



# Arizona Administrative REGISTER

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~ Administrative Register Contents ~

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# From the Publisher

## ABOUT THIS PUBLICATION

The paper copy of the *Administrative Register* (A.A.R.) is the official publication for rules and rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The Office of the Secretary of State does not interpret or enforce rules published in the *Arizona Administrative Register* or *Code*. Questions should be directed to the state agency responsible for the promulgation of the rule as provided in its published filing.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains the full text of the Governor's Executive Orders and Proclamations of general applicability, summaries of Attorney General opinions, notices of rules terminated by the agency, and the Governor's appointments of state officials and members of state boards and commissions.

## ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rules activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA.

Rulemakings initiated under the APA as effective on and after January 1, 1995, include the full text of the rule in the *Register*. New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

## WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The printed *Code* is the official publication of a rule in the A.A.C. is prima facie evidence of the making, amendment, or repeal of that rule as provided by A.R.S. § 41-1012. Paper copies of rules are available by full Chapter or by subscription. The *Code* is posted online for free.

## LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a copy.

# Arizona Administrative REGISTER

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**ADMINISTRATIVE CODE**  
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

**PUBLICATION DEADLINES**  
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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# Participate in the Process

## Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

## Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

## Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

# Arizona Regular Rulemaking Process



## Definitions

**Arizona Administrative Code (A.A.C.):** Official rules codified and published by the Secretary of State's Office. Available online at [www.azsos.gov](http://www.azsos.gov).

**Arizona Administrative Register (A.A.R.):** The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at [www.azsos.gov](http://www.azsos.gov).

**Administrative Procedure Act (APA):** A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at [www.azleg.gov](http://www.azleg.gov).

**Arizona Revised Statutes (A.R.S.):** The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at [www.azleg.gov](http://www.azleg.gov).

**Chapter:** A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

**Close of Record:** The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

**Code of Federal Regulations (CFR):** The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

**Docket:** A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

**Economic, Small Business, and Consumer Impact Statement (EIS):** The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

**Governor's Regulatory Review (G.R.R.C.):** Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

**Incorporated by Reference:** An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

**Federal Register (FR):** The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

**Session Laws or "Laws":** When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.," and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at [www.azleg.gov](http://www.azleg.gov).

**United States Code (U.S.C.):** The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

## Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

## About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



**NOTICES OF PROPOSED RULEMAKING**

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

**NOTICE OF PROPOSED RULEMAKING**

**TITLE 4. PROFESSIONS AND OCCUPATIONS**

**CHAPTER 5. BOARD OF BARBERS**

[R16-227]

**PREAMBLE**

- |  |  |
|--|--|
| <p><b><u>1. Articles, Parts, and Sections Affected</u></b><br/>R4-5-103</p> <p><b><u>2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):</u></b><br/>Authorizing statute: A.R.S. § 32-304(A)(1)<br/>Implementing statute: A.R.S. § 32-328</p> <p><b><u>3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:</u></b><br/>Notice of Rulemaking Docket Opening: 22 A.A.R. 2625, September 23, 2016</p> <p><b><u>4. The agency's contact person who can answer questions about the rulemaking:</u></b><br/>Name: Sam Barcelona<br/>Address: Barbers Board<br/>1400 W. Washington St., Suite 220<br/>Phoenix, AZ 85007<br/>Telephone: (602) 542-4498<br/>Fax: (602) 542-3093<br/>E-mail: sam.barcelona@azbarberboard.us<br/>Web site: www.barberboard.az.us</p> <p><b><u>5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:</u></b></p> | <p><b><u>Rulemaking Action</u></b><br/>Amend</p> |
|--|--|
- The Board is amending the rule for three reasons. First, the Board is concerned about having sums of cash in an unsecured office building, the need to make change when offered cash, and the need to move the cash from the Board office to the Department of Administration and then to the Treasurer's office. Second, both the Department of Administration and Treasurer's office have asked the Board to discontinue accepting cash payments. Third, consistent with the Governor's goal of having all state agencies provide e-commerce user friendly services, the Board wants to be able to accept payments by credit or debit card.

An exemption from EO2016-03 was provided by Christina Corieri, Policy Advisor for Health and Human Services in the Governor's office, in an e-mail dated July 20, 2016.



6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board does not intend to review or rely on a study in its evaluation of or justification for this rulemaking.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The economic impact of the rule change will be minimal. A licensee or applicant will no longer be able to pay fees in cash but will be able to use a credit or debit card. This may have some impact on licensees and applicants who do not have a bank account or credit card. The Board, and by extension, the state, will no longer have the risks associated with having sums of cash in an unsecured office building.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Sam Barcelona
Address: Barbers Board
1400 W. Washington St., Suite 220
Phoenix, AZ 85007
Telephone: (602) 542-4498
Fax: (602) 542-3093
E-mail: sam.barcelona@azbarberboard.us
Web site: www.barberboard.az.us

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding regarding the proposed rules will be held as follows:

Date: Monday, December 12, 2016
Time: 9:00 a.m.
Location: 1400 W. Washington St., Suite 220
Phoenix, AZ 85007

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

None

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The rule does not require a permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

There is no federal law regarding the manner in which the Board accepts payment from licensees and applicants.

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 5. BOARD OF BARBERS

ARTICLE 1. GENERAL PROVISIONS

Section R4-5-103. Fee Payment

ARTICLE 1. GENERAL PROVISIONS

R4-5-103. Fee Payment





**8. The preliminary summary of the economic, small business, and consumer impact:**  
 Amending these rules will have a positive economic impact for foster home and Child Welfare Agency applicants. Homes with a bedroom leading to a pool enclosure will not have to undergo a significant renovation to be compliant with fire and pool safety rules. The amended rules will not require any additional safeguards that are not already required by state law, county code, and municipal ordinances in the State of Arizona.

**9. The agency’s contact person who can answer questions about the economic, small business and consumer impact statement:**  
 Name: Jonathan Slater  
 Address: Department of Child Safety  
 3003 N. Central Avenue  
 Phoenix, AZ 85012  
 Telephone: (602) 255-2539  
 E-mail: jslater@azdes.gov  
 Web site: <https://dcs.az.gov/about/dcs-rules-rulemaking>

**10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:**  
 Written comments may be submitted to: [DCSPolicyUpdate@azdes.gov](mailto:DCSPolicyUpdate@azdes.gov)  
 Close of public comment record. Tuesday, December 13, 2016 at 5 p.m.  
 The Department will hold an oral proceeding.  
 Date: Monday, December 12, 2016  
 Time: 5 p.m. to 7 p.m.  
 Location: Ability 360  
 5025 E. Washington St.  
 Phoenix, AZ 85034

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the Arizona Department of Child Safety, Carrie Senseman, at (602) 255-2534. Please make requests as early as possible to allow time to arrange the accommodation.

**11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

- a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**  
 The rules pertain to a requirement for foster home and Child Welfare Agency licensing. A general permit is not used. The Department is exempt from issuing a general permit for foster homes, (A.R.S. 8-503), and Child Welfare Agencies (A.R.S. § 8-505) under A.R.S. § 41-1037(A)(5).
- b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**  
 42 U.S.C. 671. The rules are not more stringent than federal law.
- c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:**  
 Not applicable

**12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**  
 Not applicable

**13. The full text of the rules follows:**

**TITLE 21. CHILD SAFETY**

**CHAPTER 8. DEPARTMENT OF CHILD SAFETY  
 FOSTER HOME AND CHILD WELFARE AGENCY FACILITY SAFETY**

**ARTICLE 1. LIFE SAFETY INSPECTIONS**

**R21-8-112. Fire Safety and Evacuation Plan Requirements**

**ARTICLE 1. LIFE SAFETY INSPECTIONS**

**R21-8-112. Fire Safety and Evacuation Plan Requirements**

The provider shall ensure:



1. The premises is free of obvious fire hazards, such as defective heating equipment, or improperly stored flammable materials. Household heating equipment must be equipped with appropriate safeguards, maintained as recommended by the manufacturer.
2. Flammables and combustibles are stored more than three feet from water heaters, furnaces, portable heaters, fireplaces, and wood-burning stoves.
3. If the premises has a working fireplace or wood-burning stove, it is protected by a fire screen sufficient to shield the room from open flames and flying embers.
4. A functioning fire extinguisher with a rating of “2A 10BC” or greater is available near the kitchen area. If the home has multiple levels at least one functioning fire extinguisher with a rating of “2A 10BC” or greater is available on each level.
5. At least one UL approved and working smoke detector is installed:
  - a. In the main living or program area of the setting;
  - b. In each bedroom, if overnight care is provided; and
  - c. On each level of a multiple-level setting.
6. A written emergency evacuation plan is developed and maintained in the home, to provide guidance on the safe and rapid evacuation of the home. An emergency evacuation plan shall:
  - a. Be reviewed with the child within 72 hours of placement in the home and posted in a prominent place in the home;
  - b. Identify multiple exits from the home;
  - c. Identify two routes of evacuation from each bedroom on every floor used by individuals residing in or receiving care in the home. At least one of the exit routes for these bedrooms ~~shall lead leads~~ directly to the outside of the home, ~~but shall not lead into an area that serves as a pool enclosure; If that exit leads into an area that serves as a pool enclosure:~~
    - i. An individual receiving care in the home shall not use that bedroom and:
    - ii. If the exit is a window, it shall be secured with a latching device located not less than 54 inches above the finished floor;
    - iii. If the exit is a door, it shall be locked at all times with a latch or lock located a minimum of 54 inches above the floor. If there is no quick release on the lock, it must comply with the provisions of R21-8-112(11), and the key shall be located a minimum of 54 inches above the floor;
    - iv. Bedroom doors that lead into an area that serves as a pool enclosure shall comply with R21-8-112(6)(c)(iii) and also be self-closing and self-latching. Such doors that are hinged shall also swing outward from the pool area.
  - d. Identify the location of fire extinguishers and fire evacuation equipment, including rope or chain ladders, and emergency lighting, as applicable;
  - e. Designate a safe central meeting place close to the home, known to the child, at a safe distance from potential danger;
  - f. Be maintained in the home to review with individuals residing in or receiving care in the home; and
  - g. Include the placement of equipment, such as a ladder, that can be safely used by the individuals residing in each upstairs bedroom that have been identified with fire exits.
7. All windows identified as fire exits, must have enough space for an adult to move through.
8. Each bedroom used by a foster or child in a residential group care facility receiving care or services has two exits the outside.
  - a. One exit shall be a path through the premises and leading to a door that opens to the outside. A garage door that opens either manually by lifting or with an automatic opener shall not be accepted as an exit.
  - b. Another exit shall be a window or door within the bedroom that opens directly to the outside.
9. Premises authorized to provide care or services to five or more children shall train staff and children in evacuation procedures and conduct emergency drills at least every three months as prescribed in this subsection.
  - a. Practice drills shall include actual evacuation of children to safe areas, outside, and beyond the home.
  - b. Drills shall be held at random times and under varying conditions to simulate the possible conditions in case of fire or other disaster.
  - c. All persons in the home shall participate in the drill.
  - d. Records shall be maintained for each emergency drill and shall include:
    - i. Date and time of drill;
    - ii. Total evacuation time;
    - iii. Exits used;
    - iv. Problems noted; and
    - v. Measures taken to ensure that a foster child or a child in a residential group home facility understand the purpose of a drill and his or her responsibilities during a drill.
10. The exit routes for the home are clear of obstruction that could prevent safe and rapid evacuation.



11. The locks on exterior doors and windows, including the front door, screen doors, and bars on windows, are equipped with a quick release mechanism. A quick release mechanism is a lock that can be opened from inside the setting without special knowledge (such as a combination) or equipment (such as a key). The Department may grant an exception to this requirement for a double-key deadbolt on a door if:
  - a. There is breakable glass within 40 inches of the interior locking mechanism;
  - b. There is another exit with a quick release mechanism on the same level of the premises; and
  - c. The key for the deadbolt is permanently maintained in a location that is:
    - i. Within six feet of the locking mechanism;
    - ii. Accessible to all household members;
    - iii. Reviewed with persons residing in or receiving care in the home; and
    - iv. Identified on the emergency evacuation plan, specified in subsection (6).
12. The address for the home is posted and visible from the street, or the local emergency response team, such as the local fire department, is notified of the location of the home in writing, with a copy of this notification maintained in the home.
13. Providers must maintain a comprehensive list of emergency telephone numbers, including poison control, and post those numbers in a prominent place in the home.

### R21-8-113. Pool Safety

- A. No change
- B. For a home that has a pool, and provides care to a child six years of age or less, or an individual with a Developmental Disability, the provider shall ensure the following:
  1. That the pool complies with A.R.S. § 36-1681 and all local municipal codes to the extent not inconsistent with this Section.
  2. A fence or barrier meeting the following requirements is maintained between the pool and the home, or any building used to provide care and supervision.
    - a. The exterior side of the fence or barrier is at least five feet high;
    - b. If the barrier is a chain link fence or lattice, each opening in the mesh measures less than 1 3/4 inches horizontally. Chicken wire and other light gauge wire are prohibited as a primary fencing material for the pool;
    - c. If the barrier is a fence constructed of vertical bars or wooden slats, the openings between bars or slats measure less than four inches;
    - d. The exterior side of the barrier is free of hand holds or foot holds or other means that could be used to climb over it and if it has a horizontal component spaced at least 45 inches, measured vertically;
    - e. The gate to the enclosure is locked, except when in use and there is an adult within the enclosure to supervise the pool and spa area;
    - f. The connection between the panels of the fence cannot be separated without a key or a tool;
    - g. The fence is secured to the ground or has sufficient tension to prevent the fence from being lifted more than four inches from the ground;
    - h. If the home or building to provide care or supervision constitutes part of the enclosure:
      - i. The enclosure does not interfere with safe egress from the home;
      - ii. A door from the home does not open within the pool enclosure; unless it is a bedroom door in a bedroom not occupied by an individual receiving care and such a door cannot be opened by a foster child or child in a residential group care facility because it is either permanently locked as required in R21-8-112(6)(c)(iii) or barricaded inoperable. Any key shall not be accessible to a foster child or child in a residential group care facility;
      - iii. A window located in a room that is designated as a bedroom for a foster child or child in a residential group care facility shall not open into the pool enclosure; or shall be permanently locked and not used for egress; and
      - iv. Other windows that open into the pool enclosure are permanently secured to open no more than four inches; as required in R21-8-122(c)(ii).
      - v. Animal or doggie doors shall not open directly into the pool enclosure.
  3. A pool shall have its methods of access through the barrier equipped with a safety device, such as a bolt lock:
    - a. Gates should be self-closing and self-latching, maintained in good repair, and open out or away from the pool.
    - b. The gate latch is at least 54" above the ground and is equipped with a key or combination lock.
  4. If the swimming pool cannot be emptied after each use, the pool must have a working pump and filtering system.
  5. Hot tubs and spas must have safety covers that are locked when not in use.
  6. Hot tubs and spas that are drained must be disconnected from the power and water source and have safety covers that are always locked.
- C. No change
- D. No change
- E. No change
- F. No change

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## NOTICES OF FINAL RULEMAKING

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This section of the *Arizona Administrative Register* contains Notices of Final Rulemaking. Final rules have been through the regular rulemaking process as defined in the Administrative Procedures Act. These rules were either approved by the Governor's Regulatory Review Council or the Attorney General's Office. Certificates of Approval are on file with the Office.

The final published notice includes a preamble and

text of the rules as filed by the agency. Economic Impact Statements are not published.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the final rules should be addressed to the agency that promulgated the rules. Refer to Item #5 to contact the person charged with the rulemaking. The codified version of these rules will be published in the *Arizona Administrative Code*.

### NOTICE OF FINAL RULEMAKING

#### TITLE 6. ECONOMIC SECURITY

#### CHAPTER 5. DEPARTMENT OF ECONOMIC SECURITY SOCIAL SERVICES

[R16-231]

#### PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|--|--------------------------|
| R6-5-5201  | Amend                    |
| R6-5-5202  | Amend                    |
| R6-5-5207  | Amend                    |
| R6-5-5217  | Amend                    |
| R6-5-5218  | Amend                    |
| R6-5-5219  | Amend                    |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**  
Authorizing statute: A.R.S. § 41-1954(A)(3)  
Implementing statute: A.R.S. § 46-809
- 3. The effective date of the rules:**
- a. If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**  
October 28, 2016
- The Department requests that the rule be effective immediately on filing in the office of the Secretary of State and the time and date are affixed as provided in A.R.S. § 41-1031, for the following reasons:
- To provide a benefit to the public and a penalty is not associated with a violation of the rule. § 41-1032(A)(4); and
- To adopt a rule that is less stringent than the rule that is currently in effect and that does not have an impact on the public health, safety, welfare or environment, or that does not affect the public involvement and public participation process. § 41-1032(A)(5)
- b. If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**  
Not applicable
- 4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rulemaking:**  
Notice of Rulemaking Docket Opening: 22 A.A.R. 1065, May 6, 2016  
Notice of Proposed Rulemaking: 22 A.A.R. 1029, May 6, 2016
- 5. The agency's contact person who can answer questions about the rulemaking:**  
Name: Rodney K. Huenemann  
Address: Department of Economic Security  
P.O. Box 6123, Mail Drop 1292  
Phoenix, AZ 85005



Or

Department of Economic Security  
1789 W. Jefferson St., Mail Drop 1292  
Phoenix, AZ 85007

Telephone: (602) 542-6159

Fax: (602) 542-6000

E-mail: rhuenemann@azdes.gov

**6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**

This rulemaking is in response to a Five-year Review Report, approved by the Governor's Regulatory Review Council on September 9, 2014. This rulemaking will address concerns identified in a rulemaking petition that the current rule unnecessarily restricts the number of organizations that are allowed to provide training in first aid and infant/child cardiopulmonary resuscitation (CPR) to family child care home providers. The current rule defines acceptable first aid and infant/child CPR training as a course approved by the American Red Cross or the American Heart Association. The proposed rule will adjust the definition of "acceptable training" to include a classroom or blended-learning course which conforms to the current guidelines of the American Red Cross or the American Heart Association, as confirmed in writing by the training provider. Additionally, this rulemaking will make technical corrections to correct typographical errors and incorrect citations.

**7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

The Department did not review or rely on any study relevant to the rules.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. A summary of the economic, small business, and consumer impact:**

All Department certified family child care providers are small business owners who contract with Child Care Administration to care for children of Department clients. The current rule significantly limits the options of choosing first aid and CPR courses especially in the rural areas. Because of the limited availability, some providers are unable to comply with the first aid and CPR training requirement within 60 days after receiving a child care certificate. In addition, the providers, in some cases, find themselves incurring higher cost due to limited availability and not being able to wait for better options. Having more training available means less burden on the providers who will benefit from having additional opportunities to choose the training that is affordable, timely, and that fits their needs.

