

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### BOARD OF CHIROPRACTIC EXAMINERS

- Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 7, Board of Chiropractic Examiners  
**Article and its heading:** 9, Unprofessional Conduct  
**Section number:** R4-7-901
- Subject matter of the proposed rule:**  
The Board will review the existing rule and add language further defining the term "unprofessional conduct".
- A citation to all published notices relating to the proceeding:**  
None published.
- Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Elaine LeTarte, Executive Director  
Address: 5060 North 19th Avenue, Suite 416  
Phoenix, Arizona 85015-3210  
Telephone: (602) 255-1444  
Fax Number: (602) 255-4289
- The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
Public meetings and hearings will be scheduled later.
- A timetable for agency decisions or other action in the proceeding:**  
None.

### STATE BOARD OF DENTAL EXAMINERS

- Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Article and its heading:** 5, Regulation of Dental Assistants  
**Section numbers:** R4-11-501 through R4-11-504
- Subject matter of the proposed rule:**  
Duties of dental assistants have changed and the procedures and functions acceptable for performance by dental assistants are made more specific, as are the types of supervision.
- A citation to all published notices relating to the proceeding:**  
None published.
- Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Veronica M. Marquez  
Address: State Board of Dental Examiners  
5060 North 19th Avenue, Suite 406  
Phoenix, Arizona 85015  
Telephone: (602) 255-3696  
Fax Number: (602) 255-3589
- The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
No oral comments will be accepted at this time.
- A timetable for agency decisions or other action in the proceeding:**  
None.

Notices of Rulemaking Docket Openings

STATE BOARD OF DENTAL EXAMINERS

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Article and its heading:** 7, Rehearings of the Board  
**Section numbers:** R4-11-701 through R4-11-710
2. **Subject matter of the proposed rule:**  
The current procedures of the rehearing process are being repealed and the "Model Rehearing Rules" are being proposed for uniformity among the other state agencies.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Veronica M. Marquez  
Address: State Board of Dental Examiners  
5060 North 19th Avenue, Suite 406  
Phoenix, Arizona 85015  
Telephone: (602) 255-3696  
Fax Number: (602) 255-3589
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
No oral comments will be accepted at this time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

STATE BOARD OF DENTAL EXAMINERS

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Article and its heading:** 11, Regulation of Dentists  
**Section number:** R4-11-1104
2. **Subject matter of the proposed rule:**  
Update rule to include new specialty fields recognized by the Commission on Dental Accreditation of the American Dental Association and expand the previously restrictive requirements for advertising as a specialist.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Julie N. Chapko, Deputy Director  
Address: State Board of Dental Examiners  
5060 North 19th Avenue, Suite 406  
Phoenix, Arizona 85015  
Telephone: (602) 255-3696  
Fax Number: (602) 255-3589
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
No oral comments will be accepted at this time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

STATE BOARD OF DENTAL EXAMINERS

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Article and its heading:** 13, Investigation and Adjudication of Complaints  
**Section numbers:** R4-11-1301 through R4-11-1305
2. **Subject matter of the proposed rule:**  
These rules will govern the investigation process and procedures the Board will follow in adjudicating complaints filed by the public against licensees and certificate holders.

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Veronica M. Marquez  
Address: Arizona State Board of Dental Examiners  
5060 North 19th Avenue, Suite 406  
Phoenix, Arizona 85015  
Telephone: (602) 255-3696  
Fax Number: (602) 255-3589
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
No oral comments will be accepted at this time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**STATE BOARD OF DENTAL EXAMINERS**

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 11, State Board of Dental Examiners  
**Article and its heading:** 14, Dispensing of Drugs and Devices  
**Section numbers:** Unknown
2. **Subject matter of the proposed rule:**  
The requirements for dispensing controlled substances, prescription-only drugs, and dental devices. These rules will address the issues of packaging, labeling, recordkeeping, prescribing, and dispensing requirements; inventory control of the drugs and devices; inspection by the Board; and self-reporting of drug thefts or shortages.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Veronica M. Marquez  
Address: Arizona State Board of Dental Examiners  
5060 North 19th Avenue, Suite 406  
Phoenix, Arizona 85015  
Telephone: (602) 255-3696  
Fax Number: (602) 255-3589
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
No oral comments will be accepted at this time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**DEPARTMENT OF INSURANCE**

