

## NOTICES OF RULEMAKING DOCKET OPENING

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.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF MEDICAL EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 16, Board of Medical Examiners  
**Article and its heading:** 3, Medical Assistants  
**Section numbers:** R4-16-303
- 2. The subject matter of the proposed rule:**  
To effect its authority in A.R.S. § 32-1456, the Board is amending a rule which addresses authorized procedures for medical assistants. This amendment to R4-16-303 will add small volume nebulizers to the list of authorized procedures that a medical assistant may administer under the direct supervision of a licensed allopathic physician or a physician assistant.
- 3. A citation to all published notices relating to the proceeding:**  
None published
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Dominick Spatafora, Legislation and Regulatory Liaison  
Address: 1651 East Morten, Suite 210  
Phoenix, AZ. 85020  
Telephone Number: (602) 674-2700
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
Submissions may be made to the Legislative and Regulatory Liaison at the above designated address until the close of the record, which is unknown at this time. The specific date for the close of record will be set forth in the Notice of Proposed Rulemaking to be filed with the Secretary of State and published in the *Register*.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
Unknown at this time

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF HEALTH SERVICES - COMMUNICABLE DISEASES

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 6, Department of Health Services - Communicable Diseases  
**Article and its heading:** 1, Definitions  
2, Communicable Disease Reporting  
3, Control Measures for Communicable and Preventable Diseases  
5, Rabies Control  
6, Tuberculosis Control  
**Section numbers:** R9-6-101 through R9-6-103, R9-6-105, R9-6-106, R9-6-201 through R9-6-204, R9-6-301 through R9-6-307, R9-6-310 through R9-6-322, R9-6-324 through R9-6-329, R9-6-332 through R9-6-359, R9-6-361 through R9-6-375, R9-6-501 through R9-6-503, R9-6-601 through R9-6-603  
The Department may add, delete, or modify additional Sections as necessary.
- 2. The subject matter of the proposed rule:**

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

---

The Department completed a 5-year review of 9 A.A.C. 6 in December 1999. As a result of the 5-year review, the Department intends to propose 3 separate rulemakings to take the actions proposed in the 5-year review. This represents the third of those rulemakings.

The proposed rulemaking will amend R9-6-101 to update the information and to make it clear, concise, and understandable. The rulemaking will repeal R9-6-102, R9-6-103, R9-6-105, and R9-6-106 and replace them with new definitions Sections within Articles 2, 3, 5, and 6, respectively, the Articles to which the definitions apply. The new Sections will update and clarify the definitions and will conform to current rulemaking format and style requirements. The rulemaking will renumber as necessary and amend R9-6-201 through R9-6-204, R9-6-301 through R9-6-307, R9-6-310 through R9-6-315, R9-6-317 through R9-6-322, R9-6-324 through R9-6-329, R9-6-332 through R9-6-359, R9-6-361 through R9-6-375, R9-6-501 through R9-6-503, R9-6-601, and R9-6-602 to update the requirements, to conform to statutory authority, and to conform to current rulemaking format and style requirements. The rulemaking will repeal R9-6-316 and R9-6-603. The Department will make changes to any other Sections within Chapter 6 as necessary to conform to the changes made in the above mentioned Sections. The Department may add, delete, or modify additional Sections as necessary.

**The agency docket number, if applicable:** RE-009-00

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

None

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

Name: Ken Komatsu, Manager  
Address: Department of Health Services  
Bureau of Epidemiology and Disease Control Services  
Infectious Disease Epidemiology Section  
3815 N. Black Canyon Highway  
Phoenix, Arizona 85015

Telephone: (602) 230-5932

Fax: (602) 263-4943

E-mail: kkomats@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator

Address: Department of Health Services  
1740 W. Adams, Suite 102  
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-mail: kphilli@hs.state.az.us

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

The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES - COMMUNICABLE DISEASES**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 6, Department of Health Services - Communicable Diseases  
**Article and its heading:** 1, Definitions

Notices of Rulemaking Docket Opening

3, Control Measures for Communicable and Preventable Diseases  
4, Human Immunodeficiency Virus (HIV)/Acquired Immunodeficiency Syndrome (AIDS)

**Section numbers:** R9-6-104, R9-6-308, R9-6-309, R9-6-323, R9-6-330, R9-6-331, R9-6-360, R9-6-401 through R9-6-411  
The Department may add, delete, or modify additional Sections as necessary.

