

## GOVERNOR'S REGULATORY REVIEW COUNCIL

This section of the *Register* contains information submitted for publication by the Governor's Regulatory Review Council, including the tentative agendas for the monthly Council meetings and summaries of action taken by the Council at the meetings.

### NOTICE OF ACTION TAKEN AT THE OCTOBER 7, 2008 MEETING

[M08-438]

#### **CONSIDERATION OF FIVE-YEAR-REVIEW REPORTS:**

1. **GREATER ARIZONA DEVELOPMENT AUTHORITY (F-08-0901)**  
Title 20, Chapter 8, Article 1, Technical Assistance; Article 2, Financial Assistance  
**COUNCIL ACTION: APPROVED**
2. **ARIZONA MEDICAL BOARD (F-08-1001)**  
Title 4, Chapter 16, Article 5, Executive Director Duties
3. **OFFICE OF ADMINISTRATIVE HEARINGS (F-08-1002)**  
Title 2, Chapter 19, Article 1, Prehearing and Hearing Procedures  
**COUNCIL ACTION: APPROVED**
4. **ARIZONA HEALTH COST CONTAINMENT SYSTEM (AHCCCS) (F-08-1003)**  
Title 9, Chapter 29, Article 1, Definitions; Article 2, Eligibility; Article 3, Benefits and Services; Article 4, Contractor, Provider, and Noncontracting Provider Requirements; Article 5, Grievance and Appeal Process; Article 6, First and Third Party Liability and Recoveries  
**COUNCIL ACTION: APPROVED**

#### **CONSIDERATION OF RULES:**

1. **DEPARTMENT OF TRANSPORTATION (R-08-1002)**  
Title 17, Chapter 4, Article 4, Driver Licenses  
**New Section: R17-4-414**  
**COUNCIL ACTION: APPROVED**
2. **DEPARTMENT OF HEALTH SERVICES (R-08-1003)**  
Title 9, Chapter 20, Article 7, Level 1 Specialized Transitional Agency  
**Amend: R9-20-701**  
**COUNCIL ACTION: APPROVED**
3. **DEPARTMENT OF ENVIRONMENTAL QUALITY (R-08-1004)**  
Title 18, Chapter 14, Article 2, Public Water System Design Review Fees  
**New Article: Article 2**  
**New Section: R18-14-201, R18-14-202**  
**New Table: Table 1**  
**COUNCIL ACTION: APPROVED**
4. **DEPARTMENT OF AGRICULTURE (R-08-1005)**  
Title 3, Chapter 4, Article 2, Quarantine  
**Amend: R3-4-233**  
**COUNCIL ACTION: APPROVED**

#### **REPORT BY AGENCY ON RULEMAKING PROGRESS AS SET FORTH IN THE FIVE-YEAR-REVIEW REPORT:**

1. **WATER INFRASTRUCTURE FINANCE AUTHORITY (F-07-1003)**  
Title 18, Chapter 15, Article 1, Management; Article 2, Clean Water Revolving Fund; Article 3, Drinking Water Revolving Fund; Article 4, Other Financial Assistance; Article 5, Technical Assistance; Article 6, Hardship Grant Fund; and Article 7, Interest Rate Setting and Forgivable Principal

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Approved November 6, 2007, with an agreement from the agency that it will provide a status report every six months, on the progress of its rulemaking activities.

**COUNCIL ACTION:** **Approved with the requirement to report to Council within one year, if rulemaking not submitted.**

**2. DEPARTMENT OF HEALTH SERVICES (F-07-0706)**

Title 9, Chapter 8, Article 3, Public Toilet Facilities

Approved July 10, 2007 with stipulation that the department report to Council, within 90 days, and report progress toward implementing the plan of action set forth in the five-year-review report.

Progress reported November 6, 2007; Council staff instructed to track various target dates to confirm action. Updated report submitted by the Department of Health Services on August 15, 2008.

**COUNCIL ACTION:** **Approved with the requirement to report to Council within one year, if rulemaking not submitted.**

**3. DEPARTMENT OF HEALTH SERVICES (F-07-0707)**

Title 9, Chapter 8, Article 5, Trailer Coach Parks

Approved July 10, 2007 with stipulation that the department report to Council, within 90 days, and report progress toward implementing the plan of action set forth in the five-year-review report.

Progress reported November 6, 2007; Council staff instructed to track various target dates to confirm action. Updated report submitted by the Department of Health Services on August 15, 2008.

**COUNCIL ACTION:** **Approved with the requirement to report to Council within one year, if rulemaking not submitted.**

**4. DEPARTMENT OF HEALTH SERVICES (F-07-0708)**

Title 9, Chapter 8, Article 6, Camp Grounds

Approved July 10, 2007 with stipulation that the department report to Council, within 90 days, and report progress toward implementing the plan of action set forth in the five-year-review report.

Progress reported November 6, 2007; Council staff instructed to track various target dates to confirm action. Updated report submitted by the Department of Health Services on August 15, 2008.

**COUNCIL ACTION:** **Approved with the requirement to report to Council within one year, if rulemaking not submitted.**

**5. DEPARTMENT OF HEALTH SERVICES (F-07-0709)**

Title 9, Chapter 8, Article 13, Hotels, Motels, and Tourist Courts

Approved July 10, 2007; with stipulation that the department report to Council, within 90 days, and report progress toward implementing the plan of action set forth in the five-year-review report.