**10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

There are no substantive changes between the proposed rules, published on May 6, 2016, and the final rules. In R6-5-5202(R), in the second sentence, the word "completeness" was added after "administrative" to correct an omission. In response to a public comment, the definition of "acceptable training" was changed to include a "classroom or blended-learning course" in R6-5-5207(C).

**11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

The Department received a written request on May 18, 2016, from the Health and Safety Institute, to amend the rules to permit training and certification using hybrid (blended) learning approaches in addition to the traditional classroom approach. The Department agreed with the request and changed the definition of "acceptable training" to include a classroom or blended-learning course in R6-5-5207(C).

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

No other matters are prescribed.

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

These rules do not require a permit.

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

The Child Care and Development Block Grant (CCDBG) Act of 1990 and 45 CFR 98 and 99 are applicable to the subject of the rule. The Department has determined that the rules are not more stringent than corresponding federal law.



**c. Whether a person submitted an analysis to the agency that compares the rule’s impact of the competitiveness of business in this state to the impact on business in other states:**

No analysis was submitted.

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**

None

**14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

Not applicable

**15. The full text of the rules follows:**

**TITLE 6. ECONOMIC SECURITY**

**CHAPTER 5. DEPARTMENT OF ECONOMIC SECURITY  
SOCIAL SERVICES**

**ARTICLE 52. CERTIFICATION AND SUPERVISION OF FAMILY CHILD CARE HOME PROVIDERS**

Section

- R6-5-5201. Definitions
- R6-5-5202. Initial Application for Certification
- R6-5-5207. Maintenance of Certification: General Requirements; Training
- R6-5-5217. Meals and Nutrition
- R6-5-5218. Health Care; Medications
- R6-5-5219. Recordkeeping; Unusual incidents; Immunizations

**ARTICLE 52. CERTIFICATION AND SUPERVISION OF FAMILY CHILD CARE HOME PROVIDERS**

**R6-5-5201. Definitions**

No change

- 1. No change
- 2. No change
- 3. No change
- 4. No change
- 5. No change
- 6. No change
- 7. No change
- 8. No change
- 9. No change
- 10. No change
- 11. No change
- 12. No change
- 13. No change
- 14. No change
- 15. No change
- 16. No change
- 17. No change
- 18. No change
- 19. No change
- 20. No change
- 21. No change
- 22. No change
  - a. No change
  - b. No change
  - c. No change
- 23. No change
- 24. No change
- 25. No change
- 26. No change
- 27. No change



28. No change
29. No change
30. No change
  - a. No change
  - b. No change
31. No change
32. No change
33. No change
34. No change
35. "Neglect" has the same meaning ascribed in A.R.S. § ~~8-201(21)~~ 8-201.
36. No change
37. No change
38. No change
39. No change
40. No change
41. No change
  - a. No change
  - b. No change
  - c. No change
  - d. No change
  - e. No change
42. No change
43. No change
44. No change
45. No change

**R6-5-5202. Initial Application for Certification**

- A. No change
- B. No change
- C. No change
- D. No change
  1. No change
  2. No change
  3. No change
  4. No change
- E. No change
- F. No change
  1. No change
  2. No change
  3. No change
- G. No change
- H. No change
- I. No change
  1. No change
  2. No change
  3. No change
  4. No change
  5. No change
  6. No change
  7. No change
  8. No change
  9. No change
  10. No change
  11. No change
  12. No change
  13. No change
  14. No change
- J. No change
- K. No change
- L. An applicant shall furnish proof that the applicant, the individual backup provider, and members of the applicant's household who are age 13 or younger are immune from measles, rubella, diphtheria, tetanus, ~~pertusis~~, pertussis, polio, and any other diseases for which routine immunizations are readily and safely available.



- 1. No change
- 2. No change
  - a. No change
  - b. No change
- M. No change
  - 1. No change
    - a. No change
    - b. No change
  - 2. No change
- N. No change
  - 1. No change
  - 2. No change
  - 3. No change
  - 4. No change
  - 5. No change
  - 6. No change
- O. No change
  - 1. No change
  - 2. No change
  - 3. No change
  - 4. No change
- P. No change
- Q. No change
- R. The Department shall send an applicant a notice of administrative completeness or deficiency, as described in A.R.S. § 41-1074, indicating the additional information, if any, that the applicant must provide for a complete application package. The Department shall send the notice after receiving the application and before expiration of the administrative completeness review time-frame described in ~~R6-5-5204~~ R6-5-5205. If the applicant does not supply the missing information listed in the notice, the Department may close the file.
- S. No change
- T. No change

**R6-5-5207. Maintenance of Certification: General Requirements; Training**

- A. No change
- B. No change
- C. No later than 60 days after the date of provider certification, a provider and individual backup providers shall furnish the Department with proof of acceptable first aid training and certification in infant/child cardiopulmonary resuscitation (“CPR”). As used in this Section, “acceptable training” means a classroom or blended-learning course approved by that conforms to the current guidelines of the American Red Cross or the American Heart Association, as confirmed in writing by the training provider. The Department may extend the time for completing this requirement and children may remain in care during an extension, if:
  - 1. No change
  - 2. No change
- D. No change
- E. No change
  - 1. No change
  - 2. No change
  - 3. No change
  - 4. No change
  - 5. No change
  - 6. No change
  - 7. No change
  - 8. No change
  - 9. No change
- F. No change
- G. No change
- H. No change
- I. No change
- J. No change
- K. No change
- L. No change
- M. No change
- N. No change
- O. No change
  - 1. No change



2. No change

**R6-5-5217. Meals and Nutrition**

- A. No change
- B. No change
- C. No change
- D. No change
- E. No change
- F. A provider shall monitor all perishable foods, including infant formulas and sack lunches. The provider shall ensure that food is individually labeled with a child's name, dated, covered, and properly stored to prevent spoilage- at temperatures of 45°F or less.

**R6-5-5218. Health Care; Medications**

- A. No change
- B. No change
  1. No change
  2. No change
- C. No change
- D. No change
- E. No change
- F. No change
- G. No change
- H. No change
  1. No change
  2. No change
- I. No change
  1. No change
  2. No change
  3. No change
  4. The dosage administered.

~~A provider shall use a sanitary medication measure for accurate dosage.~~
- ~~J.~~ J. A provider shall use a sanitary medication measure for accurate dosage.
- ~~K.~~ K. No change
- ~~L.~~ L. No change
- ~~M.~~ M. No change

**R6-5-5219. Recordkeeping; Unusual incidents; Immunizations**

- A. No change
- B. No change
- C. No change
- D. No change
  1. No change
  2. No change
  3. No change
  4. No change
  5. No change
  6. No change
  7. No change
  8. No change
- E. No change
  1. No change
  2. No change
  3. No change
  4. No change
  5. No change
- F. No change
  1. No change
    - a. An immunization record prepared by the child's health care provider stating that child has received current, age-appropriate immunizations specified in ~~R9-6-701~~R9-6-702, including immunizations for Diphtheria, ~~hemophiles influenza~~ Haemophilus influenzae type b, Hepatitis B, Measles, Mumps, ~~Pertusis~~, Pertussis, Polio-myelitis, Rubella, and Tetanus;
    - b. No change
    - c. No change



- 2. If a child has received all current immunizations but requires further inoculations to be fully immunized, the provider shall require the parent to verify that the parent will have the child complete all immunizations in accordance with the DHS recommended schedule identified in ~~R9-6-701~~ R9-6-702. The provider shall:
  - a. No change
  - b. No change
- 3. No change
- G. No change

**NOTICE OF FINAL RULEMAKING**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION**

[R16-232]

**PREAMBLE**

- |   |                                 |
|---|---------------------------------|
| <b><u>1. Article, Part, or Section Affected (as applicable)</u></b> | <b><u>Rulemaking Action</u></b> |
| Article 4   | New Article                     |
| R9-22-401   | New Section                     |
| R9-22-402   | New Section                     |
| R9-22-403   | New Section                     |
| R9-22-404   | New Section                     |
| R9-22-405   | New Section                     |
| R9-22-406   | New Section                     |
| R9-22-407   | New Section                     |
| R9-22-408   | New Section                     |
- 2. **Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**  
 Authorizing statutes: A.R.S. § 36-2903.01(F)  
 Implementing statutes: A.R.S. §§ 36-2905.04 and 36-2991
  - 3. **The effective date of the rule:**  
 October 19, 2016
  - 4. **Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**  
 Notice of Rulemaking Docket Opening: 22 A.A.R. 1293, May 20, 2016  
 Notice of Proposed Rulemaking: 22 A.A.R. 1289, May 20, 2016
  - 5. **The agency’s contact person who can answer questions about the rulemaking:**  
 Name: James Maguire  
 Address: AHCCCS  
 Office of Administrative Legal Services  
 701 E. Jefferson, Mail Drop 6200  
 Phoenix, AZ 85034  
 Telephone: (602) 417-4693  
 Fax: (602) 253-9115  
 E-mail: AHCCCSRules@azahcccs.gov  
 Web site: www.azahcccs.gov
  - 6. **An agency’s justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**  
 A.R.S. §§ 36-2905.04 and 36-2991 provide for the control and deterrence of fraud relating to AHCCCS eligibility, including the Hospital Presumptive Eligibility (HPE) program, through the discretionary imposition of a civil penalty on those persons who obtain AHCCCS eligibility through fraudulent means. A.R.S. §§ 36-2905.04(E) and 36-2991(E) require the AHCCCS Director to adopt rules providing for the appeal of a decision to impose such a penalty. The Administration will promulgate rules necessary for the imposition and appeal of penalties resulting from eligibility fraud, including fraud associated with the HPE program.