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 14, Department of Insurance  
**Article and its heading:** 1, Hearing Procedures  
**Section number:** R4-14-159
2. **Subject matter of the proposed rule:**  
Rehearing or review of an order of the Director.  
**The Agency docket number:** 95-040
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Gregory Y. Harris  
Address: 2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018  
Telephone: (602) 912-8454  
Fax Number: (602) 912-8452
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

**The time and place where oral comments may be made:**

The Board has not scheduled a public hearing but will accept oral comments as follows:

Time: Monday through Friday, 8:30 a.m. to 4:30 p.m.

Location: Arizona Department of Insurance  
2910 North 44th Street  
Phoenix, Arizona 85018

Nature: Oral comments

6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**DEPARTMENT OF INSURANCE**

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 14, Department of Insurance  
**Article and its heading:** 3, Financial Provisions and Procedures  
**Section number:** R4-14-307
2. **Subject matter of the proposed rule:**  
Life and health reinsurance agreements.  
**The Agency docket number:** 95-041
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Gregory Y. Harris  
Address: 2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018  
Telephone: (602) 912-8454  
Fax Number: (602) 912-8452
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
The Board has not scheduled a public hearing but will accept oral comments as follows:  
Time: Monday through Friday, 8:30 a.m. to 4:30 p.m.  
Location: Arizona Department of Insurance  
2910 North 44th Street  
Phoenix, Arizona 85018  
Nature: Oral comments
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**DEPARTMENT OF INSURANCE**

1. **Title and its heading:** 4, Commerce, Professions, and Occupations  
**Chapter and its heading:** 14, Department of Insurance  
**Article and its heading:** 15, Variable Life Insurance  
**Section numbers:** R4-14-1501 through R4-14-1511
2. **Subject matter of the proposed rule:**  
Variable life insurance.  
**The Agency docket number:** 95-042
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Gregory Y. Harris  
Address: 2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018  
Telephone: (602) 912-8454  
Fax Number: (602) 912-8452
5. **The time during which the agency will accept written comments:**  
The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m.  
**The time and place where oral comments may be made:**  
The Board has not scheduled a public hearing but will accept oral comments as follows:

Arizona Administrative Register

Notices of Rulemaking Docket Openings

Time: Monday through Friday, 8:30 a.m. to 4:30 p.m.
Location: Arizona Department of Insurance
2910 North 44th Street
Phoenix, Arizona 85018
Nature: Oral comments

- 6. A timetable for agency decisions or other action in the proceeding: None.

DEPARTMENT OF ECONOMIC SECURITY

- 1. Title and its heading: 6, Economic Security
Chapter and its heading: 3, Department of Economic Security - Income Maintenance
Articles and their headings: 13, Definitions
14, Administration and Enforcement
15, Decisions, Hearings, and Orders
17, Contributions
18, Benefits
50, Voluntary Leaving Benefit Policy Rules
51, Misconduct Benefit Policy Rules
54, Miscellaneous Benefit Policy Rules

Section numbers: R6-3-1301, R6-3-1401 through R6-3-1406, R6-3-1502 through R6-3-1504, R6-3-1506, R6-3-1507, R6-3-1701, R6-3-1709, R6-3-1712, R6-3-1718, R6-3-1720, R6-3-1724, R6-3-1802, R6-3-1803, R6-3-1813, R6-3-50150, R6-3-5105, R6-3-51140, R6-3-5470, and R6-3-5475.

