to subsections (B)(1), (2), (3) and (4) of this rule, ~~except for lay members, shall be from highly competent educators who shall meet at least the following requirements:~~
 1. Certified to teach in Arizona ~~(except the local Governing Board member).~~
 2. Currently employed in or retired from the education profession in the specific category of their appointment.
 3. If currently employed, shall have been employed in this category for the three years immediately preceding their appointment.
 - ~~D. Appointment to the Committee from the specific categories will be recommended to the entire Board by a three-member subcommittee appointed by the President of the Board.~~
 - ~~E.D.~~ **Terms of the members**
 1. All regular terms shall be for four years except as set forth in subsection (FE) below.
 2. A member may be reappointed with Board approval.
 - ~~F.E.~~ **The Board may remove any member from the Committee. All vacancies shall be filled as prescribed in subsections (C) and (D) above, and those persons appointed to fill vacancies shall serve to complete the term of the person replaced.**
 - ~~G.F.~~ **The Committee shall:**
 1. Select from its members a Chairman; and Vice-Chairman, ~~and Secretary.~~



2. Establish procedures for conducting business according to Robert's Rules of Order Revised. A quorum shall be a majority of members of the Committee. A quorum is necessary to conduct business. An affirmative vote of the majority of the members present is needed to take action.
3. Hold meetings as needed to conduct hearings or other Committee business by call of the Chairman of the Committee. If the Chairman neglects or declines to call a meeting, then a majority of the Committee may call a meeting. The Board may call a meeting as required to conduct necessary business. Notice of any meeting shall be given to Committee members seven days prior to the meeting.
4. Recommend the removal of any member who is absent from three consecutive meetings.
5. Refer to ~~R7-2-1308 the Code of Ethics of the American Association of School Administrators and the National Education Association~~ to assist in determining whether the acts complained of constitute unprofessional conduct.
6. Conduct its business pursuant to R7-2-1301 et seq. and hearings pursuant to R7-2-701 et seq.

ARTICLE 7. ADJUDICATIONS

R7-2-701. Definitions

In this Article, unless the context otherwise specifies:

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. “Victim” means any person who has been previously identified pursuant to state law as a victim in a criminal proceeding which is the basis for a contested case.

R7-2-703. Contested cases; notice; hearing records

- ~~A.~~ No change
- ~~B.~~ No change
 1. No change
 2. No change
 3. No change
 4. No change
- ~~C.~~ A reasonable effort shall be made to notify a victim of the time, place and nature of the hearing, and that the victim may submit a victim impact statement to be included as part of the record in a contested case.
- ~~C.D.~~ Opportunity shall be afforded all parties to respond and present evidence and argument on the issues involved.
- ~~D.E.~~ The Board may dispose of any contested case by decision or approved stipulation, agreed settlement, consent agreement or by default.
- ~~E.F.~~ A hearing before a hearing body in a contested case or any part thereof shall be recorded manually or by a recording device and shall be transcribed on request of any party, unless otherwise provided by law. The cost of such transcript shall be paid by the party making the request, unless otherwise provided by law or unless assessment of the cost is waived by the Board.
- ~~F.G.~~ The hearing body may reschedule the hearing, maintaining due regard for the interests of justice and the orderly and prompt conduct of the proceedings.
- ~~G.H.~~ The record in a contested case shall include:
 1. All pleadings, motions and interlocutory rulings.
 2. Evidence received or considered.
 3. A statement of matters officially noticed.
 4. Objections and offers of proof and rulings thereon.
 5. Proposed findings of fact and conclusions of law and exceptions thereto.
 6. Any decision, opinion, recommendation or report of the hearing body.
 7. All staff memoranda, other than privileged communications, or data submitted to the hearing body in connection with its consideration of the case.
 8. A victim impact statement, if submitted by the victim.
- ~~H.I.~~ Findings of fact shall be based exclusively on the evidence and on matters officially noticed.



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

N/A

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

N/A

15. The full text of the rule follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

Section

R7-2-301.

Minimum Course of Study and Competency Goals for Students in the Common Schools

R7-2-302.

