

Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Vol. 22, Issue 47

~ Administrative Register Contents ~

November 18, 2016

Information	3226
Rulemaking Guide	3227
Proposed Rulemaking, Notices of	
4 A.A.C. 22 Board of Osteopathic Examiners in Medicine and Surgery	3229
Supplemental Proposed Rulemaking, Notices of	
2 A.A.C. 8 State Retirement System Board	3234
Final Exempt Rulemaking, Notices of	
4 A.A.C. 6 Board of Behavioral Health Examiners	3238
<u>OTHER AGENCY NOTICES</u>	
Docket Opening, Notices of Rulemaking	
4 A.A.C. 22 Board of Osteopathic Examiners in Medicine and Surgery	3251
Proposed Delegation Agreement, Notices of	
Department of Environmental Quality	3252
<u>GOVERNOR'S OFFICE</u>	
Governor's Executive Orders	
E.O. 2016-03: Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies	3254
<u>INDEXES</u>	
Register Index Ledger	3256
Rulemaking Activity, Cumulative Index for 2016	3257
Other Notices and Public Records, Cumulative Index for 2016	3264
<u>CALENDAR/DEADLINES</u>	
Rules Effective Dates Calendar	3267
Register Publishing Deadlines	3269
<u>GOVERNOR'S REGULATORY REVIEW COUNCIL</u>	
Governor's Regulatory Review Council Deadlines	3270
Notice of Action Taken at the November 1, 2016 Meeting	3271

DIRECTOR
Public Services Division
Scott Cancelosi

PUBLISHER
Secretary of State
MICHELE REAGAN

RULES MANAGING EDITOR
Arizona Administrative Register
Rhonda Paschal

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

Vol. 22

Issue 47

PUBLISHER
SECRETARY OF STATE
Michele Reagan

PUBLIC SERVICES STAFF
DIRECTOR
Scott Cancelosi

RULES MANAGING EDITOR
Rhonda Paschal

SUBSCRIPTIONS
ADMINISTRATIVE REGISTER
The printed version of the *Administrative Register* is the official publication of Arizona state agency rules.
Rates: \$276 yearly
New subscriptions, renewals and address changes contact us at (602) 364-3223.

This publication is available online for free at www.azsos.gov.

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.

CONTACT US
The Honorable Michele Reagan
Office of the Secretary of State
1700 W. Washington Street, Fl. 7
Phoenix, AZ 85007
(602) 364-3223

The Office of the Secretary of State is an equal opportunity employer.



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.

