

## NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when 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

#### ARIZONA COMMISSION ON THE ARTS

- 1. Title and its heading:** 2, Administration  
**Chapter and its heading:** 2, Arizona Commission on the Arts  
**Article and its heading:** 1, Grantmaking to Arizona Organizations and Schools  
**Section numbers:** R2-2-101 through R2-2-104
- 2. The subject matter of the proposed rule:**  
The proposed rule sets forth procedures to be followed by the Arizona Commission on the Arts, its staff, and panels in receiving, considering, and reviewing requests for, and distribution of, grants to organizations and schools.
- 3. A citation to all published notices relating to the proceeding:**  
Not applicable
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Mollie Lakin-Hayes, Programs Administrator  
Address: 417 W. Roosevelt  
Phoenix, AZ 85003-1326  
Telephone: (602) 229-8220  
Fax: (602) 256-0282  
E-mail: mlakinhayes@ArizonaArts.org
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted through September 24, 2001. Oral comments can be made September 25, 2001 from 1:00 p.m. to 2:00 p.m. at the Arizona Commission on the Arts and at locations in Tucson and Flagstaff on September dates and times to be determined.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF PODIATRY EXAMINERS

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 25, Board of Podiatry Examiners  
**Article and its heading:** 1, General Provisions  
2, Examinations  
3, Licenses  
4, Rehearing  
5, Continuing Education  
6, Dispensing of Drugs and Devices  
**Section numbers:** R4-25-101 through R4-25-103, R4-25-201, R4-25-203, R4-25-305, R4-25-401, R4-25-501 through R4-25-505, R4-25-602 through R4-25-605  
The Board may add delete, or modify additional Sections as necessary.
- 2. The subject matter of the proposed rule:**  
In 2000 the Board reviewed its rules as required by A.R.S. § 41-1056 and determined the rules needed clarification because they did not conform to current rulewriting style and format requirements. Additionally, new rules need to

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be written to conform to legislation that was passed in 2000. The Board is adding definitions so that the rules may be used effectively and consistently by intended audiences.

**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: Linda Wells, Executive Director  
Address: 1400 W. Washington, Room 230  
Phoenix, AZ 85007  
Telephone: (602) 542-3095  
Fax: (602) 542-3093

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

The Board will accept written comments at the location listed above between 8:00 a.m. and 5:00 p.m., Monday through Friday, until the close of record.

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

To be determined

**NOTICE OF RULEMAKING DOCKET OPENING**

**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 (AHCCCS) - Administration  
**Article and its heading:** 1, Definitions  
2, Scope of Services  
9, Quality Control  
12, Behavioral Health Services  
14, Title IV-A Related Eligibility  
15, SSI MAO Eligibility  
16, State-Only Eligibility  
17, Enrollment  
Other Articles may be added, deleted, or modified as necessary.  
**Section numbers:** R9-22-101, R9-22-112, R9-22-201, R9-22-204, R9-22-210, R9-22-901, R9-22-902, R9-22-1201 through R9-22-1206, R9-22-1401 through R9-22-1436, R9-22-1501 through R9-22-1508, R9-22-1601 through R9-22-1636, R9-22-1701 through R9-22-1704  
Other Sections may be added, deleted, or modified as necessary.
- 2. The subject matter of the proposed rule:**  
AHCCCS is amending the acute care rules to implement the new provisions of Proposition 204 in SB 1577 (Ch. 344) including A.R.S. §§ 36-2901, 36-2901.03, 36-2901.04, 36-2903.01, 36-2903.03, 36-2904, 36-2905, 36-2905.01, 36-2905.02, 36-2905.03, 36-2905.05, 36-2906, 36-2907, 36-2908, and 36-2909. Proposition 204 gives AHCCCS the authority to streamline and simplify eligibility and expand coverage to all persons with income at or below 100% FPL. The Administration will also make the language comply with the Secretary of State's requirements.
- 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: Cheri Tomlinson  
Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 East Jefferson Street, Mail Drop 4200  
Phoenix, AZ 85034

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Telephone: (602) 417-4198

Fax: (602) 256-6756

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

AHCCCS will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. Public meetings will be scheduled later to provide a forum for interactive discussion with interested parties.

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

AHCCCS will hold at least two public meetings as required by Laws 2001, Ch. 344, § 113 (SB 1577).

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)**

**ARIZONA LONG-TERM CARE SYSTEM**

**1. Title and its heading:** 9, Health Services

**Chapter and its heading:** 28, Arizona Health Care Cost Containment System (AHCCCS) -  
Arizona Long-term Care System

**Article and its heading:** 1, Definitions  
2, Covered Services  
4, Eligibility and Enrollment  
11, Behavioral Health Services  
Other Articles may be added, deleted, or modified as necessary.

**Section numbers:** R9-28-111, R9-28-201, R9-28-202, R9-28-204, R9-28-401 through R9-28-418,  
R9-28-1101 through R9-28-1106  
Other Sections may be added, deleted, or modified as necessary.

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

AHCCCS is amending these rules to implement the new provisions of Proposition 204 relating to behavioral health, eligibility, and covered services in A.R.S. §§ 36-2901, 36-2903.01, 36-2907, 36-2934, and 36-2939 (SB 1577). AHCCCS will also make the language comply with the Secretary of State's requirements.