**7. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**

A study was not referenced or relied upon when adding these regulations as A.R.S. §§ 36-2905.04(E) and 36-2991(E) require AHCCCS to promulgate these rules.

**8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**9. A summary of the economic, small business, and consumer impact:**

The Administration anticipates a minimal economic impact on the implementing agency, small businesses and consumers. AHCCCS currently pursues civil remedies against those who obtain AHCCCS eligibility through fraudulent means; therefore, AHCCCS does not anticipate that adding these regulations to its recovery efforts will have more than a minimal economic impact.

In SFY 2015, the AHCCCS Member Compliance section, through prosecutions and repayment agreements, recovered \$812,124.14 in money from persons who obtained eligibility through fraudulent means. In addition, the unit saved \$840,008.24 by discontinuing the eligibility of persons who were deemed ineligible due to non-residency in Arizona, unreported income, impermissible transference of resources and other misrepresentations.

The Administration anticipates an increase of 10% to 25% above the existing recovery amounts within the next fiscal year as a result of this rulemaking, which represents a potentially positive economic impact for the implementing agency.

**10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**

No changes were made between the proposed rulemaking and the final rulemaking.

**11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**

No comments were received.

**12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**

**a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**

Not applicable

**b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**

The following federal law applies to the subject of this rulemaking:

42 C.F.R. Part 455 requires AHCCCS to maintain a fraud detection and investigation program to maintain the integrity of the Arizona Health Care Cost Containment System.

This rulemaking is not more stringent than, or prohibited by, federal law.

**c. Whether a person submitted an analysis to the agency that compares the rule's impact on the competitiveness of business in this state to the impact on business in other states:**

No analysis was submitted.

**13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:**

None

**14. Whether the rule was previously made, amended or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

Not applicable

**15. The full text of the rules follows:**

**TITLE 9. HEALTH SERVICES**

**CHAPTER 22. ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM  
ADMINISTRATION**



**ARTICLE 4. ~~REPEALED~~ PENALTY FOR OBTAINING ELIGIBILITY BY FRAUD**

Section

- R9-22-401. ~~Repealed~~ Definitions
- R9-22-402. ~~Repealed~~ Determining the Amount of the Penalty
- R9-22-403. ~~Repealed~~ Mitigating and Aggravating Circumstances
- R9-22-404. ~~Repealed~~ Notice of Intent
- R9-22-405. ~~Repealed~~ Failure to Respond to the Notice of Intent
- R9-22-406. Request for State Fair Hearing
- R9-22-407. Burden of Proof
- R9-22-408. Rescission of the Notice of Intent

**ARTICLE 4. ~~REPEALED~~ PENALTY FOR OBTAINING ELIGIBILITY BY FRAUD**

**R9-22-401. ~~Repealed~~ Definitions**

Definitions. The following definitions apply specifically to terms used within this Article:

“Amounts incurred by the system” include capitation payments, costs incurred by any contractor in excess of capitation, reinsurance, and other administrative, legal or investigative costs associated with a person who obtained eligibility contrary to A.R.S. §§ 36-2905.04 and/or A.R.S. § 36-2991.

“Application for eligibility” means any request for benefits administered by AHCCCS under the authority of A.R.S. Title 36, Chapter 29, including applications for presumptive eligibility submitted to hospitals as described under Article 16 of this Chapter.

“Penalty” means an amount not to exceed the amounts incurred by the system during any time period that the person would have been ineligible for benefits but for the false or fraudulent information provided on the application for eligibility. A penalty does not include, and does not need to be reduced by, the amount of any overpayments that AHCCCS may be entitled to recoup from a person who violated A.R.S. § 36-2905.04 and/or A.R.S. § 36-2991.

**R9-22-402. ~~Repealed~~ Determining the Amount of the Penalty**

**A.** AHCCCS shall determine the amount of a penalty according to A.R.S. § 36-2905.04(B) or A.R.S. § 36-2991(B), whichever is applicable, and this Article.

**B.** In addition to any penalty imposed pursuant to ARS §§ 36-2905.04 or 36-2991, and this Article, the Administration may also recoup from the person the amounts incurred by the system as a part of the notice and appeal process described in this Article.

**R9-22-403. ~~Repealed~~ Mitigating and Aggravating Circumstances**

**A.** AHCCCS shall consider any of the following to be mitigating circumstances when determining the amount of a penalty for obtaining eligibility by fraud.

1. Degree of culpability. The degree of culpability of a person is a mitigating circumstance if the person did not intend to provide or cause to be provided false information on the application for eligibility but was negligent as to the truthfulness of the information provided.
2. Prior Offenses. At the time of the submittal of the application the person:
  - a. Did not have any prior criminal convictions; and
  - b. Had not been held civilly liable for defrauding a public assistance program.
3. Financial condition. The financial condition of a person who violates A.R.S. §§ 36-2905.04 or 36-2991 is a mitigating circumstance if the imposition of a penalty without reduction will render the person incapable of obtaining necessities of life such as food, clothing, and shelter. AHCCCS may consider the resources available to the person when determining the amount of the penalty.
4. Other matters as justice may require. AHCCCS shall take into account other circumstances of a mitigating nature, if in the interest of justice; the circumstances require a reduction of the penalty.

**B.** AHCCCS shall consider any of the following to be aggravating circumstances when determining the amount of a penalty for obtaining eligibility by fraud.

1. Degree of culpability. The degree of culpability of a person who provides or causes to be provided false information on the application for eligibility is an aggravating circumstance if the person knows or had reason to know that the information provided on the application for eligibility was false, or the person failed to correct the false information prior to AHCCCS incurring a financial loss as a result of the application for eligibility.
2. Prior offenses. At any time before the submittal of the application for eligibility, the person was held criminally or civilly liable for committing any fraud, waste, or abuse against any public assistance program.
3. Financial Loss. The person’s violation of A.R.S. §§ 36-2905.04 or 36-2991 caused a loss to the system equal to or exceeding \$5,000.00.
4. Other matters as justice may require. AHCCCS shall take into account other circumstances of an aggravating nature, if in the interest of justice; the circumstances require an increase of the penalty.

**R9-22-404. ~~Repealed~~ Notice of Intent**

**A.** If AHCCCS imposes a penalty pursuant to this Article, AHCCCS shall hand deliver or send by certified mail, return receipt requested, or Federal Express to the person, a written Notice of Intent to impose a penalty.

**B.** The Notice of Intent shall include:



1. The legal and factual basis for AHCCCS' determination that there has been a violation of A.R.S §§ 36-2905.04 and/or 36-2991;
2. The penalty;
3. The amounts incurred by the system as a result of the violation of A.R.S. §§ 36-2905.04 and/or 36-2991, if AHCCCS intends to recoup those amounts through this process; and
4. The procedure for requesting a State Fair Hearing.

**R9-22-405. ~~Repealed~~ Failure to Respond to the Notice of Intent**

If a person fails to respond to the Notice of Intent within the timeframe described in A.A.C. § R9-22-406(A), AHCCCS shall uphold the penalty and recoupment amounts described in the Notice of Intent.

**R9-22-406. Request for State Fair Hearing**

- A. To dispute the agency action described in the Notice of Intent, the person shall file a written Request for State Fair Hearing with AHCCCS within sixty (60) days from the date of receipt of the Notice of Intent.
- B. If AHCCCS receives a timely request for a State Fair Hearing from the person, AHCCCS shall mail a Notice of Hearing pursuant to the Uniform Administrative Hearing Procedures described in A.R.S. Title 41, Chapter 6, Article 10.
- C. AHCCCS shall accept a written request for withdrawal of a hearing request if the written request for withdrawal is received from the person before AHCCCS mails a Notice of Hearing under the Uniform Administrative Hearing Procedures described in A.R.S. Title 41, Chapter 6, Article 10.

**R9-22-407. Burden of Proof**

- A. In any State Fair Hearing conducted under this Article, AHCCCS shall prove a violation of A.R.S. §§ 36-2905.04 and/or 36-2991, and any aggravating circumstances by a preponderance of the evidence.
- B. AHCCCS does not have to prove any specific intent to defraud.
- C. A person shall bear the burden of producing and proving by a preponderance of the evidence any affirmative defense or any circumstance that would justify reducing the amount of the penalty.

**R9-22-408. Rescission of the Notice of Intent**

AHCCCS may rescind the Notice of Intent at any time prior to the State Fair Hearing without prejudice.



NOTICES OF EXPIRATION OF RULES UNDER A.R.S. § 41-1056(E)

This section of the Arizona Administrative Register contains Notices of Expiration of Rules. Under A.R.S. § 41-1056(E), if an agency does not file a five-year rule review report with the Governor's Regulatory Review Council (including a revised report); or if an agency does not file an extension before the due date of the report; or if an agency files an extension but does not submit a report

within the extension period; the rules scheduled for review expire.

The Council is required to notify the Secretary of State that the rules have expired and are no longer enforceable. The notice is published in the Register, and the rules are removed from the Code.

