

## 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

#### BOARD OF PHARMACY

[R05-477]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Article and its heading:**

Article 1, Administration

Article 6, Permits and Distribution of Drugs

**Section numbers:**

R4-23-110

R4-23-614

R4-23-615

As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary.

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

Automated storage and distribution systems such as Pyxis and mechanical counting devices such as Baker cells and cassettes have been used by pharmacies for many years. However, the Board does not have rules specifically addressing these systems or devices. R4-23-402(A)(9) addresses the issue of prepackaging by pharmacy technicians under pharmacist supervision, and although this subsection has been used to partially address the use of mechanical counting devices, the subsection does not truly apply to mechanical counting devices. The proposed rules will add two new Sections of rule to address automated storage and distribution systems and mechanical counting devices. A new definition for "automated storage and distribution systems" will be added to R4-23-110 (Definitions). New Section R4-23-614 (Automated Storage and Distribution Systems) will establish the standards for the use of automated storage and distribution systems in Arizona. New Section R4-23-615 (Mechanical Counting Device for Drugs in Solid, Oral Dosage Forms) will establish standards for the use of mechanical counting devices by Arizona pharmacies. The rules will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

**The agency docket number, if applicable:** R0511

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

Notice of Proposed Rulemaking: 11 A.A.R. 5444, December 30, 2005

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

Name: Dean Wright, Compliance Officer

Address: Arizona Board of Pharmacy  
4425 W. Olive Ave., Suite 140  
Glendale, AZ 85302

Telephone: (623) 463-2727, ext. 131

Fax: (623) 934-0583

E-mail: rxcop@cox.net

**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:**

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

Location: Arizona Board of Pharmacy  
4425 W. Olive Ave., Suite 140  
Glendale, AZ 85302

Nature: Oral comments

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

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**  
**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM**  
**ADMINISTRATION**

[R05-476]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

22, Arizona Health Care Cost Containment System – Administration

**Article and its heading:**

1, Definitions; 12, Behavioral Health Services

**Section numbers:**

R9-22-101, R9-22-102, R9-22-112, R9-22-1201, R9-22-1202,

R9-22-1203, R9-22-1204, R9-22-1205, R9-22-1206, R9-22-1207

(As part of this rulemaking, other sections may be added, deleted, or amended as necessary).

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

The Administration plans to amend the behavioral health services rules for the acute health care program.

**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: Jane McVay

Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034

Telephone: (602) 417-4135

Fax: (602) 253-9115

E-mail: AHCCCSRules@azahcccs.gov

**5. The time during 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 item #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 agency has not determined the timetable.

**NOTICE OF RULEMAKING DOCKET OPENING**  
**ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM**  
**ARIZONA LONG-TERM CARE SYSTEM**

[R05-485]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

28, Arizona Health Care Cost Containment System – Arizona Long-term Care System

**Article and its heading:**

1, Definitions; 11, Behavioral Health Services

**Section numbers:**

R9-28-101, R9-28-102, R9-28-1101, R9-28-1102, R9-28-1103,

R9-28-1104, R9-28-1105, R9-28-1106, R9-28-1107, R9-28-1108

(As part of this rulemaking, other sections may be added, deleted, or amended as necessary.)

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

The Administration plans to amend the behavioral health rules for the Arizona Long-term Care program.

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

None

Notices of Rulemaking Docket Opening

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

Name: Jane McVay  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4135  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@azahcccs.gov

**5. The time during 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 item #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 timetable has not been determined.

**NOTICE OF RULEMAKING DOCKET OPENING  
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
CHILDREN'S HEALTH INSURANCE PROGRAM**

[R05-486]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

31, Arizona Health Care Cost Containment System – Children's Health Insurance Program

**Article and its heading:**

1, Definitions; 12, Behavioral Health Services

**Section numbers:**

R9-31-101, R9-31-102, R9-31-112, R9-31-1201, R9-31-1202, R9-31-1203, R9-31-1204, R9-31-1205, R9-31-1206, R9-31-1207, R9-31-1208 (As part of this rulemaking, other sections may be added, deleted, or amended as necessary).

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

The Administration plans to amend the behavioral health rules for the Children's Health Insurance Program.

**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: Jane McVay  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4135  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@azahcccs.gov

**5. The time during 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 item #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 timetable has not been determined.

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WATER RESOURCES

[R05-466]

1. **Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 15, Department of Water Resources  
**Article and its heading:** 7, Assured and Adequate Water Supply  
**Section numbers:** R12-15-701, R12-15-703, R12-15-717. Sections may be added, deleted or modified as necessary.
2. **The subject matter of the proposed rule:**  
The Department proposes to: (1) amend the definition of “committed demand” in R12-15-701(10) to include the 100-year groundwater demand of those lots included within Certificates of Assured Water Supply and Reports of Adequate Water Supply that are not yet recorded; and (2) amend R12-15-703(B)(1)(d) and R12-15-717(B)(1)(d) to include in the calculation of the depth-to-static water level the projected demand included within Designations of Assured and Adequate Water Supply that is not yet existing demand or committed demand.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Emergency Rulemaking: 11 A.A.R. 2706, July 22, 2005
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Scott M. Deeny, Deputy Counsel  
Address: Legal Division  
3550 N. Central Ave.  
Phoenix, AZ 85012  
Telephone: (602) 771-8472  
Fax: (602) 771-8683
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
To be announced in the Notice of Proposed Rulemaking
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
None known at this time

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF TRANSPORTATION  
TITLE, REGISTRATION, AND DRIVER LICENSES

[R05-480]

1. **Title and its heading:** 17, Transportation  
**Chapter and its heading:** 4, Department of Transportation – Title, Registration, and Driver Licenses  
**Article and its heading:** 4, Driver Licenses  
**Section numbers:** R17-4-410
2. **The subject matter of the proposed rule:**  
The Arizona Department of Transportation, Motor Vehicle Division “MVD” amends this Section to reflect current terminology used regarding voter registration through “MVD.” This Section provides for voter registration through “MVD’s” ServiceArizona program or through “MVD’s” driver license system in accordance with A.R.S. § 28-112. Additionally, grammatical and technical changes will be made to make the rule more clear, concise, and understandable.
3. **A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 11 A.A.C. 5449, December 30, 2005
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Troy A. Walters, Rules Analyst  
Address: Administrative Rules Unit  
Department of Transportation, Mail Drop 530M  
1801 W. Jefferson St.  
Phoenix, AZ 85007  
Telephone: (602) 712-8994  
Fax: (602) 712-3081

**Notices of Rulemaking Docket Opening**

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E-mail: twalters@azdot.gov

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at <http://www.azdot.gov/mvd/mvdrules/rules.asp>

**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 may be made Monday through Friday, 8:00 a.m. to 4:30 p.m. to the analyst listed in item #4 , with the exception of state holidays.

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

To be determined