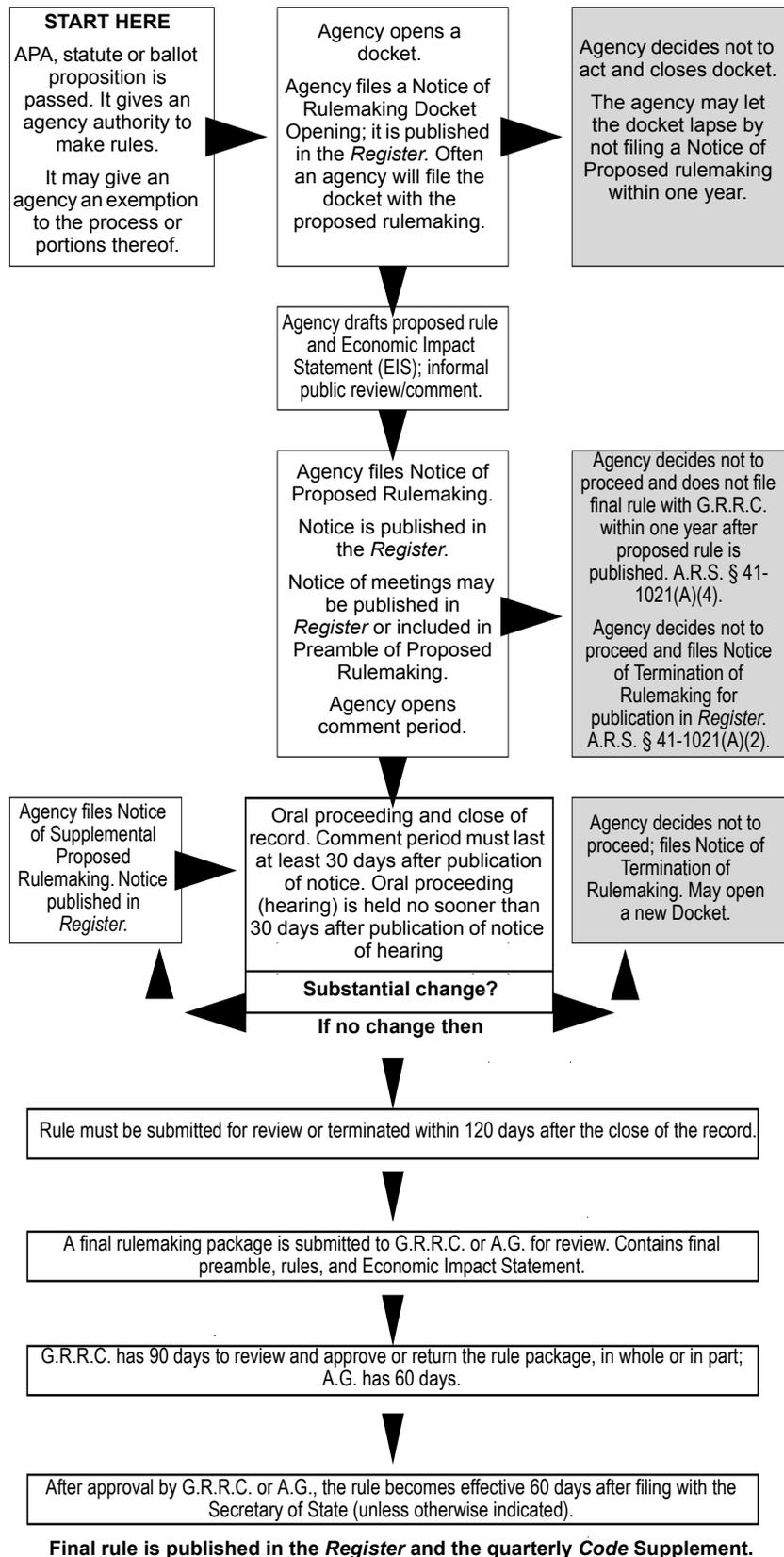
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

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.

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

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at 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.

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.

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 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

[R16-237]

PREAMBLE

- | | |
|---|---------------------------------|
| <u>1. Articles, Parts, and Sections Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| R4-22-104 | Amend |
| Table 1 | Amend |
| R4-22-207 | 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. § 32-1803(C)(1)
 Implementing statute: A.R.S. §§ 32-1825, 32-1832, 41-1072
- 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:**
 Notice of Rulemaking Docket Opening: 22 A.A.R. 3251, November 18, 2016 (*in this issue*).
- 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: Jenna Jones, Executive Director
 Address: Board of Examiners in Osteopathic Medicine and Surgery
 9535 E. Doubletree Ranch Road
 Scottsdale, AZ 85258
 Telephone: (480) 657-7703
 Fax: (480) 657-7715
 E-mail: Jenna.Jones@azdo.gov
 Web site: www.azdo.gov
- 5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**
 The Board is amending its rules in response to two factors. The first is Laws 2015, Chapter 135, which amended A.R.S. § 32-1825(B) to require 40 hours of continuing education during each biennial renewal period rather than 20 hours during each year. The second is a report by the Arizona Auditor General dated June 2016 which indicated the Board should add a time frame for acting on an application to retire a license. The Board makes both of these changes in this rulemaking.

An exemption from EO2016-03 was provided by Christina Corieri, Policy Advisor for Health and Human Services in the Governor's Office, by e-mail on August 3, 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 a rule in 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 Board has determined the rulemaking will have minimal impact. It is statute rather than this rulemaking that enables a licensee to obtain required continuing education during a biennial renewal period rather than annually. Adding a time-frame for Board action on an application to retire a license and to renew a retired license will provide certainty to the applicant.