2. Subject matter of the proposed rule:

The Department is amending miscellaneous unemployment insurance rules. Many changes are nonsubstantive and are intended to bring the rules into conformity with current format and style requirements. Such changes include deletion of language which merely quotes or paraphrases statutory text; consolidating defined terms that apply to all unemployment insurance rules into one Section (R6-3-1301); putting all defined terms in numbered alphabetical order; and eliminating gender-specific terminology. Other changes reflect recent statutory changes and court decisions and will bring the rules into conformity with controlling federal and state law. Such changes are:

- adopting a rule stating the Department's policy not to discriminate in administration of the unemployment insurance program;
• amending the rule on hearings and appeals of unemployment insurance cases to reflect statutory changes about certified mailing and attorney's fees, and to limit the number of times a person may obtain a hearing on a request to reopen a case;
• amending rules affecting unemployment insurance tax activities by adding "fixtures" to the definition of consumer goods; adding "delinquency, deficiency, or jeopardy assessment" as issues for which a petition for review may be filed; providing a reimbursement employer credit for benefit overpayments, attributable to Department error; defining "to the same extent" for the purposes of A.R.S. § 23-727(E); and eliminating a sick pay rule which duplicates statutory text;
• repealing R6-3-1802 and amending R6-3-5475 to eliminate internal inconsistency and clarify the procedures for filing and determining claims for unemployment insurance benefits;
• adopting R6-3-1813 to define "no reasonable attempt" as used in A.R.S. § 23-787(D);
• amending R6-3-50150 to better define "beyond reasonable commuting distance" and conform the rule to statutory text;
• amending R6-3-51140 concerning "dishonesty" to better conform to the statutory definition in A.R.S. § 23-619.01.

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

1 A.A.R. 5, January 20, 1995
Vol. # Page # Issue date

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

Name: Vista Thompson Brown, Legal Analyst
Address: 1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007

OR

P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005

Telephone: (602) 542-6555
Fax Number: (602) 542-6000

5. The time during which the agency will accept written comments:

The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which is currently scheduled for May 5, 1995.

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

**The time and place where oral comments may be made:**

The Department has scheduled oral proceedings as follows:

Date: May 4, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
815 North 18th Street  
Phoenix, Arizona  
Nature: Oral comments.

Date: May 4, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
400 West Congress #420  
Tucson, Arizona  
Nature: Oral comments.

Date: May 4, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
220 North LeRoux  
Flagstaff, Arizona  
Nature: Oral comments.

Date: May 4, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
Suite 232  
350 West 16th Street  
Yuma, Arizona  
Nature: Oral comments.

Date: May 4, 1995  
Time: 10 a.m.  
Location: District Conference Room  
209 Bisbee Road  
Bisbee, Arizona  
Nature: Oral comments.

Date: May 4, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
2510 North Trekeil  
Casa Grande, Arizona  
Nature: Oral comments.

6. **A timetable for agency decisions or other action in the proceeding:**

The Department filed the rules with the Governor's Regulatory Review Council on December 30, 1994, and expects the Council to consider the rules at the Council's March 7, 1995, meeting. If the Council approves the rules at that meeting, the Department will proceed with public hearings on May 4, 1995, and close the record on May 5, 1995. Following consideration of comment, the Department expects to submit the rules to the Attorney General's Office for certification by mid-July of 1995.

**DEPARTMENT OF ECONOMIC SECURITY**

1. **Title and its heading:** 6, Economic Security  
**Chapter and its heading:** 5, Department of Economic Security - Social Services  
**Articles and their headings:** 65, Adoption Placement  
65, Department Adoption Functions and Procedures for Providing Adoption Services  
66, Adoption Study  
70, Adoption Agency Licensing Standards  
70, Adoption Agency Licensing  
**Section numbers:** R6-5-6501 through R6-5-6509, R6-5-6601 through R6-5-6610, and R6-5-7001 through R6-5-7040

2. **Subject matter of the proposed rule:**

The Department is planning to repeal the above Articles and adopt New Articles. The new rules will govern all aspects of adoption practice and licensing. Article 65 contains a comprehensive set of definitions applicable to all Articles of rules governing adoptions; describes procedures for maintenance of the Central Adoption Registry and conditions for the release of Registry information; describes procedures and standards for the Department's review of adoption expenses, as provided in

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

A.R.S. § 8-114; describes the Department's guidelines for accepting certification applications and its procedures and fees for performing certification investigations and other adoption services.