GOVERNOR'S REGULATORY REVIEW COUNCIL NOTICE OF RULE EXPIRATION

[R16-233]

- 1. Agency name: State Retirement System Board
2. Title and its heading: 2, Administration
3. Chapter and its heading: 8, State Retirement System Board
4. Articles and their headings: 5, Purchasing Service Credit
5. As required by A.R.S. § 41-1056(J), the Council provides notice that the following rules have expired as of October 11, 2016:

- R2-8-516. Purchasing Service Credit by Indirect IRA Rollover
R2-8-517. Purchasing Service Credit by Distributed Rollover Contribution

- 6. Signature is of Nicole A. Ong Date of Signing
/s/ Oct. 20, 2016
Nicole A. Ong
G.R.R.C. Chair

GOVERNOR'S REGULATORY REVIEW COUNCIL NOTICE OF RULE EXPIRATION

[R16-234]

- 1. Agency name: Department of Transportation
2. Title and its heading: 17, Transportation
3. Chapter and its heading: 5, Department of Transportation - Commercial Programs
4. Articles and their headings: 4, Dealers
5. As required by A.R.S. § 41-1056(J), the Council provides notice that the following rule has expired as of October 5, 2016:

- R17-5-403. Bond Amount; Motor Vehicle Title Service Business License

- 6. Signature is of Nicole A. Ong Date of Signing
/s/ Oct. 20, 2016
Nicole A. Ong
G.R.R.C. Chair

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## NOTICES OF RULEMAKING DOCKET OPENING

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This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

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### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF PHARMACY

[R16-228]

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 23, Board of Pharmacy  
**Article and its heading:** 4, Professional Practices  
11, Pharmacy Technicians  
**Section numbers:** R4-23-402, R4-23-1104, and R4-23-1104.01 (*Additional Sections may be made, amended, or repealed as necessary*).
2. **The subject matter of the proposed rule:**

This rulemaking will create efficiencies in a pharmacy by enabling a licensed pharmacy technician working under the supervision of a pharmacist to use technology to verify the accuracy of medications prepared for dispensing. Current law requires that a pharmacist do this verification. The technology required to verify the accuracy of medications prepared for dispensing exists and is simple to use. It involves scanning a bar code and visually comparing the prepared medication with the result on a computer screen. By enabling a licensed pharmacy technician to perform routine technology-assisted verification, this rulemaking will remove a regulatory burden and provide additional time in which the pharmacist is able to perform tasks such as patient counseling that require the pharmacist’s skills.

An exemption from Executive Order 2016-03 was provided for this rulemaking by Christina Corieri, Policy Advisor for Health and Human Services in the Governor’s office, in an e-mail dated July 14, 2016.
3. **A citation to all published notices relating to the proceeding:**

None
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Kamlesh Gandhi  
Address: Board of Pharmacy  
1616 W. Adams St., Suite 120  
Phoenix, AZ 85007  
Telephone: (602) 771-2740  
Fax: (602) 771-2749  
E-mail: kgandhi@azpharmacy.gov  
Web site: www.azpharmacy.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**

The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**

To be determined



## NOTICE OF RULEMAKING DOCKET OPENING

### DEPARTMENT OF HEALTH SERVICES EMERGENCY MEDICAL SERVICES

[R16-235]

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading:** 25, Department of Health Services - Emergency Medical Services  
**Articles and their headings:** 6, Stroke Care  
**Section numbers:** R9-25-601 and R9-25-602 (*The Department may add, delete, or modify other Sections, as necessary.*)
  
2. **The subject matter of the proposed rules:**  
 The statutes in Arizona Revised Statutes (A.R.S.) Title 36, Chapter 21.1, govern emergency medical services. The Department uses the authority granted by these statutes to make the rules in Arizona Administrative Code (A.A.C.) Title 9, Chapter 25. Laws 2015, Ch. 130, § 1 requires the Department to “adopt or amend rules relating to the coordination of stroke care services between emergency medical services providers and hospitals in this state.” The Department had adopted rules related to stroke care in 9 A.A.C. 25, Article 6. After receiving an exception from the rulemaking moratorium, established by Executive Order 2015-01, the Department is amending the rules in 9 A.A.C. 25, Article 6 to comply with Laws 2015, Ch. 130, § 1. The proposed changes will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify other Sections, 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 rules:**  
 Name: Terry Mullins, Bureau Chief  
 Address: Department of Health Services  
 Division of Public Health Services  
 Bureau of Emergency Medical Services and Trauma System  
 150 N. 18th Ave., Suite 540  
 Phoenix, AZ 85007  
 Telephone: (602) 364-3150  
 Fax: (602) 364-3568  
 E-mail: terry.mullins@azdhs.gov  
 Or  
 Name: Robert Lane, Manager  
 Address: Department of Health Services  
 Office of Administrative Counsel and Rules  
 150 N. 18th Ave., Suite 200  
 Phoenix, AZ 85007  
 Telephone: (602) 542-1020  
 Fax: (602) 364-1150  
 E-mail: Robert.Lane@azdhs.gov
  
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 addresses listed in item #4 until the close of record, which has not yet been determined. No oral proceedings have been scheduled at this time.
  
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
 To be announced in the Notice of Proposed Rulemaking



NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF CHILD SAFETY  
FOSTER CARE AND CHILD WELFARE AGENCY FACILITY SAFETY

[R16-236]

- 1. **Title and its heading:** 21, Child Safety  
**Chapter and its heading:** 8, Department of Child Safety - Foster Care and Child Welfare  
Agency Facility Safety  
**Article and its heading:** 1, Life Safety Inspections  
**Section numbers:** R21-8-112 and R21-8-113
- 2. **The subject matter of the proposed rule:**  
To amend fire safety and evacuation plan requirements and pool safety rules that regulate Life Safety Inspections for foster homes and Child Welfare Agencies operating residential group care facilities.
- 3. **A citation to all published notices relating to the proceeding:**  
Notice of Proposed Rulemaking: 22 A.A.R. 3181, November 11, 2016 (*in this issue*).
- 4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Kathryn Blades, Deputy General Counsel  
Department of Child Safety  
Address: 3003 N. Central Ave.  
Phoenix, AZ 85012  
Telephone: (602) 255-2527  
E-mail: kathrynblades@azdes.gov
- 5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
Written comments may be submitted to: DCSPolicyUpdate@azdes.gov  
Close of public comment record. Tuesday, December 13, 2016 at 5 p.m.  
The Department will hold an oral proceeding.  
Date: Monday, December 12, 2016  
Time: 5 p.m. to 7 p.m.  
Location: Ability 360  
5025 E. Washington St.  
Phoenix, Arizona 85034  
Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the Arizona Department of Child Safety, Carrie Senseman, at (602) 255-2534. Please make requests as early as possible to allow time to arrange the accommodation.
- 6. **A timetable for agency decisions or other action on the proceeding, if known:**  
A Notice of Final Rulemaking will be published upon the approval by the Governor’s Regulatory Review Council.



NOTICES OF SUBSTANTIVE POLICY STATEMENT

The Administrative Procedure Act (APA) requires the publication of Notices of Substantive Policy Statement issued by agencies (A.R.S. § 41-1013(B)(14)).

Substantive policy statements are written expressions which inform the general public of an agency's current approach to rule or regulation practice.

Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal

procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the APA.

If you believe that a substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

NOTICE OF SUBSTANTIVE POLICY STATEMENT

BOARD OF BEHAVIORAL HEALTH EXAMINERS

[M16-267]

1. Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:

2016-01 Exam Requirements for Substance Abuse Counselor Licensure

2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:

March 4, 2016

3. Summary of the contents of the substantive policy statement:

A.A.C. R4-6-704 establishes the approved examinations for substance abuse counselor licensure. The substantive policy clarified a "grandfathering" process for applicants who had previously taken an approved examination prior to rule changes effective 11/01/15.

4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:

Not applicable

5. A statement as to whether the substantive policy statement is a new statement or a revision:

Revision – Rescind Substantive Policy Statement

6. The agency contact person who can answer questions about the substantive policy statement:

Name: Donna Dalton
Address: Board of Behavioral Health Examiners
3443 N. Central Ave., Suite 1700
Phoenix, AZ 85012
Telephone: (602) 542-1811
Fax: (602) 364-0890
E-mail: donna.dalton@azbbhe.us
Web site: www.azbbhe.us

7. Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:

A person may obtain a copy of the substantive policy statement by contacting the individual listed in item 6, or visiting the Board's website at www.azbbhe.us.

**NOTICE OF AGENCY SUBSTANTIVE POLICY STATEMENT****DEPARTMENT OF INSURANCE**

[M16-268]

- 1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**  
January 1, 2017 Operative Date of Principle-Based Valuation Manual (Regulatory Bulletin 2016-03).
- 2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**  
The substantive policy statement was issued on October 21, 2016.
- 3. Summary of the content of the substantive policy statement:**  
The Regulatory Bulletin advises all life and health insurers that the operative date of the uniform valuation manual, for purposes of the Arizona Standard Valuation Law, A.R.S. § 20-510, is January 1, 2017.
- 4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**  
A.R.S. § 20-510.
- 5. A statement as to whether the substantive policy statement is a new statement or a revision:**  
This is a new statement.
- 6. The agency contact person who can answer questions about the substantive policy statement:**  
Name: Mary Kosinski  
Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018-7269  
Email: mkosinski@azinsurance.gov  
Telephone: (602) 364-3471
- 7. Information about where a person may obtain a copy of the substantive policy statement:**  
Copies of this policy are available via the internet at <http://insurance.az.gov> or from the person listed in question #6 for 25 cents per page.