Minimum Course of Study and Competency Requirements for Graduation from High school

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

R7-2-301. Minimum Course of Study and Competency Goals for Students in the Common Schools

A. No change

- 1. No change
- 2. No change
- 3. No change
- 4. No change
- 5. No change
- 6. No change
- 7. No change
- 8. No change
- 9. No change

B. No change

- 1. No change
- 2. No change

C. No change

D. No change

- 1. No change
- 2. No change

E. ~~Online and distance education courses may be offered by the local governing board or charter school if the course is provided through an Arizona Online Instruction Program established pursuant to ARS §15-808. Delivery of distance education. In addition to traditional methods of course delivery, courses may also be offered through distance education. Distance education does not include correspondence courses. Distance education is defined as instructional learning arrangements in which the distance education instructor and the student are separated geographically. Instruction is delivered by means of telecommunications technologies such as satellite, microwave, telephone, cable, fiber optics. The instruction supplements or comprises the entire course content and provides for two-way interactive communications between the instructor and the student during the time of the instruction. Communication or interaction occurs through the use of technologies such as voice, video or computer-mediated communications.~~

- 1. ~~Distance education providers shall register with the Department of Education and satisfy the following requirements:~~
 - a. ~~Be regionally accredited or affiliated with a regionally accredited institution as listed in R7-2-601(G) or by a regional accrediting association as listed in R7-2-601(C).~~
 - b. ~~Validate that the instructor of the distance education program:~~
 - i. ~~Possesses a current Arizona teaching certificate valid for the level and subject of the instruction to be taught; or~~
 - ii. ~~Possesses a current teaching certificate from the recognized certifying authority of the sending location valid for the level and subject of the instruction to be taught; or~~
 - iii. ~~Is employed by or affiliated with, in the content area of instruction, a regionally accredited institution as listed in R7-2-601(G).~~
- 2. ~~Distance education may be used as a part of the instructional program. School districts shall ensure that:~~
 - a. ~~Only those distance education providers registered with the Department of Education are used to provide distance education; and~~
 - b. ~~The teaching partners who assist the students in receiving the instruction onsite have instructional and technical facilitator training and are supervised by an individual certified pursuant to R7-2-603.~~



- E.** Alternative Demonstration of Competency. Upon request of the student, the local school district governing board or charter school shall provide the opportunity for a student in grades seven and eight to demonstrate competency in the subject areas listed in subsection (A) above in lieu of classroom time.

R7-2-302. Minimum Course of Study and Competency Requirements for Graduation from High School

The Board prescribes the minimum course of study and competency requirements as outlined in subsections (1) through (5) and receipt of a passing score on the reading, mathematics, and writing portions of the AIMS (Arizona's Instrument to Measure Standards) assessment for the graduation of pupils from high school or issuance of a high school diploma, effective for the graduation class of 2013.

1. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - v. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
3. Online and distance education courses may be offered by the local governing board or charter school if the course is provided through an Arizona Online Instruction Program established pursuant to ARS §15-808. ~~In addition to traditional methods of course delivery, courses may also be offered through distance education. Distance education does not include correspondence courses. Distance education is defined as instructional learning arrangements in which the distance education instructor and the student are separated geographically. Instruction is delivered by means of telecommunications technologies such as satellite, microwave, telephone, cable, fiber optics. The instruction supplements or comprises the entire course content and provides for two-way interactive communications between the instructor and the student during the time of the instruction. Communication or interaction occurs through the use of technologies such as voice, video or computer-mediated communications.~~
 - a. ~~Distance education providers shall register with the Department of Education and satisfy the following requirements:~~
 - i. ~~Be accredited or affiliated with an accredited institution as defined in R7-2-601, and~~
 - ii. ~~Validate that the instructor of the distance education program:~~
 - (1) ~~Possesses a current Arizona teaching certificate valid for the level and subject of the instruction to be taught; or~~
 - (2) ~~Possesses a current teaching certificate from the recognized certifying authority of the sending location valid for the level and subject of the instruction to be taught; or~~
 - (3) ~~Is employed by or affiliated with, in the content area of instruction, an accredited institution as defined in R7-2-601.~~
 - b. ~~Distance education may be used as a part of the instructional program. School districts shall ensure that:~~
 - i. ~~Only those distance education providers registered with the Department of Education are used to provide distance education; and~~
 - ii. ~~The teaching partners who assist the students in receiving the instruction onsite have instructional and technical facilitator training and are supervised by an individual certified pursuant to R7-2-601 et seq.~~
4. No change
 - a. No change
 - b. No change
 - c. No change
5. No change
 - a. No change