Article 66 applies to private adoption agencies and the Department and establishes comprehensive requirements for the provision of all adoption services, including: orientation, certification, services to birth parents, obtaining consents, communications with adoptive parents and birth parents, placement determinations and services, post-placement services and supervision, and finalization of the adoption.

Article 70 contains all procedures and standards for licensing, monitoring, and disciplining adoption agencies. The rules explain the license application and renewal process; list personnel, training, recordkeeping, reporting, operational, and financial standards an agency must meet to obtain and retain a license; establish procedures for monitoring of agencies, making complaints against agencies, and taking disciplinary action against a licensee. The rules also describe procedures for adverse action and appeals.

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

<u>1</u>	<u>A.A.R.</u>	<u>6</u>	<u>January 20, 1995</u>
Vol. #		Page #	Issue date

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

Name: Vista Thompson Brown, Legal Analyst  
Address: 1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007

OR

P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005

Telephone: (602) 542-6555  
Fax Number: (602) 542-6000

**5. The time during which the agency will accept written comments:**

The Board will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record, which is currently scheduled for May 19, 1995.

**The time and place where oral comments may be made:**

The Department has scheduled oral proceedings as follows:

Date: May 18, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
815 North 18th Street  
Phoenix, Arizona  
Nature: Oral comments.

Date: May 18, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
400 West Congress #420  
Tucson, Arizona  
Nature: Oral comments.

Date: May 18, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
220 North LeRoux  
Flagstaff, Arizona  
Nature: Oral comments.

Date: May 18, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
Suite 232  
350 West 16th Street  
Yuma, Arizona  
Nature: Oral comments.

Date: May 18, 1995  
Time: 10 a.m.  
Location: District Conference Room  
209 Bisbee Road  
Bisbee, Arizona  
Nature: Oral comments.

Notices of Rulemaking Docket Openings

Date: May 18, 1995  
Time: 10 a.m.  
Location: DES Conference Room  
2510 North Trell  
Casa Grande, Arizona  
Nature: Oral comments.

6. **A timetable for agency decisions or other action in the proceeding:**

The Department filed the rules with the Governor's Regulatory Review Council on December 30, 1994, and expects the Council to consider the rules at the Council's March 7, 1995, meeting. If the Council approves the rules at that meeting, the Department will proceed with public hearings on May 18, 1995, and close the record on May 19, 1995. Following consideration of comment, the Department expects to submit the rules to the Attorney General's Office for certification by mid-July of 1995.

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 9, Department of Health Services - Health Care Institutions: Establishment; Modification  
**Articles and their headings:** 1, No heading yet  
3, Permit for Construction or Modification  
**Section numbers:** R9-9-101 through R9-9-110; R9-9-311 through R9-9-317
2. **Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for obtaining a permit for establishment or modification of a health care institution. The Department is preparing to revise these rules by updating the standards and requirements.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Paul Haskell, Program Manager  
Address: 1647 E. Morten, Suite 180  
Phoenix, Arizona 85020  
Telephone: (602) 255-1132  
Fax Number: (602) 255-1109
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 9, Department of Health Services - Health Care Institutions: Establishment; Modification  
**Article and its heading:** 2, Application for Certificate of Need  
**Section numbers:** R9-9-225 through R9-9-243
2. **Subject matter of the proposed rule:**  
The Department proposes to repeal these rules because the statutory authority for the certificate of need process was repealed on March 16, 1985; therefore the rules are obsolete.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Paul Haskell, Program Manager  
Address: 1647 E. Morten, Suite 180  
Phoenix, Arizona 85020  
Telephone: (602) 255-1132  
Fax Number: (602) 255-1109
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.