**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: Cheri Tomlinson

Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 East Jefferson Street, Mail Drop 4200  
Phoenix, AZ 85034

Telephone: (602) 417-4198

Fax: (602) 256-6756

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

AHCCCS will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in question #4. Public meetings will be scheduled later to provide a forum for interactive discussion with interested parties.

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

AHCCCS will hold at least two public meetings as required by Laws 2001, Ch. 344, § 113 (SB 1577).

**NOTICE OF RULEMAKING DOCKET OPENING**

**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)  
QUALIFIED MEDICARE BENEFICIARY (QMB)**

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 29, Arizona Health Care Cost Containment System (AHCCCS) -  
Qualified Medicare Beneficiary (QMB)  
**Article and its heading:** 1, Definitions  
Other Articles may be added, deleted, or modified as necessary.  
**Section numbers:** R9-29-101  
Other Sections may be added, deleted, or modified as necessary.
- 2. The subject matter of the proposed rule:**  
AHCCCS is amending the Qualified Medicare Beneficiary rules to implement Proposition 204 under A.R.S. § 36-2901 (SB 1577). AHCCCS will also make the language comply with the Secretary of State's requirements.
- 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: Cheri Tomlinson  
Address: AHCCCS Administration  
Office of Policy Analysis and Coordination  
801 East Jefferson Street, Mail Drop 4200  
Phoenix, Arizona 85034  
Telephone: (602) 417-4198  
Fax: (602) 256-6756
- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
AHCCCS will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in item #4. Public meetings will be scheduled later to provide a forum for interactive discussion with interested parties.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
AHCCCS will hold at least two public meetings as required by Laws 2001, Ch. 344, § 113 (SB 1577).

**NOTICE OF RULEMAKING DOCKET OPENING**

**RADIATION REGULATORY AGENCY  
MEDICAL RADIOLOGIC TECHNOLOGY BOARD OF EXAMINERS**

- 1. Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 2, Radiation Regulatory Agency - Medical Radiologic Technology Board of Examiners  
**Article and its heading:** 2, Application and Certification of Technologists  
**Section numbers:** R12-2-208
- 2. The subject matter of the proposed rule:**  
R12-2-208 is added to implement the amendment of A.R.S. § 32-2816(B). The amendment requires proof of continuing education to renew certificates for all categories of certification.
- 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: Aubrey V. Godwin or John M. Gray  
Address: 4814 S. 40th Street  
Phoenix, AZ 85040  
Telephone: (602) 255-4845

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E-mail: agodwin@arra.state.az.us  
or  
jgray@arra.state.az.us

- 5. The time which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted 8:00 a.m. to 4:30 p.m., Monday through Friday, 8:00 a.m. to 5:00 p.m., at the Arizona Radiation Regulatory Agency, 4814 S. 40th St., Phoenix, Arizona 85040.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
A.R.S. § 32-2816(B) becomes effective August 10, 2001. The rules should be completed by August 31, 2001.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF ENVIRONMENTAL QUALITY  
WATER POLLUTION CONTROL**

- 1. Title and its heading:** 18. Environmental Quality  
**Chapter and its heading:** 9, Department of Environmental Quality - Water Pollution Control  
**Article and its heading:** 9, Land Application of Biosolids  
10, Arizona Pollution Discharge Elimination System – General Requirements  
11, Arizona Pollution Discharge Elimination System – Permits  
**Section numbers:** R18-9-901 through R18-9-914, Appendix A; and other Sections in Articles 10 and 11, which are unknown at this time.
- 2. The subject matter of the proposed rules:**  
This rulemaking establishes a state program, authorized by the Legislature under HB 2426 in the 2001 legislative session, that governs all facilities that discharge pollutants from a point source into navigable waters (waters of the United States). The AZPDES program incorporates by reference certain Code of Federal Regulations (CFRs) relating to the federal NPDES program, and revises certain CFRs for clarity and to reflect conditions in the arid South-west environment.  
**The agency docket number:**  
None
- 3. A citation to all published notices relating to the proceeding:**  
Notice of Recodification: 7 A.A.R. 2522, June 15, 2001
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Shirley J. Conard  
Address: Arizona Department of Environmental Quality  
3033 N. Central Avenue, M0401A-422  
Phoenix, Arizona 85012-2809  
Telephone: (602) 207-4632 (Metro-Phoenix area) or 1-800-234-5677, extension 4632 (other areas)  
Fax: (602) 207-4674  
E-mail: conard.shirley@ev.state.az.us
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments will be accepted at the location listed in item #4 between 8:00 a.m. and 5:00 p.m., Monday through Friday. Oral comments will be accepted at the location listed in item #4 between 8:00 a.m. and 4:00 p.m., Monday through Friday. Comments will be accepted until the close of record which has not yet been determined.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
It is anticipated that the rulemaking will be filed with the Office of the Secretary of State on or about the first week in July for publication in the *Arizona Administrative Register*. The Department expects that the final rulemaking will be heard by the Governor's Regulatory Review Council in November or December.