

## NOTICES OF PUBLIC INFORMATION

Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rule-making information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*. Because of the variety of material that is contained in a Notice of Public Information, the Office of the Secretary of State has not established a specific format for these notices.

### NOTICE OF PUBLIC INFORMATION OFFICE OF THE GOVERNOR

[M09-19]

TO: State Agency Directors and Acting Directors  
FROM: Janice K. Brewer  
Governor  
SUBJECT: Regulatory Review Plan  
DATE: January 22, 2009

In order to ensure that my appointees have the opportunity to review any new or pending rules, I am asking that you immediately take the following steps, subject to the exception process as described in paragraph 9:

1. Send no proposed or final rule to the Secretary of State for the publication in the Arizona Administrative Register.
2. File no notice of proposed rule making with the Secretary of State or begin or continue any activities in preparation for the rule making, including informal rule making activities.
3. With respect to proposed rules that have been sent to the Secretary of State but not published in the Arizona Administrative Register, withdraw them from the Secretary of State.
4. With respect to proposed rules that are final but have not been submitted to the Governor's Regulatory Review Council (GRRC) for approval, postpone filing the rules with GRRC.
5. With respect to proposed rules that have been submitted to the GRRC for approval, postpone filing rules approved by GRRC with the Secretary of State.
6. With respect to proposed rules that are final but have not been submitted to the Attorney General for approval, postpone filing the rules with the Attorney General.
7. With respect to proposed rules that have been submitted to the Attorney General for approval, withdraw the rules from consideration by the Attorney General.
8. Provide the Governor's Office a list and brief summary of each rule making activity within your agency no later than February 16, 2009.
9. Notify the Governor's Office promptly in writing of any rule making activity that, in your view, impacts critical public peace, health and safety functions of the agency or that are needed to address the state budget deficit and therefore should be also excluded from the directives in paragraphs 1-7. The Governor's Office will review any such notifications and determine whether exception is appropriate under the circumstances.

The directives in paragraphs 1-7 shall remain in effect until April 30, 2009.

As used in this memorandum, "rule" has the meaning as defined in A.R.S. § 41-1001(17).

Finally, in the interest of sound regulatory practice and the avoidance of costly, burdensome, or unnecessary rules, independent agencies are encouraged to participate voluntarily within the context of their own rulemaking processes.

This regulatory review will be implemented by the Governor's Office. Communications regarding exceptions to the review, or questions regarding the review generally, should be addressed to Richard bark, Deputy Chief of Staff for Policy at rbark@az.gov.

This memorandum shall be published in the Arizona Administrative Register.

Notices of Public Information

NOTICE OF PUBLIC INFORMATION  
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
CHILDREN'S HEALTH INSURANCE PROGRAM

[M09-89]

- 1. Name of the agency:** Arizona Health Care Cost Containment System (AHCCCS)  
**2. 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:** 14, Premiums for a Child Determined Eligible Under Article 3; 17, Eligibility, Enrollment and Cost Sharing for a Parent  
**Section numbers:** **Proposed Action:**  
R9-31-1402 Amend  
R9-31-1724 Amend

**3. The public information relating to the listed Sections:**

As described in SB1004, 49th Legislature, First Special Session of 2009, the monthly premiums must be charged up to the maximum amount allowed by federal law to all populations of eligible persons who may be charged. The Administration is proposing changes in premiums to Kids Care eligible children and Kids Care eligible parents.

This rulemaking is exempt from the rulemaking requirements of A.R.S. Title 41, Chapter 6, for one year from May 1, 2009.

The Administration intends to hold a public hearing on March 31, 2009 at 10:00 a.m. at:

Location: AHCCCS  
701 E. Jefferson St.  
Phoenix, AZ 85034

Nature: Public Hearing

Location: ALTCS: Arizona Long-term Care System  
1010 N. Finance Center Drive, Suite 201  
Tucson, AZ 85710

Nature: Public Hearing

Location: ALTCS: Arizona Long-term Care System  
3480 E. Route 66  
Flagstaff, AZ 86004

Nature: Public Hearing

Please send written comments to the below address by 5:00 p.m., March 31, 2009. E-mail comments will also be accepted during this time-frame. Close of Comment Period will be March 31, 2009 at 5:00 p.m.