**NOTICE OF AGENCY SUBSTANTIVE POLICY STATEMENT****DEPARTMENT OF INSURANCE**

[M16-269]

- 1. Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**  
Service Fees Charged by Surplus Lines Brokers
- 2. Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**  
The substantive policy statement was issued on October 25, 2016.
- 3. Summary of the content of the substantive policy statement:**  
The Regulatory Bulletin clarifies that HB 2149 (Laws 2016, Chapter 38), effective August 6, 2016, did not change the requirements for surplus lines brokers (SLBs) to report and pay taxes and stamping fees for service fees that SLBs charge insureds.
- 4. Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**  
A.R.S. § 20-415
- 5. A statement as to whether the substantive policy statement is a new statement or a revision:**  
This is a new statement.
- 6. The agency contact person who can answer questions about the substantive policy statement:**  
Name: Scott Greenberg  
Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018-7269  
Email: sgreenberg@azinsurance.gov  
Telephone: (602) 364-3764



**7. Information about where a person may obtain a copy of the substantive policy statement:**

Copies of this policy are available via the internet at <http://insurance.az.gov> or from the person listed in question #6 for 25 cents per page.



GOVERNOR EXECUTIVE ORDERS

The Administrative Procedure Act (APA) requires the full-text publication of Governor Executive Orders.

With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

In addition, the Register shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed.

EXECUTIVE ORDER 2016-03

Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2016, as a notice to the public regarding state agencies' rulemaking activities.

[M16-29]

WHEREAS, Arizona is poised to lead the nation in job growth;

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, small businesses and startups are especially hurt by regulations;

WHEREAS, each agency of the State of Arizona should promote customer-service-oriented principles for the people that it serves;

WHEREAS, each State agency should undertake a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay, and legal uncertainty associated with government regulation;

WHEREAS, overly burdensome, antiquated, contradictory, redundant, and nonessential regulations should be repealed;

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor;

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

- 1. A State agency subject to this Order, shall not conduct any rulemaking except as permitted by this Order.
2. A State agency subject to this Order, shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justification for the rulemaking:
a. To fulfill an objective related to job creation, economic development, or economic expansion in this State.
b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
c. To prevent a significant threat to the public health, peace, or safety.
d. To avoid violating a court order or federal law that would result in sanctions by a court or the federal government against an agency for failure to conduct the rulemaking action.
e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
f. To comply with a state statutory requirement.
g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud, or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
j. To eliminates rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. For the purposes of this Order, the term "State agencies," includes without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official, (b) the Corporation Commission and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those State agencies, boards and commissions excluded



from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.

4. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule,” and “rulemaking” have the same meanings prescribed in Arizona Revised Statutes Section 41-1001.
5. This Executive Order expires on December 31, 2016.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

**Douglas A. Ducey**  
**GOVERNOR**

**DONE** at the Capitol in Phoenix on this Eighth day of February in the Year Two Thousand and Fifteen and of the Independence of the United States of America the Two Hundred and Thirty-Fourth.

**ATTEST:**

**Michele Reagan**  
**Secretary of State**



GOVERNOR PROCLAMATIONS

The Administrative Procedure Act (APA) requires the publication of Governor proclamations of general applicability, and ceremonial dedications issued by the Governor.

ABILITY EXPERIENCE DAY

[M16-270]

WHEREAS, the State of Arizona welcomes The Ability Experience, Journey of Hope cyclists the week of June 23 – 30; and
WHEREAS, The Ability Experience is the philanthropic organizations of Pi Kappa Phi Fraternity, and since its founding in 1977, has supported the mission using shared experiences to support people with disabilities and develop the men of Pi Kappa Phi into servant leaders; and
WHEREAS, The Ability Experience has raised over \$17 million to benefit people with disabilities and organizations dedicated to their service, and through projects like Journey of Hope, helps the lives of people with disabilities throughout the country; and
WHEREAS, Journey of Hope is an annual 64 day bike ride from Long Beach, California traveling over 3,500 miles to their final destination in Washington, D.C., spreading its message of understanding and empathy for individuals with disabilities. They will ride through seven cities in Arizona, entering the State in Bullhead City traveling to Tempe, departing through Lakeside over the course of seven days; and
WHEREAS, the State of Arizona commends Pi Kappa Phi and The Ability Experience on its efforts to instill awareness and understanding of people with disabilities and wishes the Journey of Hope riders a joyous visit and a successful trip.
NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 28, 2016 as

ABILITY EXPERIENCE DAY

and I encourage all citizens to welcome The Ability Experience cyclists in our cities and celebrate their dedicated efforts to increase awareness and acceptance for people with disabilities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona
Douglas A. Ducey
GOVERNOR
DONE at the Capitol in Phoenix on this twenty-fourth day of June in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Fortieth.
ATTEST:
Michele Reagan
SECRETARY OF STATE

ARIZONA STEEL DAY

[M16-271]

WHEREAS, the structural steel industry annually provides structural steel framing systems for more than 500 million square feet of new building construction throughout Arizona and other states; and
WHEREAS, the structural steel industry provides employment for more than 160,000 workers in Arizona and other states; and
WHEREAS, the structural steel industry has demonstrated a significant commitment to sustainable construction through the use of structural steel products made from 93 percent recycled materials from old cars, appliances, stoves, manufacturing waste, curb-side recycling and deconstructed buildings; and
WHEREAS, 98 percent of the structural steel in a building is recycled at the end of the building's life; and
WHEREAS, structural steel's high strength-to-weight ratio and low carbon footprint help to minimize environmental impacts; and
WHEREAS, the American Institute of Steel Construction has declared September 30, 2016 as Steel Day throughout the United States with more than 150 events held nationwide.
NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim September 30, 2016 as



**ARIZONA STEEL DAY**

in recognition of the contribution of the Arizona structural steel industry to the economy and infrastructure of the State of Arizona.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this eleventh day of July in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

**Michele Reagan**

**SECRETARY OF STATE**

**ARIZONA SERBIAN AMERICAN PROFESSIONAL AND BUSINESS DAY**

[M16-272]

**WHEREAS**, many Arizona citizens are of Serbian American Heritage and have greatly contributed to business and economic growth as well as the quality of our American way of life in the Great State of Arizona; and

**WHEREAS**, the St. Sava Arizona Serbian American Professional and Business Network encourages professional and business growth, development, and innovation, deserving of being hereinafter recognized for their ongoing business education, scholarship and cultural events throughout each year; and

**WHEREAS**, the State of Arizona wishes to honor our Arizonans of Serbian decent for the contributions of their culture to our citizens.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim August 13, 2016 as

**ARIZONA SERBIAN AMERICAN PROFESSIONAL AND BUSINESS DAY**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this thirteenth day of July in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

**Michele Reagan**

**SECRETARY OF STATE**

**AUSTRIAN-AMERICAN DAY**

[M16-273]

**WHEREAS**, 2016 marks the commemoration of the 69th Anniversary of the Marshall Plan, which greatly assisted in turning Austria from a war-ravaged ruin into a prosperous democracy; and

**WHEREAS**, the Austrian Society of Arizona, Austrian-American Councils and Austrian-American friendship groups of the United States will celebrate the 20th official "Austrian-American Day" on September 26, 2016, as a solemn reminder of the establishment of the first provisional Austrian post-war government on September 26, 1945; and

**WHEREAS**, the people of America and Austria are united in friendship and exhibit a camaraderie that transcends physical distance, facilitated by shared goals and interests; and

**WHEREAS**, the cultural, intellectual, economic, political, scientific, and social contributions of the Austrian people have become a necessary and integral part of American society.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim September 26, 2016 as

**AUSTRIAN-AMERICAN DAY**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona



**Douglas A. Ducey**  
**GOVERNOR**

**DONE** at the Capitol in Phoenix on this eleventh day of July in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

**Michele Reagan**  
**SECRETARY OF STATE**

**GASTROPARESIS AWARENESS MONTH**

[M16-274]

**WHEREAS**, gastroparesis is a chronic illness that affects approximately 1.5 million people in the United States; yet is little known to those in our state; and

**WHEREAS**, gastroparesis is “paralysis of the stomach” which causes sometimes debilitating pain, nausea, vomiting, early satiety, and can lead to serious complications such as malnourishment, dehydration, extreme weight loss, and overwhelming fatigue; and

**WHEREAS**, there is little awareness, no known cure, and few effective treatment options or medications; and

**WHEREAS**, more research is needed to improve medications and develop additional treatment options, better support, and hope for our future; and

**WHEREAS**, we seek to educate the medical community and the general public regarding the devastating effects of this disorder and promote awareness of our condition for the good of the public health.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim August 2016 as

**GASTROPARESIS AWARENESS MONTH**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**  
**GOVERNOR**

**DONE** at the Capitol in Phoenix on this thirteenth day of July in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

**Michele Reagan**  
**SECRETARY OF STATE**

**SPINAL MUSCULAR ATROPHY AWARENESS MONTH**

[M16-275]

**WHEREAS**, Spinal Muscular Atrophy (SMA) is the leading genetic cause of death in children under the age of two and 1 in 40 Americans carry the gene that causes SMA which is known to cause degeneration in voluntary muscle movement for those living with the condition; and

**WHEREAS**, SMA is a motor neuron condition which affects the voluntary muscles that are used for activities such as crawling, walking, head and neck control, and swallowing, and there is currently no treatment or cure for SMA; and

**WHEREAS**, SMA crosses all racial, ethnic and religious boundaries, and can occur in anyone of any age, race or gender; and

**WHEREAS**, increased awareness of SMA will lead to increased knowledge and increased support for families affected by the condition and research, hopefully leading to effective treatment and a cure; and

**WHEREAS**, August is designated as National Spinal Muscular Atrophy Awareness Month in order to raise awareness and help promote research into this devastating disease; and

**WHEREAS**, our local Arizona Chapter can offer family support, resources, assistance in finding knowledgeable medical professionals and helping to gain necessary equipment to our families impacted by SMA.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim August 2016 as

**SPINAL MUSCULAR ATROPHY AWARENESS MONTH**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this thirteenth day of July in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

**Michele Reagan**

**SECRETARY OF STATE**

**STEPFAMILY DAY**

[M16-276]

**WHEREAS**, National Stepfamily Day is enhanced by our strong commitment to support the stepfamilies of our nation in their mission to raise their children, create strong family structures to support the individual members of the family, and instill in them a sense of responsibility to all extended family members; and

**WHEREAS**, approximately half of all Americans are currently involved in some form of stepfamily relationship; and

**WHEREAS**, Arizona has been blessed by loving stepparents and stepchildren who are daily reminders of the joy, trials and triumphs of the stepfamily experience and the boundless love contained in the bond between all types of parents and children; and

**WHEREAS**, National Stepfamily Day is a day to celebrate the many invaluable contributions stepfamilies have made to enriching the lives and life experience of the children and parents of America and to strengthening the fabric of American families and society.

