

## 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 HEALTH CARE COST CONTAINMENT SYSTEM ARIZONA LONG-TERM CARE SYSTEM

[R07-112]

- 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**Article and its heading:** 4, Eligibility and Enrollment; 8, Repealed  
**Section numbers:** R9-28-401 to R9-28-418, R9-28-801 to R9-28-804 (Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rule:**  
The Administration may implement a monthly premium on ALTCS eligible households with an adjusted gross income at or above 400 percent of the FPL that have children under the age of 18 years with developmental disabilities enrolled in ALTCS. It is anticipated that the total monthly premiums will be two percent of the annual adjusted gross income for households with income between 400 percent and 500 percent of the FPL and four percent for households with income at and above 500 percent the FPL.  
In October of 2006, the Administration was granted a waiver by the Secretary of the U.S. Department of Health and Human Services to implement the premium program described in the preceding sentence as part of the State's Medicaid program. As part of the rule under consideration, the Administration may also request an amendment to that waiver to permit the Administration to impose premium on ALTCS eligible households with an adjusted gross income at or above 400 percent of the FPL that have children under the age of 18 years regardless of whether the child has a developmental disability.
- 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: Mariaelena Ugarte  
Address: AHCCCS  
Office of Legal Assistance  
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, 8:00 a.m. to 5:00 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 also be accepted.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
Not known at this time

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF WATER RESOURCES

[R07-111]

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:** To be determined

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

The Department proposes minor technical amendments to the language of several existing rules, as well as changes that will conform existing rules to statute.

Additionally, the Department may modify the rule describing the method for calculating the 100-year depth-to-static water level for physical availability of groundwater for applications for determinations of assured water supply and adequate water supply. The method set forth in the current rule accounts for projected declines caused by existing uses, issued determinations of assured water supply and adequate water supply, as well as the projected declines caused by the applicant's demand. The rule amendment would require that projected declines from future withdrawals of groundwater for transportation to an active management area, pursuant to statute, also be included in the calculation of the 100-year depth-to-static water level, if such future withdrawals will occur in the same basin or sub-basin as the applicant's withdrawals.

The Department further proposes a change to reduce the estimated water demand associated with applications for determinations of assured water supply and adequate water supply if gray water systems will be installed.

The Department also proposes a change to the rule regarding waiver of the maximum depth-to-static water level requirement for physical availability of groundwater outside of an active management area, to give the Director discretion on whether to grant the waiver.

The Department may consider additional rule amendments as necessary.

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: Doug Dunham  
Address: Office of Assured/Adequate Water Supply  
3550 N. Central Ave.  
Phoenix, Arizona 85004  
Telephone: (602) 771-8590  
Fax: (602) 771-8689

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:**

To be announced in the Notice of Proposed Rulemaking