**13. Incorporations by reference and their location in the rules:**

N/A

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

N/A

15. The full text of the rule follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

Section
R7-2-307. High School Equivalency Diplomas
R7-2-308. Adult Education

ARTICLE 3. CURRICULUM REQUIREMENTS AND SPECIAL PROGRAMS

R7-2-307. High School Equivalency Diplomas

- A.** No change
1. No change
 2. "Department" means the ~~GED Adult Education Services~~ Division of the Arizona Department of Education.
 3. "~~GED Equivalency Test~~" means ~~the General Educational Development Test developed by the GEDTS and administered at an official GED Testing Center.~~ A High School Equivalency Test approved by the State Board of Education.
 4. "~~GED High School Equivalency Testing Center~~" means a testing center established by the Department for the purpose of administering ~~GED High School Equivalency~~ tests and providing ~~GED High School Equivalency~~ testing services pursuant to the requirements established by ~~GEDTS~~ a State Board approved testing provider and state jurisdictional rules.
 5. "~~GEDTS~~" means ~~the GED Testing Service, Washington, D.C.~~
 - 6-5. "USAFI" means the United States Armed Forces Institute.
- B.** Eligibility requirements. Any individual who is 16 years of age or older and who has officially been withdrawn from school may take a ~~GED High School Equivalency Test~~.
1. Individuals shall be required to provide the ~~GED High School Equivalency Testing Center~~ with positive identification and proof of age, and
 2. No change
 - a. No change
 - b. No change
- C.** No change
1. Meets the eligibility requirements specified in subsection (B) and has received passing scores on ~~the GED a High School Equivalency Test~~; or
 2. Is a member of the U.S. Armed Forces and has received passing scores on ~~the GED a High School Equivalency Test~~ through USAFI or DANTES provided that the individual's last high school enrollment was in an Arizona high school. Individuals who have taken ~~the GED a High School Equivalency Test~~ through USAFI or DANTES shall send their military permanent record and application card to DANTES with a request that the official ~~GED High School Equivalency Test~~ scores and application card be forwarded to the Department; or
 3. Has received passing scores on ~~the GED a High School Equivalency Test~~ taken at ~~GEDTS~~ an approved testing provider's site, provided that the Department receives an official transcript directly from ~~GEDTS~~ the approved testing provider.
- D.** The Department shall keep a record of test scores for each individual who has taken the ~~GED a High School Equivalency Test~~.
- E.** No change
1. The State Board of Education will deposit, pursuant to A.R.S. §§ 35-146 and 35-147, fees collected under this Section in the ~~GED High School Equivalency Testing Revenue Account~~ within the Arizona Department of Education budget, to be used to offset costs of providing these services.
 2. No change
 3. No change
 - a. No change
 - b. Applicant submits a completed Fee Waiver Request Form, available from the State ~~GED High School Equivalency Testing Office~~ or from any official ~~GED High School Equivalency Testing Center~~.



- c. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change

R7-2-308. Adult Education

- A.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
- B.** No change
 - 1. No change
 - 2. No change
 - 3. No change
- C.** No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 2. No change
 - 3. No change
- D.** No change
 - 1. No change
 - 2. No change
 - 3. No change
- E.** No change
- F.** No change
- G.** No change
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. Equip students with the knowledge prerequisite for satisfactory achievement of the General Educational Development test on a High School Equivalency Test approved by the State Board of Education.
 - 3. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
- H.** No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- I.** No change



14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

N/A

15. The full text of the rule follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 8. COMPLIANCE

Section

R7-2-809. ~~Repealed~~ Emergency Administration of Auto-Injectable Epinephrine

ARTICLE 8. COMPLIANCE

R7-2-809. ~~Repealed~~ Emergency Administration of Auto-Injectable Epinephrine

A. Applicability. This rule applies to:

1. Any school district or charter school that voluntarily chooses to stock auto-injectable epinephrine pursuant to A.R.S. § 15-157.
2. All school districts and charter schools when required to stock auto-injectable epinephrine pursuant to A.R.S. § 15-157.

B. Definitions. The following definitions are applicable to this rule:

1. “Anaphylactic shock” is a severe systemic allergic reaction, resulting from exposure to an allergen, which may result in death.
2. “Auto-injectable epinephrine” means a disposable drug delivery device that is easily transportable and contains a premeasured single dose of epinephrine used to treat anaphylactic shock.
3. “Standing order” means a prescription protocol or instructions issued by the chief medical officer of the department of health services, the chief medical officer of a county health department, a doctor of medicine licensed pursuant to title 32, chapter 13, or a doctor of osteopathy licensed pursuant to title 32, chapter 17, for non-individual specific epinephrine.