Progress reported November 6, 2007; Council staff instructed to track various target dates to confirm action. Updated report submitted by the Department of Health Services on August 15, 2008.

**COUNCIL ACTION:** **Approved with the requirement to report to Council within one year, if rulemaking not submitted.**

**NOTICE OF PUBLIC MEETING AND AGENDA  
FOR NOVEMBER 4, 2008**

[M08-457]

Pursuant to A.R.S. § 38-431.02, notice is hereby given to members of the Governor's Regulatory Review Council and to the general public that the Governor's Regulatory Review Council will hold a regular meeting, open to the public on **Tuesday, November 4, 2008 at 9:00 a.m.** in the board room of the Arizona Peace Officer Standards & Training Board, 2643 E. University Drive, Phoenix, AZ. For additional information, call the Governor's Regulatory Review Council office at (602) 542-1967.

Under A.R.S. § 38-431.03(A)(3), the Governor's Regulatory Review Council may vote to go into executive session, which will not be open to the public, for the purpose of obtaining legal advice on any item on the agenda.

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Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting (602) 542-1967. Requests should be made as early as possible to allow time to arrange the accommodation.

A copy of the material provided to Council members (with the exception of material relating to possible executive sessions) is available for public inspection at the Council's office, located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007.

The agenda for the meeting is as follows: (This agenda is subject to change up to 24 hours before the meeting.)

**A. CALL TO ORDER**

**B. APPROVAL OF MINUTES**

1. October 7, 2008

**C. CONFLICTS OF INTEREST**

**D. CONSIDERATION OF FIVE-YEAR-REVIEW REPORTS:**

**1. ARIZONA MEDICAL BOARD (F-08-1001)**

Title 4, Chapter 16, Article 5, Executive Director Duties

**2. DEPARTMENT OF ADMINISTRATION (F-08-1101)**

Title 2, Chapter 11, Article, 1General; Article 2, Traffic and Parking; Article 3, Solicitation; Article 4, Special Events; Article 5, Severability

**3. GAME AND FISH COMMISSION (F-08-1102)**

Title 12, Chapter 4, Article 2, Miscellaneous Licenses and Permits

**E. CONSIDERATION OF RULES:**

**1. BOARD OF PHARMACY (R-08-0903)**

Title 4, Chapter 23, Article 4, Professional Practices

**Amend:** R4-23-422

**Repeal:** R4-23-423

**2. DEPARTMENT OF REVENUE (R-08-1101)**

Title 15, Chapter 3, Article 2, General; Article 3, Tobacco; Article 4, Liquor; Article 5, Administration

**Amend:** R15-3-201, Article 3, R15-3-301, R15-3-302, R15-3-303, R15-3-304, R15-3-305, R15-3-307, R15-3-308, R15-3-310, R15-3-311, R15-3-312, R15-3-314, R15-3-315, R15-3-316, Article 4, R15-3-401, R15-3-402, R15-3-403, R15-3-406, R15-3-407, R15-3-408, R15-3-410, and R15-3-501

**New Section:** R15-3-309, R15-3-313, R15-3-404 and R15-3-405

**3. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-08-1102)**

Title 9, Chapter 31, Article 5, General Provisions and Standards

**Amend:** R9-31-501, R9-31-502

**4. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-08-1103)**

Title 9, Chapter 28, Article 5, Program Contractor and Provider Standards

**Amend:** R9-28-501, R9-28-503, R9-28-505

**New Section:** R9-28-501.01

**5. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (R-08-1104)**

Title 9, Chapter 22, Article 5, General Provisions and Standards

**Amend:** R9-22-501, R9-22-502, R9-22-503, R9-22-504, R9-22-509, R9-22-512, R9-22-518, R9-22-521, R9-22-522

**New Section:** R9-22-505

**6. BOARD OF PHARMACY (R-08-1105)**

Title 4, Chapter 23, Article 1, Administration; Article 12, Prescription Medication Donation Program

**Amend:** R4-23-110

**New Section:** Article 12, R4-23-1201, R4-23-1202, R4-23-1203, R4-23-1204, R4-23-1205, R4-23-1206, R4-

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23-1207, R4-23-1208, R4-23-1209, R4-23-1210 and R4-23-1211

**7. BOARD OF PHARMACY (R-08-1106)**

Title 4, Chapter 23, Article 1, Administration; Article 4, Professional Practices; Article 6, Permits and Distribution of Drugs

**Amend:** R4-23-110

**New Section:** R4-23-412, R4-23-413 and R4-23-617

**8. DEPARTMENT OF ADMINISTRATION (R-08-1107)**

Title 2, Chapter 5, Article 4, Personnel Administration

**Amend:** Article 4, R2-5-401, R2-5-403, R2-5-404, R2-5-405, R2-5-410, R2-5-411, R2-5-413, R2-5-414

**9. VETERINARY MEDICAL EXAMINING BOARD (R-08-1108)**

Title 3, Chapter 11, Article 1, General Provisions

**Amend:** R3-11-105