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

Name: Jenna Jones, Executive Director
Address: Board of Examiners in Osteopathic Medicine and Surgery
9535 E. Doubletree Ranch Road
Scottsdale, AZ 85258
Telephone: (480) 657-7703
Fax: (480) 657-7715
E-mail: Jenna.Jones@azdo.gov
Web site: www.azdo.gov

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: Tuesday, December 27, 2016
Time: 10:00 a.m.
Location: 9535 E. Doubletree Ranch Road
Scottsdale, AZ 85258

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 licenses listed in Table 1 are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

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 are numerous federal laws applicable to health care. However, there is no federal law specifically applicable to the subject matter of this rulemaking. As a result, none of the rules is 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:

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 22. BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

ARTICLE 1. GENERAL PROVISIONS

Section R4-22-104. Licensing ~~Time-frames~~ Time Frames
Table 1. ~~Time-frames~~ Time Frames (in days)



ARTICLE 2. LICENSING

Section
R4-22-207. Continuing Medical Education; Waiver; Extension of Time to Complete

ARTICLE 1. GENERAL PROVISIONS

R4-22-104. Licensing ~~Time-frames~~ Time Frames

- A. The overall ~~time-frame~~ time frame described in A.R.S. § 41-1072(2) for each type of license issued by the Board is listed in Table 1. An applicant and the Executive Director of the Board may agree in writing to extend the substantive review and overall ~~time-frames~~ time frames by no more than 25 percent of the overall time-frame listed in Table 1.
- B. The administrative completeness review ~~time-frame~~ time frame described in A.R.S. § 41-1072(1) for each type of license issued by the Board is listed in Table 1. The administrative completeness review ~~time-frame~~ time frame for a particular license begins on the date the Board receives an application package for that license.
 - 1. If the application package is incomplete, the Board shall send to the applicant a written notice specifying the missing document or incomplete information. The administrative completeness review and overall ~~time-frames~~ time frames are suspended from the postmark date on the notice until the date the Board receives the missing document or incomplete information.
 - 2. If the application package is complete, the Board shall send to the applicant a written notice of administrative completeness.
 - 3. If the Board grants or denies a license during the administrative completeness review ~~time-frame~~ time frame, the Board shall not issue a separate written notice of administrative completeness.
- C. The substantive review ~~time-frame~~ time frame described in A.R.S. § 41-1072(3) for each type of license issued by the Board is listed in Table 1. The substantive review ~~time-frame~~ time frame begins on the postmark date of the Board’s notice of administrative completeness.
 - 1. During the substantive review ~~time-frame~~ time frame, the Board may make one comprehensive written request for additional information or documentation. The substantive review and overall ~~time-frames~~ time frames are suspended from the postmark date on the comprehensive written request for additional information or documentation until the Board receives the additional information or documentation. The Board and applicant may agree in writing to allow the Board to submit supplemental requests for additional information.
 - 2. The Board shall send a written notice of approval to an applicant who meets the requirements of A.R.S. Title 32, Chapter 17 and this Chapter.
 - 3. The Board shall send a written notice of denial to an applicant who fails to meet the requirements of A.R.S. Title 32, Chapter 17 or this Chapter.
- D. The Board shall administratively close an applicant’s file if the applicant fails to submit the information or documentation required under subsection (B)(1) or (C)(1) within 360 days from the date on which the application package was originally submitted. If an individual whose file is administratively closed wishes to be licensed, the individual shall file another application package and pay the application fee.
- E. The Board shall grant or deny the following licenses within seven days after receipt of an application:
 - 1. Ninety-day extension of locum tenens registration;_a
 - 2. Waiver of continuing education requirements for a particular period;_a
 - 3. Extension of time to complete continuing education requirements;_a
 - 4. Five-day educational training permit;_a and_a
 - 5. Extension of one-year renewable training permit;_a and
 - 6. Renewal of retired status.
- F. In computing any ~~time-frame~~ time frame prescribed in this Section, the day of the act or event that begins the ~~time-frame~~ time frame is not included. The computation includes intermediate Saturdays, Sundays, and official state holidays. If the last day of a ~~time-frame~~ time frame falls on a Saturday, Sunday, or official state holiday, the next business day is the ~~time-frame’s~~ time frame’s last day.