C. Annual training in the administration of auto-injectable epinephrine.

1. Each school district and charter school shall designate at least two school personnel, in addition to any school nurse or athletic trainer, for each school site who shall be required to receive annual training in the proper administration of auto-injectable epinephrine in cases of anaphylactic shock pursuant to standing order.
2. Training in the administration of auto-injectable epinephrine shall be conducted in accordance with minimum standards and curriculum developed by the Arizona Department of Health Services in consultation with the Arizona Department of Education.
3. At a minimum, training shall include procedures to follow when responding to anaphylactic shock, including direction regarding summoning appropriate emergency care, and documenting, tracking and reporting of the event.
4. Training shall also include standards and procedures for acquiring a supply of at least two juvenile doses and two adult doses of auto-injectable epinephrine, restocking auto-injectable epinephrine upon use or expiration, and storing all auto-injectable epinephrine at room temperature and in secure, easily accessible locations on school sites.
5. Training shall be conducted by a regulated health care professional, whose competencies include the administration of auto-injectable epinephrine, including but not limited to a licensed school nurse, certified emergency medical technician or licensed athletic trainer.
6. School districts and charter schools shall maintain and make available upon request a list of those school personnel authorized and trained to administer auto-injectable epinephrine pursuant to a standing order.

D. Annual training on the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs.

1. Each school district and charter school shall require all school site personnel to receive an annual training on the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs.
2. Training shall be conducted in accordance with minimum training standards developed by the Arizona Department of Health Services in consultation with the Arizona Department of Education and shall follow the most current guidelines issued by the American Academy of Pediatrics.
3. Training shall be conducted by a regulated health care professional whose competencies include the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs, including but not limited to a licensed school nurse, certified emergency medical technician or licensed athletic trainer.



- E.** Procedures for annually requesting a standing order for auto-injectable epinephrine.
1. Each school district or charter school shall obtain a standing order from its designated district or charter school physician licensed pursuant to Title 32, chapter 13 or 17, and if no such physician is available to provide a standing order, from the chief medical officer of the department of health services or the chief medical officer of a county health department.
 2. Standing orders shall be renewed annually and upon the change of any designated school district or charter school physician.
 3. Standing orders shall identify the appropriate dosage of auto-injectable epinephrine to administer based upon weight and the frequency at which auto-injectable epinephrine may be administered if symptoms persist or return.
- F.** Procedures for the administration of auto-injectable epinephrine in emergency situations.
1. All school districts and charters schools shall adopt procedures for the emergency administration of auto-injectable epinephrine by designated trained personnel.
 2. Procedures shall address, at a minimum, the following requirements:
 - a. Determining if symptoms indicate possible anaphylactic shock.
 - b. Selecting the appropriate dosage of auto-injectable epinephrine to administer pursuant to a standing order.
 - c. Injecting epinephrine via auto-injector pursuant to a standing order, noting the time and dose given.
 - d. Calling 911 to advise that anaphylactic shock is suspected and epinephrine was administered.
 - e. Keeping the person stable until emergency responders arrive.
 - f. Advising school medical personnel and administration of the incident.
 - g. Repeating dose pursuant to a standing order when symptoms persist and emergency responders have not arrived.
 - h. Providing emergency responders with used epinephrine auto-injector labeled with name, date and time administered.
 - i. Assuring that parents/guardians have been notified and advised to promptly alert student's primary care physician of the incident.
 - j. Completing written documentation of the incident, detailing who administered the injection, the rationale for administering the injection, the approximate time of the injection(s), and notifications made to school administration, emergency responders, the student's parents/guardians, and the doctor or chief medical officer who issued the standing order.
 - k. Ordering replacement dose(s) of auto-injectable epinephrine.
 - l. Reviewing any incident involving emergency administration of epinephrine to determine the adequacy of response.
- G.** All school districts and charter schools shall report to the Arizona department of health services all incidents of use of auto-injectable epinephrine pursuant to this rule in the format prescribed by the Arizona department of health services.



NOTICES OF EMERGENCY RULEMAKING

This section of the Arizona Administrative Register contains Notices of Emergency Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the emergency rules should be addressed to the agency proposing them.

Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF EMERGENCY RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING

[R15-102]

PREAMBLE

- 1. Article, Part, or Section Affected (as applicable) Rulemaking Action
2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
3. The effective date of the rule:
4. Citations to all related emergency rulemaking notices published in the Register as specified in R1-1-409(A) that pertain to the record of this notice of emergency rulemaking:
5. The agency's contact person who can answer questions about the rulemaking:
6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:



fetal tissue for valuable consideration if the transfer affects interstate commerce.” (See 42 U.S.C. § 289g-2(e) for the definition of “valuable consideration.”) To address the potential illegal sale of tissue from unborn children in Arizona, the Department requested and received an exception from the Governor’s rulemaking moratorium, established by Executive Order 2015-01, and has initiated an emergency rulemaking.