Arizona Administrative Register

Notices of Rulemaking Docket Openings

DEPARTMENT OF HEALTH SERVICES

- Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 1, General  
**Section numbers:** R9-10-101 through R9-10-124
- Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for licensure of health care institutions. The Department is preparing to revise these rules by updating the standards and requirements.
- A citation to all published notices relating to the proceeding:**  
None published.
- Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Virginia Blair, Acting Assistant Director  
Address: Department of Health Services  
1647 East Morten, Suite 220  
Phoenix, Arizona 85020  
Telephone: (602) 255-1221  
Fax Number: (602) 255-1108
- The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
- A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF HEALTH SERVICES

- Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 2, General Hospitals  
**Section numbers:** R9-10-201 through R9-10-233
- Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for general hospitals. The Department is preparing to revise these statutes by updating these standards and requirements.
- A citation to all published notices relating to the proceeding:**  
None published.
- Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Virginia Johnson, Acting Program Manager  
Address: Department of Health Services  
1647 East Morten, Suite 160  
Phoenix, Arizona 85020  
Telephone: (602) 255-1144  
Fax Number: (602) 255-1109
- The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
- A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF HEALTH SERVICES

- Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 3, Rural General Hospitals  
**Section numbers:** R9-10-301 through R9-10-333
- Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for rural hospitals. The Department is preparing to revise these rules by updating the standards and requirements.

*Arizona Administrative Register*  
**Notices of Rulemaking Docket Openings**

3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Virginia Johnson, Acting Program Manager  
Address: Department of Health Services  
1647 East Morten, Suite 160  
Phoenix, Arizona 85020  
Telephone: (602) 255-1144  
Fax Number: (602) 255-1109
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**DEPARTMENT OF HEALTH SERVICES**

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 4, Special Hospitals  
**Section numbers:** R9-10-401 through R9-10-438
2. **Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for special hospitals. The Department is preparing to revise these rules by updating the standards and requirements.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Virginia Johnson, Acting Program Manager  
Address: Department of Health Services  
1647 East Morten, Suite 160  
Phoenix, Arizona 85020  
Telephone: (602) 255-1144  
Fax Number: (602) 255-1109
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

**DEPARTMENT OF HEALTH SERVICES**

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 6, Supervisory Care Homes  
**Section numbers:** R9-10-601 through R9-10-624
2. **Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for supervisory care homes. The Department is preparing to revise these rules by updating the standards and requirements.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Jan Karlen, Program Manager  
Address: Department of Health Services  
1647 East Morten, Suite 170  
Phoenix, Arizona 85020  
Telephone: (602) 255-1199  
Fax Number: (602) 255-1109

Arizona Administrative Register

Notices of Rulemaking Docket Openings

5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 7, Adult Foster Care Homes  
**Section numbers:** R9-10-701 through R9-10-720
2. **Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for adult foster care homes. The Department is preparing to revise these rules by updating the standards and requirements.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Jan Karlen, Program Manager  
1647 East Morten, Suite 170  
Phoenix, Arizona 85020  
Telephone: (602) 542-1266  
Fax Number: (602) 257-9380
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 10, Department of Health Services - Health Care Institutions: Licensure  
**Article and its heading:** 13, Adult Care Homes  
**Section numbers:** R9-10-1301 through R9-10-1320
2. **Subject matter of the proposed rule:**  
These rules set forth the minimum standards and requirements for adult care homes. The Department is preparing to revise these rules by updating the standards and requirements.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Jan Karlen, Program Manager  
Address: Department of Health Services  
1647 East Morten, Suite 170  
Phoenix, Arizona 85020  
Telephone: (602) 255-1199  
Fax Number: (602) 255-1109
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments Monday through Friday, 8 a.m. to 5 p.m., until the close of record which has not yet been determined.  
**The time and place where oral comments may be made:**  
If a public hearing is scheduled for these rules, oral public comments may be presented at that time.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

Notices of Rulemaking Docket Openings

DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 21, Department of Health Services - Mental Health Services for Persons with Serious Mental Illness  
**Article and its heading:** 7, Appeal and Administrative Review for Provider Appeals  
**Section numbers:** R9-21-701 through R9-21-712
2. **Subject matter of the proposed rule:**  
The rules establish requirements for service providers and Regional Behavioral Health Authorities, (RBHAs) in filing appeals for denial or non-payment of claims in providing mental health or substance abuse services for a RBHA or the Department or from an adverse action, decision, or policy of the RBHA or Department under a contract providing Title XIX mental health services.  
**The Agency docket number:** RD-121-95
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Peter Franklin  
Address: Arizona Department of Health Services  
Office of Administrative Counsel  
1740 West Adams Street, Room 410  
Phoenix, Arizona 85007  
Telephone: (602) 542-1266  
Fax Number: (602) 257-9380
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written and oral comments requirements will be scheduled upon filing the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF TRANSPORTATION