**4. A list of previous notices published in the Arizona Administrative Register relating to the notice of public information:**

None; however, a Notice of Proposed Exempt Rulemaking will be published in the next issue of the *Arizona Administrative Register*, Vol. 15, Issue 12, March 20, 2008.

**5. The name, address, and telephone number of agency personnel to whom questions and comment on the rules may be addressed:**

Name: Mariaelena Ugarte  
Address: AHCCCS  
Office of Administrative Legal Services  
701 E. Jefferson St., Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4693  
Fax: 602) 253-9115  
E-mail: AHCCCSRules@azahcccs.gov

Notices of Public Information

NOTICE OF PUBLIC INFORMATION

GAME AND FISH COMMISSION

[M09-87]

- 1. The Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 4, Game and Fish Commission  
**Article and its heading:** 3, Taking and Handling of Wildlife  
**Section numbers:** R12-4-601, R12-4-602, R12-4-605, R12-4-606, R12-4-610, and R12-4-611

**2. The public information relating to the listed Sections:**

In compliance with Governor Brewer's January 22, 2009 directive (M09-19), the Arizona Game and Fish Department canceled the Oral Proceeding originally scheduled for February 7, 2009, published under the following *Arizona Administrative Register* citation: 14 A.A.R. 4148, November 7, 2008.

The Oral Proceeding is rescheduled as follows:

Date: May 15, 2009  
Time: 8:00 a.m. to 5:00 p.m.  
Location: 5000 W. Carefree Hwy.  
Phoenix, AZ 85086  
Close of record: May 15, 2009, 5:00 p.m.

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

Name: Celeste Cook, Rules and Risk  
Address: Game and Fish Department  
5000 W. Carefree Hwy.  
Phoenix, AZ 85086  
Telephone: (623) 236-7390  
Fax: (623) 236-7677

NOTICE OF PUBLIC INFORMATION

DEPARTMENT OF INSURANCE

[M09-88]

- 1. Name of the agency:** Department of Insurance  
**2. Title and its heading:** 20, Commerce, Financial Institutions, and Insurance  
**Chapter and its heading:** 6, Department of Insurance  
**Article and its heading:** 11, Medicare Supplement Insurance  
**Section number:** R20-6-1101

**3. The public information relating to the listed Sections:**

A Notice of Proposed Rulemaking was published for this rulemaking at 15 A.A.R. 129, January 9, 2009 (R08-447). An oral proceeding was noticed for February 10, 2009. However, on January 22, 2009, Governor Brewer issued Governor Memorandum, Regulatory Review Plan, published in the 15 A.A.R. 241, January 23, 2009 (M09-19), that placed a freeze on state agency rulemaking activities. Thus, the original oral proceeding scheduled for February 10, 2009 was postponed, pending determination by Governor Brewer's office on the exception requested by Department of Insurance Director Urias. Director Urias was notified by the Governor's Office on February 27, 2009 that the exception has been granted, authorizing the Department to proceed with the rulemaking under the previously published Notice of Proposed Rulemaking.

**4. The following oral proceeding has been rescheduled:**

An oral proceeding for this rulemaking is rescheduled to April 28, 2009 at 9:00 a.m., at the Arizona Department of Insurance, 2910 N. 44th St., 3rd floor training room, Phoenix, AZ 85018. The rulemaking record will close at 5:00 p.m. on April 28, 2009.

**5. The name and address of agency personnel with whom persons may communicate regarding the public information:**

Name: Margaret McClelland  
Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018  
Telephone: (602) 364-3471

**Notices of Public Information**

Fax: (602) 364-3470  
E-mail: [mmccllland@azinsurance.gov](mailto:mmccllland@azinsurance.gov)