Through this emergency rulemaking, the Department is clarifying, in the health care institution licensing rules in 9 A.A.C. 10, the abortion reporting requirements in A.R.S. § 36-2161. The Department is also adding a requirement for a licensed health care institution where abortions are performed to include information on the final disposition of the fetal tissue, the person or persons taking custody of the fetal tissue, the amount of any compensation received by the licensed health care institution for the fetal tissue, and whether a patient has provided informed consent for the transfer of custody of the fetal tissue, consistent with 42 U.S.C. §§ 289g-1 and 289g-2. An exception is made in the reporting rule for a transfer of custody to a funeral establishment or a crematory for final disposition. By reviewing the information submitted, the Department will be better able to monitor health care institutions where abortions are performed for compliance with applicable laws and rules on the use of donated tissues, including the potential illegal sale of tissue from unborn children. Based on the foregoing and pursuant to A.R.S. § 41-1026, the Department finds the existence of an emergency justifying an emergency rulemaking.

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 Department did not review or rely on any study related to this rulemaking package.
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. **A summary of the economic, small business, and consumer impact:**
Not applicable. Pursuant to A.R.S. § 41-1055(D)(1), this rulemaking is exempt from the requirements to prepare and file an economic, small business and consumer impact statement.
10. **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 are not 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 federal law and, if so, citation to the statutory authority to exceed the requirements of federal law:**
The rule is not more stringent than federal law.
 - c. **Whether a person submitted an analysis to the agency that compares the rule’s impact on the competitiveness of business in this state to the impact on business in other states:**
No analysis comparing competitiveness was received by the Department.
11. **A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**
None
12. **An agency explanation about the situation justifying the rulemaking as an emergency rule:**
The Department just became aware of the potential for fetal tissue from an abortion to be sold and has immediately initiated this emergency rulemaking to address the situation. This situation was not caused by the Department’s delay or inaction. In addition, given the additional time necessary to conduct a regular rulemaking, the current situation cannot be averted by a regular rulemaking (which at a minimum could take an additional six to eight months to complete).
13. **The date the Attorney General approved the rule:**
August 14, 2015
14. **The full text of the rules follows:**

TITLE 9. HEALTH SERVICES

CHAPTER 10. DEPARTMENT OF HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING



ARTICLE 1. GENERAL

Section
R9-10-119. ~~Reserved~~ Abortion Reporting

ARTICLE 1. GENERAL

R9-10-119. ~~Reserved~~ Abortion Reporting

A. A licensed health care institution where abortions are performed shall submit to the Department, in a Department-provided format and according to A.R.S. § 36-2161(B) and (C), a report that contains the information required in A.R.S. § 36-2161(A) and the following:

- 1. The final disposition of the fetal tissue from the abortion; and
- 2. If custody of the fetal tissue is transferred to another person or persons, except for a funeral establishment, as defined in A.R.S. § 32-1301, or a crematory, as defined in A.R.S. § 32-1301:
 - a. The name and address of the person or persons accepting custody of the fetal tissue;
 - b. The amount of any compensation received by the licensed health care institution for the transferred fetal tissue; and
 - c. Whether a patient provided informed consent for the transfer of custody of the fetal tissue.

B. For purposes of this Section, the following definition applies:
“Fetal tissue” means cells, or groups of cells with a specific function, obtained from an aborted human embryo or fetus.

NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

[R15-101]

BOARD OF COSMETOLOGY

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 10, Board of Cosmetology
Article and its heading: Article 1, General Provisions
Section numbers: R4-10-102, R4-10-107, and R4-10-110 (*Additional Sections may be made, amended, or repealed as needed*)
- 2. The subject matter of the proposed rule:**
During its 2015 session, the legislature enacted HB 2120 (See Laws 2015, Chapter 99), which provides that individuals licensed by the Board are required to renew their licenses every two years rather than annually and increased the maximum amount the Board is authorized to collect in licensing fees accordingly. The Board is amending its rules to achieve biennial license renewal and increase licensing fees. Exemptions from Executive Order 2015-01 were provided for this rulemaking by Ted Vogt, Chief of Operations in the Governor's office, in emails dated April 20 and May 7, 2015.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 21 A.A.R. 1765, September 4, 2015 (*in this issue*)
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Donna Aune
Address: 1721 E. Broadway
Tempe, AZ 85282-1611
Telephone: (480) 784-4539
Fax: (480) 784-4962
E-mail: daune@azboc.gov
Web site: www.azboc.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding 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 determined



NOTICE OF RULEMAKING DOCKET OPENING

[R15-104]

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) - ADMINISTRATION

- 1. Title and its heading:** 9, Health Services
- Chapter and its heading:** 22, Arizona Health Care Cost Containment System - Administration
- Article and its heading:** 7, Standards For Payments
- Section numbers:** R9-22-712.07 (*As part of this rulemaking, the Administration may add, delete, or modify Sections as necessary*).