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation - Motor Vehicle Division  
**Article and its heading:** 6, School Bus Standards  
**Section numbers:** R17-4-601 through R17-4-608
2. **Subject matter of the proposed rule:**  
School bus safety standards.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Kathleen Phillips  
Address: Department of Administration  
1700 West Washington, Room 244 (after April 11, 1995: 1400 West Washington)  
Phoenix, Arizona 85007  
Telephone: (602) 542-2058
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments for 30 days following publication of the proposed rulemaking.  
**The time and place where oral comments may be made:**  
The Department will schedule an oral proceeding, within the statutorily mandated timeframe, which will be noticed by publication in the *Arizona Administrative Register*.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 2, Department of Environmental Quality - Air Pollution Control  
**Article and its heading:** 7, Existing Stationary Source Performance Standards  
**Section number:** R18-2-730
2. **Subject matter of the proposed rule:**  
The rule would be deleted or amended so that no longer will there be a requirement for "complete" secondary combustion for any stationary source with carbon monoxide emissions. DEQ has received a petition for rulemaking on this subsection and will be

Arizona Administrative Register

Notices of Rulemaking Docket Openings

proposing an amended rule because the standard is impossible to meet. DEQ intends to include this change in an upcoming rule on "Permit Corrections."

3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Martha Seaman  
Address: Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona 85012  
Telephone: (602) 207-2222  
Fax Number: (602) 207-2218
5. **The time during which the agency will accept written comments:**  
No answer provided.  
**The time and place where oral comments may be made:**  
No answer provided.
6. **A timetable for agency decisions or other action in the proceeding:**  
None.

DEPARTMENT OF ENVIRONMENTAL QUALITY

1. **Title and its heading:** 18, Environmental Quality  
**Chapter and its heading:** 13, Department of Environmental Quality - Solid Waste Management  
**Article and its heading:** 7, Solid and Special Waste Plan Review Fees  
**Section numbers:** R18-13-701 through R18-13-703
2. **Subject matter of the proposed rule:**  
Establish fees for review of solid and special waste plan review.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Martha Seaman  
Address: Department of Environmental Quality  
3033 North Central Avenue  
Phoenix, Arizona 85012  
Telephone: (602) 207-2222  
Fax Number: (602) 207-2218
5. **The time during which the agency will accept written comments:**  
The Department will accept written comments for 30 days following publication of the proposed rulemaking.  
**The time and place where oral comments may be made:**  
The Department shall schedule an oral proceeding, within the statutorily mandated timeframe, to be noticed in the *Register*.
6. **A timetable for agency decisions or other action in the proceeding:**  
At this time, it is anticipated that the proposed rules will be published in the *Register* in April or May.

ARIZONA RACING COMMISSION

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, and Gaming  
**Chapter and its heading:** 2, Arizona Racing Commission  
**Article and its heading:** 5, Pari-mutuel Wagering  
**Section number:** R19-2-523
2. **Subject matter of the proposed rule:**  
Amends the exempt rule which distributes the Twin Quinella pool. The amendments seek to match the language with the rule's intent.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Aikaterine Vervilos  
Address: Arizona Department of Racing  
15 South 15th Avenue, Suite 100  
Phoenix, Arizona 85007  
Telephone: (602) 542-5151  
Fax Number: (602) 542-5177
5. **The time during which the agency will accept written comments:**  
The Commission will accept written comments until March 20, 1995.

*Arizona Administrative Register*

---

**Notices of Rulemaking Docket Openings**

**The time and place where oral comments may be made:**

No oral proceedings have been scheduled.

**6. A timetable for agency decisions or other action in the proceeding:**

A decision regarding the amendments will take place on March 21, 1995, when the Commission meets for its monthly meeting.