**NOW, THEREFORE, I**, Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim September 16, 2016 as

**STEPFAMILY DAY**

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this twenty-second day of July in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Forty-First.

**ATTEST:**

**Michele Reagan**

**SECRETARY OF STATE**

**YARNELL 19 REMEMBRANCE DAY**

[M16-277]

**WHEREAS**, firefighters and first responders across Arizona risk their lives every day to protect communities and keep citizens out of harm's way; and

**WHEREAS**, on June 30, 2013, Arizona lost 19 Granite Mountain Hotshots battling the Yarnell Hill Fire – the deadliest blaze in state history; and

**WHEREAS**, the service and sacrifice of these brave men remind us that, for our firefighters on the front lines, no day on the job is routine, and by placing the safety and well-being of others above their own, they are true heroes; and

**WHEREAS**, Arizonans are eternally indebted to our “Yarnell 19,” and will forever honor them and their families in prayer and gratitude; and

**WHEREAS**, on this solemn three-year anniversary of the Yarnell Hill Fire, the hearts of Arizonans are with the Yarnell 19 – Andrew Ashcraft, Robert Caldwell, Travis Carter, Dustin James DeFord, Chris Mackenzie, Eric Shane Marsh, Grant Quinn McKee, Sean Michael Misner, Scott Daniel Norris, Wade Scott Parker, John Joseph Percin, Jr., Anthony Michael Rose, Jesse James Steed, Joe Thurston, Travis Turbyfill, William Howard “Billy” Warneke, Clayton Thomas Whitted, Kevin Woyjeck and Garret Zuppiger – as well as with their loved ones, the Yarnell community and all who serve and sacrifice for our safety.



**NOW, THEREFORE, I,** Douglas A. Ducey, Governor of the State of Arizona, do hereby proclaim June 30, 2016 as

**YARNELL 19 REMEMBRANCE DAY**

**IN WITNESS WHEREOF,** I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Douglas A. Ducey**

**GOVERNOR**

**DONE** at the Capitol in Phoenix on this thirtieth day of June in the year Two Thousand and Sixteen and of the Independence of the United States of America the Two Hundred and Fortieth.

**ATTEST:**

**Michele Reagan**

**SECRETARY OF STATE**

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**REGISTER INDEXES**

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The *Register* is published by volume in a calendar year (See “Information” in the front of each issue for a more detailed explanation).

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Abbreviations for rulemaking activity in this Index include:

**PROPOSED RULEMAKING**

PN = Proposed new Section  
PM = Proposed amended Section  
PR = Proposed repealed Section  
P# = Proposed renumbered Section

**SUPPLEMENTAL PROPOSED RULEMAKING**

SPN = Supplemental proposed new Section  
SPM = Supplemental proposed amended Section  
SPR = Supplemental proposed repealed Section  
SP# = Supplemental proposed renumbered Section

**FINAL RULEMAKING**

FN = Final new Section  
FM = Final amended Section  
FR = Final repealed Section  
F# = Final renumbered Section

**SUMMARY RULEMAKING****PROPOSED SUMMARY**

PSMN = Proposed Summary new Section  
PSMM = Proposed Summary amended Section  
PSMR = Proposed Summary repealed Section  
PSM# = Proposed Summary renumbered Section

**FINAL SUMMARY**

FSMN = Final Summary new Section  
FSMM = Final Summary amended Section  
FSMR = Final Summary repealed Section  
FSM# = Final Summary renumbered Section

**EXPEDITED RULEMAKING****PROPOSED EXPEDITED**

PEN = Proposed Expedited new Section  
PEM = Proposed Expedited amended Section  
PER = Proposed Expedited repealed Section  
PE# = Proposed Expedited renumbered Section

**SUPPLEMENTAL EXPEDITED**

SPEN = Supplemental Proposed Expedited new Section  
SPEM = Supplemental Proposed Expedited amended Section  
SPER = Supplemental Proposed Expedited repealed Section  
SPE# = Supplemental Proposed Expedited renumbered Section

**FINAL EXPEDITED**

FEN = Final Expedited new Section  
FEM = Final Expedited amended Section  
FER = Final Expedited repealed Section  
FE# = Final Expedited renumbered Section

**EXEMPT RULEMAKING****EXEMPT PROPOSED**

PXN = Proposed Exempt new Section  
PXM = Proposed Exempt amended Section  
PXR = Proposed Exempt repealed Section  
PX# = Proposed Exempt renumbered Section

**EXEMPT SUPPLEMENTAL PROPOSED**

SPXN = Supplemental Proposed Exempt new Section  
SPXR = Supplemental Proposed Exempt repealed Section  
SPXM = Supplemental Proposed Exempt amended Section  
SPX# = Supplemental Proposed Exempt renumbered Section

**FINAL EXEMPT RULMAKING**

FXN = Final Exempt new Section  
FXM = Final Exempt amended Section  
FXR = Final Exempt repealed Section  
FX# = Final Exempt renumbered Section

**EMERGENCY RULEMAKING**

EN = Emergency new Section  
EM = Emergency amended Section  
ER = Emergency repealed Section  
E# = Emergency renumbered Section  
EEXP = Emergency expired

**RECODIFICATION OF RULES**

RC = Recodified

**REJECTION OF RULES**

RJ = Rejected by the Attorney General

**TERMINATION OF RULES**

TN = Terminated proposed new Sections  
TM = Terminated proposed amended Section  
TR = Terminated proposed repealed Section  
T# = Terminated proposed renumbered Section