2. The subject matter of the proposed rule:

The AHCCCS Administration is proposing to amend A.A.C. R9-22-712.07 to fix an unintended effect of recent budget bills, eliminate Disproportionate Share Hospital (DSH) payments from the Rural Hospital Inpatient Fund (RHIF) calculation, and to make RHIF clarifications consistent with the current protocol.

The State Fiscal Year (SFY) 2015 budget increased the Critical Access Hospital (CAH) supplemental payments from \$1,700,000 annually to \$10,491,000, and the SFY 2016 budget retained the higher appropriation. Since the RHIF calculation is based on the proportion of AHCCCS inpatient service payments from one-year prior data-including the inpatient portion of the CAH supplemental payments and the DSH payments- an increase in CAH supplemental payments has the effect of increasing the RHIF payments for CAHs. Since the total funds available for the RHIF payments are fixed, an increase in RHIF payments for CAHs provides a corresponding decrease in aggregate payments for the non-CAHs receiving a RHIF payment. An additional increase in RHIF payments for CAHs and a corresponding decrease to non-CAH RHIF hospitals will also occur if hospitals are able to find a partnering political subdivision to provide a state match for the voluntary CAH payments enacted in the SFY 2016 Health Budget Reconciliation Bill (Laws 2015, Chapter 14, Section 4).

In addition to eliminating the inpatient portion of the CAH payment from the RHIF calculation, the Agency proposes eliminating the requirement to account for DSH payments in the RHIF calculation. The RHIF rule was created prior to the creation of "Pool 5" DSH payments (the payments which can only be received if a hospital is able to find a partnering political subdivision to provide the non-federal share of the payment). The continued inclusion of DSH in the calculation in current rules allows hospitals which are able to find a partner to obtain both a higher DSH payment and a higher RHIF payment.

Finally, the Agency proposes amending the rule to clarify that RHIF payments are only made to acute care hospitals which are neither an Indian Health Services or a tribal owned and operated facility and that "PPS beds" do not include subprovider beds. These changes are consistent with the current protocol. These changes have been presented to all hospitals currently receiving a RHIF payment, and hospitals (including both CAHs and non-CAHs) have expressed widespread support for this change.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 21 A.A.R. 1768, September 4, 2015 (*in this issue*)

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

Name: Mariaelena Ugarte
 Address: AHCCCS
 Office of Administrative Legal Services
 701 E. Jefferson, Mail Drop 6200
 Phoenix, AZ 85034
 Telephone: (602) 417-4693
 Fax: (602) 253-9115
 E-mail: AHCCCSrules@azahcccs.gov

5. The time which the agency will accept written comments and the time and place where oral comments may be made:

The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Administration has initiated this rulemaking within the 60-day time period as stated under A.R.S. § 41-1033. The Notice of Proposed Rulemaking is published along with this notice.



GOVERNOR EXECUTIVE ORDERS

The Administrative Procedure Act (APA) requires the full-text publication of Governor Executive Orders.

With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

In addition, the Register shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

EXECUTIVE ORDER 2015-01

Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2015, as a notice to the public regarding state agencies' rulemaking activities.

[M15-02]

WHEREAS, Arizona has lost more jobs per capita than any other state and has yet to recover all of those jobs;

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, each agency of the State of Arizona should promote customer-service-oriented principles for the people that it serves;

WHEREAS, each State agency should undertake a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay, and legal uncertainty associated with government regulation;

WHEREAS, overly burdensome, antiquated, contradictory, redundant, and nonessential regulations should be repealed;

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

- 1. A State agency, subject to this Order, shall not conduct any rulemaking except as permitted by this Order.
2. A State agency, subject to this Order, shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justification for the rulemaking:
a. To fulfill an objective related to job creation, economic development, or economic expansion in this State.
b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
c. To prevent a significant threat to the public health, peace or safety.
d. To avoid violating a court order or federal law that would result in sanctions by a court or the federal government against an agency for failure to conduct the rulemaking action.
e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
f. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
h. To address matters pertaining to the control, mitigation or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
3. Paragraphs 1 and 2 apply to all State agencies, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission, or (c) any State agency whose agency head is not appointed by the Governor. Those State agencies to which Paragraphs 1 and 2 do not apply are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
4. Pursuant to Article 5, Section 4 of the Arizona Constitution and Arizona Revised Statutes Section 41-101(A)(1), the State agencies identified in Paragraph 3 must provide the Office of the Governor with a written report for each proposed rule 30 days prior to engaging in any rulemaking proceeding and must also provide the Office of the



Governor with a written report within 15 days of any rulemaking. The reports required by this Paragraph shall explain, in detail, how the rulemaking advances the priorities and principles set forth in this Order.