**2. The subject matter of the proposed rule:**

The Department completed a 5-year review of 9 A.A.C. 6 in December 1999. As a result of the 5-year review, the Department intends to propose 3 separate rulemakings to take the actions proposed in the 5-year review. This represents the second of those rulemakings.

The proposed rulemaking will delete R9-6-104 and add a new definitions Section within Article 4. The rulemaking will amend the Sections of Article 3 that pertain to sexually transmitted diseases to update requirements, to clarify the rules, and to conform to current rulemaking format and style requirements. The rulemaking will add a new definitions Section at R9-6-401 and will renumber and amend the other Sections in Article 4 to update requirements, to clarify the rules, to define undefined terms, to conform to current rulemaking format and style requirements, and to conform to the Administrative Procedure Act and other statutory authority.

**The agency docket number, if applicable:** RE-002-00

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

None

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

Name: Christopher Brown  
Address: Department of Health Services  
Bureau of Epidemiology and Disease Control Services  
3815 North Black Canyon Highway  
Phoenix, Arizona 85015  
Telephone: (602) 230-5819  
Fax: (602) 230-5973  
E-mail: cbrown@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 West Adams, Room 410  
Phoenix, Arizona 85007  
Telephone: (602) 542-1264  
Fax: (602) 542-1090  
E-mail: kphilli@hs.state.az.us

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

The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

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

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES - LOAN REPAYMENT**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 15, Department of Health Services - Loan Repayment  
**Article and its heading:** 1, General  
2, Primary Care Provider Loan Repayment Program  
3, Rural Private Primary Care Provider Loan Repayment Program  
**Section numbers:** R9-15-101, R9-15-102, R9-15-201 through R9-15-210, R9-15-301 through R9-15-310  
The Department may add additional Sections as necessary.

**2. The subject matter of the proposed rule:**

In 1999 the Department reviewed the rules in Chapter 24 as required by A.R.S. § 41-1056 and determined that they were ineffective and inconsistent with statutory authority and did not comply with current rulemaking format and style requirements. The Governor's Regulatory Review Council approved the Department's 5-year Review Report on January 4, 2000. In a separate rulemaking, the Department intends to repeal the rules in Chapter 24, Article 4 so that the Department can adopt new rules for loan repayment in a separate Chapter. This proposed rulemaking will adopt new rules to replace the rules in Article 4 in a new Chapter 15 titled Loan Repayment. The rulemaking will address the issues identified in the 5-Year Review Report for Chapter 24, Article 4. The rulemaking will add dentists as eligible providers for the primary care provider loan repayment program and will adopt rules for the rural private primary care provider loan repayment program, for which the Department has not previously adopted rules. The proposed rulemaking will also streamline the loan repayment process by eliminating vacancy notification, will replace funding set-asides for rural and remote rural areas with a prioritization scheme that more closely reflects statutory authority, will implement a quarterly repayment award timetable to allow for prioritization among applicants, and will clarify the criteria used to select providers for loan prepayment. The proposed rulemaking also will conform to current rulemaking format and style requirements and to the Administrative Procedure Act. The Department may add additional Sections as necessary.

**The agency docket number:** RE-006-00

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

Notice of Rulemaking Docket Opening: 5 A.A.R. 4376, November 19, 1999

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

Name: Belinda Ehlert  
Address: Department of Health Services  
1740 West Adams, Room 302  
Phoenix, Arizona 85007

Telephone: (602) 542-2954  
Fax: (602) 542-2011  
E-mail: behlert@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 West Adams, Room 410  
Phoenix, Arizona 85007

Telephone: (602) 542-1264  
Fax: (602) 542-1090  
E-mail: kphilli@hs.state.az.us

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

The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

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

---

- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES - MEDICALLY UNDERSERVED AREA MEDICAL SERVICES**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 24, Department of Health Services - Medically Underserved Area Medical Services  
**Article and its heading:** 1, General  
2, Criteria  
3, Coordinating Medical Providers  
**Section numbers:** R9-24-101, R9-24-102, R9-24-111 through R9-24-113, R9-24-201 through R9-24-205, R9-24-301, R9-24-302  
The Department may add additional Sections as necessary.