**RULE EXPIRATIONS**

EXP = Rules have expired

*See also “emergency expired” under emergency rulemaking*

**CORRECTIONS**

C = Corrections to Published Rules

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Appendix B.	TM-343;		FM-2683	R9-15-309.	FXR-851
	PM-255;	R9-14-621.	PM-1415;	R9-15-310.	FXR-851
	FM-2328		FM-2683	R9-15-311.	FXR-851
Appendix C.	TM-343;	Table 1.	P#-1415;	R9-15-312.	FXR-851
	PM-255;		F#-2683	R9-15-313.	FXR-851
	FM-2328	Table 6.1.	P#-1415;	R9-15-314.	FXR-851
<b>Game and Fish Commission</b>			PM-1415;	R9-15-315.	FXR-851
R12-4-402.	PM-2558		F#-2683;	R9-15-316.	FXR-851
R12-4-701.	PM-810;		FM-2683	R9-15-317.	FXR-851
	FM-2200	Exhibit I.	PR-1415;	R9-15-318.	FXR-851
R12-4-702.	PM-810;		FR-2683	R9-15-101.	FXR-851
	FM-2200				
R12-4-703.	PM-810;				
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R9-15-101.	FXR-851	R9-19-402.	FXR-1782	R19-3-526.	PM-1091;
R9-15-101.	FXR-851	R9-19-403.	FXR-1782		FM-2966
<b>Health Services, Department of - Vital</b>		R9-19-404.	FXR-1782	R19-3-527.	PM-1091;
<b>Records and Statistics</b>		R9-19-405.	FXR-1782		FM-2966
R9-19-101.	FXM-1782	R9-19-406.	FXR-1782	R19-3-528.	PM-1091;
R9-19-102.	FXN-1782	R9-19-408.	FXR-1782		FM-2966
R9-19-103.	FXN-1782	R9-19-412.	FXR-1782	R19-3-531.	PM-1091;
R9-19-104.	FXM-1782	R9-19-413.	FX#-1782		FM-2966
R9-19-105.	FXR-1782;	R9-19-414.	FXR-1782	R19-3-532.	PM-1091;
	FX#-1782;	<b>Industrial Commission of Arizona</b>			FM-2966
	FXM-1782	R20-5-601.	FM-773;	R19-3-533.	PR-1091;
R9-19-106.	FXR-1782		FM-1391;		FR-2966
R9-19-108.	FXR-1782		PM-2561	R19-3-534.	PM-1091;
R9-19-109.	FXR-1782	R20-5-602.	FM-773;		FM-2966
R9-19-111.	FXR-1782		PM-2561	R19-3-535.	PM-1091;
R9-19-112.01.	FXR-1782	R20-5-629.	FM-775;		FM-2966
R9-19-114.	FXR-1782		PM-2561	R19-3-544.	PM-1091;
R9-19-115.	FXR-1782	R20-5-715.	PM-416;		FM-2966
R9-19-116.	FXR-1782		FM-2782	R19-3-545.	PM-1091;
R9-19-117.	FXR-1782	R20-5-1301.	FM-1730		FM-2966
R9-19-118.	FXR-1782	R20-5-1302.	FM-1730	R19-3-546.	PM-1091;
R9-19-120.	FXR-1782	R20-5-1303.	FM-1730		FM-2966
R9-19-201.	FXR-1782;	R20-5-1304.	FM-1730	R19-3-547.	PM-1091;
	FXN-1782	R20-5-1305.	FM-1730		FM-2966
R9-19-202.	FXR-1782;	R20-5-1306.	FM-1730	R19-3-549.	PM-1091;
	FXN-1782	R20-5-1307.	FM-1730		FM-2966
R9-19-203.	FXN-1782	R20-5-1308.	FM-1730	R19-3-553.	PM-1091;
R9-19-204.	FXN-1782	R20-5-1309.	FM-1730		FM-2966
R9-19-205.	FXR-1782;	R20-5-1310.	FM-1730	R19-3-562.	PM-1091;
	FXN-1782	R20-5-1311.	FM-1730		FM-2966
R9-19-206.	FXR-1782;	R20-5-1312.	FM-1730	R19-3-563.	P#-1091;
	FXN-1782	<b>Lottery Commission, Arizona State</b>			PN-1091;
R9-19-207.	FXR-1782;	R19-3-201.	FM-1379		F#-2966;
	FXN-1782	R19-3-202.	FM-1379		FN-2966
R9-19-208.	FXR-1782;	R19-3-202.01.	FM-1379	R19-3-564.	P#-1091;
	FXN-1782	R19-3-202.03.	FM-1379		PM-1091;
R9-19-209.	FXN-1782	R19-3-202.04.	FM-1379		F#-2966;
R9-19-210.	FXN-1782	R19-3-204.	FM-1379		FM-2966
R9-19-211.	FXN-1782	R19-3-204.02.	FM-1379	R19-3-565.	P#-1091;
R9-19-212.	FXN-1782	R19-3-205.	FM-1379		F#-2966
R9-19-301.	FXM-1782	R19-3-210.	FM-1379	R19-3-566.	P#-1091;
R9-19-302.	FX#-1782;	R19-3-211.	FM-1379		PM-1091;
	FXN-1782	R19-3-214.	FM-1379		F#-2966;
R9-19-303.	FXR-1782;	R19-3-217.	FM-1379		FM-2966
	FXN-1782	R19-3-501.	PM-1091;	R19-3-567.	P#-1091;
R9-19-304.	FXR-1782;		FM-2966		F#-2966
	FXN-1782	R19-3-505.	PM-1091;	R19-3-568.	P#-1091;
R9-19-305.	FXR-1782;		FM-2966		F#-2966
	FX#-1782;	R19-3-506.	PM-1091;	R19-3-569.	P#-1091;
	FXM-1782		FM-2966		PM-1091;
R9-19-306.	FX#-1782;	R19-3-508.	PM-1091;		F#-2966;
	FXN-1782		FM-2966		FM-2966
R9-19-307.	FXR-1782;	R19-3-509.	PM-1091;	<b>Medical Board, Arizona</b>	
	FX#-1782;		FM-2966	R4-16-201.	FXM-778
	FXM-1782	R19-3-510.	PM-1091;	R4-16-205.	FXM-778
R9-19-308.	FX#-1782;		FM-2966	<b>Nursing, State Board of</b>	
	FXM-1782	R19-3-514.	PM-1091;	R4-19-101.	PM-2947
R9-19-309.	FXR-1782;		FM-2966	Table 1.	PM-2947
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R9-19-311.	FX#-1782;	R19-3-520.	PM-1091;	R4-19-216.	PM-2947
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R9-19-312.	FX#-1782;	R19-3-521.	PM-1091;	R4-19-305.	PM-2947
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R9-19-314.	FX#-1782;	R19-3-524.	PM-1091;		PM-2947
	FXN-1782		FM-2966	R4-19-802.	FXM-1900;
R9-19-315.	FXN-1782	R19-3-525.	PM-1091;		PM-2947
R9-19-316.	FXN-1782		FM-2966	R4-19-804.	FXM-1900
R9-19-317.	FXN-1782			R4-19-806.	FXM-1900

R4-19-807.	FXM-1900	<b>Board for</b>	R4-26-410.	PM-2318
R4-19-808.	FXM-1900	R4-39-101.	R4-26-414.	PM-2318
R4-19-809.	FXM-1900	R4-39-102.	R4-26-417.	PM-2318
R4-19-810.	FXM-1900	R4-39-103.	<b>Public Safety, Department of - Alcohol</b>	
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R4-21-209.	FM-328	R4-39-308.	R12-1-308.	FM-603
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R4-21-211.	FM-328	R4-39-402.	R12-1-313.	FM-603
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R4-17-303.	PN-2310	R4-26-407.	R4-45-105.	PM-549;
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R2-8-405.	PM-2555	R17-5-1001.	PN-2597	R20-2-507.
R2-8-602.	PM-1879	R17-5-1001.	PN-2597	R20-2-601.
R2-8-603.	PM-1879	R17-5-1001.	PN-2597	R20-2-602.
R2-8-604.	PM-1879	R17-5-1001.	PN-2597	R20-2-603.
R2-8-605.	PM-1879	R17-5-1001.	PN-2597	R20-2-604.
R2-8-606.	PM-1879	R17-5-1001.	PN-2597	R20-2-605.
R2-8-607.	PM-1879	R17-5-1001.	PN-2597	R20-2-701.
R2-8-704.	PM-2079	R17-4-407.	PXN-194; FXN-819;	R20-2-702.
R2-8-706.	PM-2079	R17-4-409.	PXM-194; FXN-819	R20-2-703.
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R15-3-303.	FXR-1843	R20-2-111.	RC-2786	R20-2-720.
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R15-3-311.	FXR-1843	R20-2-202.	RC-2786	R20-2-728.
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Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index as published by volume page number.

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**2016 RULES EFFECTIVE DATES CALENDAR**

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/1	2/1	4/1	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/2	2/2	4/2	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/3	2/3	4/3	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/4	2/4	4/4	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/5	2/5	4/5	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/6	2/6	4/6	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/7	2/7	4/7	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/8	2/8	4/8	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/9	2/9	4/9	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/10	2/10	4/10	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/11	2/11	4/11	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/12	2/12	4/12	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/13	2/13	4/13	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/14	2/14	4/14	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/15	2/15	4/15	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/16	2/16	4/16	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/17	2/17	4/17	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/18	2/18	4/18	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/19	2/19	4/19	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/20	2/20	4/20	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/21	2/21	4/21	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/22	2/22	4/22	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/23	2/23	4/23	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/24	2/24	4/24	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/25	2/25	4/25	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/26	2/26	4/26	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/27	2/27	4/27	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/28	2/28	4/28	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/29	2/29	4/29	3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/30			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	3/31			3/31	5/30			5/31	7/30		



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30/13
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1/13	12/2	1/31/13
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2/13	12/3	2/1/13
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3/13	12/4	2/2/13
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4/13	12/5	2/3/13
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5/13	12/6	2/4/13
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6/13	12/7	2/5/13
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7/13	12/8	2/6/13
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8/13	12/9	2/7/13
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9/13	12/10	2/8/13
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10/13	12/11	2/9/13
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11/13	12/12	2/10/13
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12/13	12/13	2/11/13
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13/13	12/14	2/12/13
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14/13	12/15	2/13/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15/13	12/16	2/14/13
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16/13	12/17	2/15/13
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17/13	12/18	2/16/13
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18/13	12/19	2/17/13
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19/13	12/20	2/18/13
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20/13	12/21	2/19/13
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21/13	12/22	2/20/13
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22/13	12/23	2/21/13
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23/13	12/24	2/22/13
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24/13	12/25	2/23/13
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25/13	12/26	2/24/13
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26/13	12/27	2/25/13
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27/13	12/28	2/26/13
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28/13	12/29	2/27/13
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29/13	12/30	2/28/13
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1/13



REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Table with 3 columns: Deadline Date (paper only) Friday, 5:00 p.m., Register Publication Date, and Oral Proceeding may be scheduled on or after. Rows list dates from June 10, 2016 to December 30, 2016.



### GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year-Review Reports and any adopted rule submitted to the Governor’s Regulatory Review Council. Council meetings and Register deadlines do not correlate. We publish these deadlines as a courtesy.

All rules and Five-Year Review Reports are due in the Council office by noon of the deadline date. The Council’s office is located at 100 N. 15th Ave., Suite 402, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit [www.grrc.state.az.us](http://www.grrc.state.az.us).

### GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2016

DEADLINE TO BE PLACED ON COUNCIL AGENDA	FINAL MATERIALS DUE FROM AGENCIES	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
November 17, 2015	December 18, 2015	December 29, 2015	January 5, 2016
December 21, 2015	January 15, 2016	January 26, 2016	February 2, 2016
January 19, 2016 (Tuesday)	February 12, 2016	February 23, 2016	March 1, 2016
February 16, 2016 (Tuesday)	March 18, 2016	March 29, 2016	April 5, 2016
March 21, 2016	April 15, 2016	April 26, 2016	May 5, 2016
April 18, 2016	May 20, 2016	June 1, 2016 (Wednesday)	June 7, 2016
May 23, 2016	June 17, 2016	June 28, 2016	July 6, 2016 (Wednesday)
June 20, 2016	July 15, 2016	July 26, 2016	August 2, 2016
July 18, 2016	August 19, 2016	August 30, 2016	September 7, 2016 (Wednesday)
August 22, 2016	September 16, 2016	September 27, 2016	October 4, 2016
September 19, 2016	October 14, 2016	October 25, 2016	November 1, 2016
October 17, 2016	November 18, 2016	November 29, 2016	December 6, 2016
November 21, 2016	December 16, 2016	December 28, 2016 (Wednesday)	January 4, 2017 (Wednesday)

\*Materials must be submitted by **noon** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.