5. No later than September 1, 2015, each State agency shall provide to the Office of the Governor an evaluation of their rules, with recommendations for which rules could be amended or repealed consistent with the priorities and principles set forth in this Order. The evaluation shall also include a summary of licensing time frames and describe how those time frames compare to real processing time, and whether or not they can be reduced. Additionally, each agency shall identify any existing licenses or permits in which a general permit could be used in lieu of an individual permit, pursuant to Arizona Revised Statutes Section 41-1037.
6. No later than July 1, 2015, each State agency shall provide to the Office of the Governor an update on divisions where electronic reporting and payment are not implemented and a suggested plan for how to implement this customer-service-oriented service.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule” and “rulemaking” have the same meanings prescribed in Arizona Revised Statutes Section 41-1001.
8. This Executive Order expires on December 31, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey
G O V E R N O R

DONE at the Capitol in Phoenix on this fifth day of January in the year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Michele Reagan
Secretary of State



GOVERNOR PROCLAMATIONS

The Administrative Procedure Act (APA) requires the publication of Governor proclamations of general applicability, and ceremonial dedications issued by the Governor.

*** ARIZONA YOUTH LEADERSHIP CONFERENCE WEEK ***

[M15-220]

WHEREAS, it is important that we prepare our youth to be informed citizens who understand and respect the principles that have sustained this Nation for more than 235 years; and

WHEREAS, it is most appropriate to set aside a period of time to devote preparing our youth for leadership roles in our State and Nation; and

WHEREAS, it is essential that our youth are given the opportunities to prepare themselves to meet our Nation’s challenges through studies that emphasize individual responsibility, patriotism, leadership, American history, the United States Constitution, the free enterprise system and good citizenship; and

WHEREAS, the 25th Annual Arizona Youth Leadership Conference is made possible by Arizona Youth Leadership, Inc. and the members of the Military Order of World Wars.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim July 6 – 11, 2015 as

*** ARIZONA YOUTH LEADERSHIP CONFERENCE WEEK ***

and I further urge all Arizonans to honor those preparing the youth and the youth who are committed to preparing themselves to understand and respect the principles that have sustained this Nation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of May in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Michele Reagan
Secretary of State

*** MEN’S HEALTH WEEK ***

[M15-232]

WHEREAS, despite advances in medical technology and research, men continue to live an average of five years less than women, with African-American men having the lowest life expectancy; and

WHEREAS, educating the public and health care providers about the importance of a healthy lifestyle and early detection of male health problems will result in reducing rates of mortality from disease; and



WHEREAS, men who are educated about the value of preventative health will be more likely to participate in health screening; and

WHEREAS, fathers who maintain a healthy lifestyle are role models for their children and have happier, healthier children; and

WHEREAS, the Men's Health Network worked with Congress to develop National Men's Health Week as a special campaign to help educate men and their families about the importance of positive health attitudes and preventative health practices; and

WHEREAS, Arizona Men's Health Week includes a focus on a broad range of men's health issues, including heart disease, diabetes, mental health, prostate, testicular and colon cancer.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 15 – 21, 2015 as

*** MEN'S HEALTH WEEK ***

and I further encourage citizens to participate in a healthy lifestyle, regular exercise, and preventative medical screenings as recommended by a healthcare professional.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
G O V E R N O R

DONE at the Capitol in Phoenix on this thirteenth day of May in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Michele Reagan
Secretary of State

*** VASCULAR NURSES WEEK ***

[M15-233]

WHEREAS, there are 3.1 million licensed registered nurses in the United States and vascular nurses comprise an important part of this healthcare group; and

WHEREAS, in addition to providing excellence in direct patient care, vascular nurses participate in vascular research and serve as a valuable resource for policy makers; and

WHEREAS, the Society of Vascular Nursing (SVN) is a professional community of vascular nurses, who advance the care for those persons living with vascular disease through excellence in clinical practice, education, and research; and

WHEREAS, the core values of SVN are to advocate for both vascular nurses and for those persons who live with complex vascular disease; and



WHEREAS, peripheral arterial disease (PAD) is a vascular disease in which the arteries supplying a limb; typically one or both legs; are obstructed. Sixty percent of PAD patients have coexisting coronary artery disease (CAD) or cerebrovascular disease; and