**2. The subject matter of the proposed rule:**

In 1999 the Department reviewed the rules in Chapter 24 as required by A.R.S. § 41-1056 and determined that they were ineffective and inconsistent with statutory authority and did not comply with current rulemaking format and style requirements. The Governor's Regulatory Review Council approved the Department's 5-year Review Report on January 4, 2000. This proposed rulemaking addresses the issues identified in the 5-year Review Report for Articles 1,2, and 3. The Department intends to repeal the rules in Article 4 in a separate rulemaking and to adopt new rules to replace the rules in Article 4 in a new Chapter 15 titled Loan Repayment.

This proposed rulemaking will add a new definitions Section at R9-24-101 and a timeframes Section at R9-24-102 and will repeal R9-24-111 through R9-24-113. The proposed rulemaking will rename Article 2 and will repeal R9-24-201 and replace it with a definitions Section that is specific to Article 2. The proposed rulemaking will also repeal and replace R9-24-201 through R9-24-204 with new Sections that will update the process and criteria used in designating geographic areas as primary care areas and primary care areas as Arizona medically underserved areas. The proposed rulemaking will also repeal R9-24-205. The proposed rulemaking will renumber and amend R9-24-301 to conform to current rulemaking format and style requirements and to clarify the rule. The proposed rulemaking will add a new definitions Section specific to Article 3 at R9-24-301. The Department may add, delete, or modify additional Sections as necessary.

**The agency docket number:** RE-011-99

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

Notice of Rulemaking Docket Opening: 5 A.A.R. 4376, November 19, 1999

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

Name: Doug Hirano  
Address: Department of Health Services  
1740 West Adams, Room 302  
Phoenix, Arizona 85007

Telephone: (602) 542-2981

Fax: (602) 542-2011

E-mail: dhirano@hs.state.az.us

or

Name: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 West Adams, Room 410  
Phoenix, Arizona 85007

Telephone: (602) 542-1264

Fax: (602) 542-1090

E-mail: kphilli@hs.state.az.us

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

---

- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES - MEDICALLY UNDERSERVED AREA MEDICAL SERVICES**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 24, Department of Health Services - Medically Underserved Area Medical Services  
**Article and its heading:** 4, Arizona Loan Repayment Program  
**Section numbers:** R9-24-401 through R9-24-412, and exhibits A through D
- 2. The subject matter of the proposed rule:**  
In 1999 the Department reviewed the rules in Chapter 24 as required by A.R.S. § 41-1056 and determined that they were ineffective and inconsistent with statutory authority and did not comply with current rulemaking format and style requirements. The Governor's Regulatory Review Council approved the Department's 5-year Review Report on January 4, 2000. This proposed rulemaking repeals the rules in Article 4. The Department intends to adopt new rules to replace the rules in Article 4 in a new Chapter 15 titled Loan Repayment. The rulemaking adopting the new rules in Chapter 15 will address the issues identified in the 5-year Review Report for Article 4.  
**The agency docket number:** RE-008-00
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Rulemaking Docket Opening: 5 A.A.R. 4376, November 19, 1999
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Belinda Ehlert  
Address: Department of Health Services  
1740 West Adams, Room 302  
Phoenix, Arizona 85007  
Telephone: (602) 542-2954  
Fax: (602) 542-2011  
E-mail: behlert@hs.state.az.us  
or  
Name: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 West Adams, Room 410  
Phoenix, Arizona 85007  
Telephone: (602) 542-1264  
Fax: (602) 542-1289  
E-mail: kphilli@hs.state.az.us
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
None