WHEREAS, there are approximately 8 million people in the United States with PAD and 12-20 percent of American people older than age 60 have PAD; and

WHEREAS, people with vascular disease require an interdisciplinary team approach and the vascular nurse is an integral part of this team and is able to identify the resources required by the vascular patient population and assist in providing optimal care and compassion; and

WHEREAS, the second week of June is National Vascular Nurses Week.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 7 - 13, 2015 as

*** VASCULAR NURSES WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Douglas A. Ducey
G O V E R N O R

DONE at the Capitol in Phoenix on this ninth day of April in the year Two Thousand and Fifteen, and of the Independence of the United States of America the Two Hundred and Thirty-ninth.

ATTEST:
Michele Reagan
Secretary of State

REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “Information” in the front of each issue for a more detailed explanation).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
PM = Proposed amended Section
PR = Proposed repealed Section
P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
SPM = Supplemental proposed amended Section
SPR = Supplemental proposed repealed Section
SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
FM = Final amended Section
FR = Final repealed Section
F# = Final renumbered Section

SUMMARY RULEMAKING**PROPOSED SUMMARY**

PSMN = Proposed Summary new Section
PSMM = Proposed Summary amended Section
PSMR = Proposed Summary repealed Section
PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
FSMM = Final Summary amended Section
FSMR = Final Summary repealed Section
FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING**PROPOSED EXPEDITED**

PEN = Proposed Expedited new Section
PEM = Proposed Expedited amended Section
PER = Proposed Expedited repealed Section
PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
SPEM = Supplemental Proposed Expedited amended Section
SPER = Supplemental Proposed Expedited repealed Section
SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
FEM = Final Expedited amended Section
FER = Final Expedited repealed Section
FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING**EXEMPT PROPOSED**

PXN = Proposed Exempt new Section
PXM = Proposed Exempt amended Section
PXR = Proposed Exempt repealed Section
PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
SPXR = Supplemental Proposed Exempt repealed Section
SPXM = Supplemental Proposed Exempt amended Section
SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULMAKING

FXN = Final Exempt new Section
FXM = Final Exempt amended Section
FXR = Final Exempt repealed Section
FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

EN = Emergency new Section
EM = Emergency amended Section
ER = Emergency repealed Section
E# = Emergency renumbered Section
EEXP = Emergency expired

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

TN = Terminated proposed new Sections
TM = Terminated proposed amended Section
TR = Terminated proposed repealed Section
T# = Terminated proposed renumbered Section

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

CORRECTIONS

C = Corrections to Published Rules

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RULE EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

Table with 12 columns: January (Date Filed, Effective Date), February (Date Filed, Effective Date), March (Date Filed, Effective Date), April (Date Filed, Effective Date), May (Date Filed, Effective Date), June (Date Filed, Effective Date). Rows list dates from 1/1 to 1/31 and corresponding effective dates.



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1



REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Table with 3 columns: Deadline Date (paper only) Friday, 5:00 p.m., Register Publication Date, and Oral Proceeding may be scheduled on or after. Rows list dates from April 17, 2015 to October 30, 2015.



GOVERNOR'S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor's Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines as a courtesy.

All rules and Five-Year Review Reports are due in the Council office by 5:00 p.m. of the deadline date. The Council's office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit www.grrc.state.az.us.

DEADLINE TO BE PLACED ON COUNCIL AGENDA	FINAL MATERIALS DUE FROM AGENCIES	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
November 17, 2014	December 17, 2014	December 30, 2014	January 6, 2015
December 15, 2014	January 14, 2015	January 27, 2015	February 3, 2015
January 20, 2015	February 11, 2015	February 24, 2015	March 3, 2015
February 17, 2015	March 18, 2015	March 31, 2015	April 7, 2015
March 16, 2015	April 15, 2015	April 28, 2015	May 5, 2015
April 20, 2015	May 13, 2015	May 28, 2015	June 2, 2015
May 18, 2015	June 17, 2015	June 30, 2015	July 7, 2015
June 15, 2015	July 15, 2015	July 28, 2015	August 4, 2015
July 20, 2015	August 12, 2015	August 25, 2015	September 1, 2015
August 17, 2015	September 16, 2015	September 29, 2015	October 6, 2015
September 21, 2015	October 14, 2015	October 27, 2015	November 3, 2015
October 19, 2015	November 12, 2015	November 24, 2015	December 1, 2015
November 16, 2015	December 16, 2015	December 29, 2015	January 5, 2016