Table 1. ~~Time-frames~~ Time Frames (in days)

Type of License	Statutory Authority	Overall Time-frame <u>Time Frame</u>	Administrative Completeness Time-frame <u>Time Frame</u>	Substantive Review Time-frame <u>Time Frame</u>
License	A.R.S. § 32-1822	120	30	90
License Renewal	A.R.S. § 32-1825	120	30	90
90-day Locum Tenens Registration	A.R.S. § 32-1823	60	30	30
One-year Renewable Training Permit	A.R.S. § 32-1829(A)	60	30	30
Short-term Training Permit	A.R.S. § 32-1829(C)	60	30	30



One-year Training Permit at Approved School or Hospital	A.R.S. § 32-1830	60	30	30
Two-year Teaching License	A.R.S. § 32-1831	60	30	30
Registration to Dispense Drugs and Devices	A.R.S. § 32-1871	90	30	60
Renewal of Registration to Dispense Drugs and Devices	A.R.S. §§ 32-1826(A)(11) and 32-1871	60	30	30
Approval of Educational Program for Medical Assistants	A.R.S. § 32-1800(17)	60	30	30
<u>Retired Status</u>	<u>A.R.S. § 32-1832</u>	<u>90</u>	<u>30</u>	<u>60</u>

ARTICLE 2. LICENSING

R4-22-207. Continuing Medical Education; Waiver; Extension of Time to Complete

- A. Under A.R.S. § 32-1825(B), a licensee is required to obtain ~~20~~ 40 hours of Board-approved CME in ~~each~~ of the two years before license renewal. The Board shall approve the CME of a licensee if the CME complies with the following:
 - 1. At least ~~12~~ 24 hours are obtained ~~annually~~ by completing CME classified by the AOA as Category 1A; and
 - 2. No more than ~~eight~~ 16 hours are obtained ~~annually~~ by completing CME classified as American Medical Association Category 1 approved by an ACCME-accredited CME provider.
- B. A licensee may fulfill ~~20~~ 40 hours of the CME requirement for a ~~particular year~~ license renewal period by participating in an approved ~~residency, internship, fellowship, postgraduate training program~~ or preceptorship during that ~~year~~ license renewal period.
- C. The Board shall accept the following documentation as evidence of compliance with the CME requirement:
 - 1. For a CME under subsection (A)(1):
 - a. The AOA printout of the licensee’s CME, or
 - b. A copy of the certificate of attendance from the provider of the CME showing:
 - i. Licensee’s name,
 - ii. Title of the CME,
 - iii. Name of the provider of the CME,
 - iv. Category of the CME,
 - v. Number of hours in the CME, and
 - vi. Date of attendance;
 - 2. For a CME under subsection (A)(2):
 - a. A copy of the certificate of attendance from the provider of the CME showing the information listed in subsection (C)(1)(b); or
 - b. A specialty board’s printout showing a licensee’s completion of CME.
 - 3. For a CME under subsection (B), either a letter from the Director of Medical Education or a certificate of completion for the approved ~~internship, residency, fellowship, postgraduate training program~~ or preceptorship.
- D. Waiver of CME requirements. To obtain a waiver under A.R.S. § 32-1825(C) of the CME requirements, a licensee shall submit to the Board a written request that includes the following:
 - 1. The period for which the waiver is requested,
 - 2. CME completed during the current license period and the documentation required under subsection (C), and
 - 3. Reason that a waiver is needed and the applicable documentation:
 - a. For military service. A copy of current orders or a letter on official letterhead from the licensee’s commanding officer;
 - b. For absence from the United States. A copy of pages from the licensee’s passport showing exit and reentry dates;
 - c. For disability. A letter from the licensee’s treating physician stating the nature of the disability; or
 - d. For circumstances beyond the licensee’s control:
 - i. A letter from the licensee stating the nature of the circumstances, and
 - ii. Documentation that provides evidence of the circumstances.
- E. The Board shall grant a request for waiver of CME requirements that:
 - 1. Is based on a reason listed in subsection (D)(3),
 - 2. Is supported by the required documentation,
 - 3. Is filed no sooner than 60 days before and no later than 30 days after the license renewal date, and
 - 4. Will promote the safe and professional practice of osteopathy in this state.
- F. Extension of time to complete CME requirements. To obtain an extension of time under A.R.S. § 32-1825(C) to com-



plete the CME requirements, a licensee shall submit to the Board a written request that includes the following:

1. Ending date of the requested extension,
 2. CME completed during the current license period and the documentation required under subsection (C),
 3. Proof of registration for additional CME that is sufficient to enable the licensee to complete all CME required for license renewal before the end of the requested extension, and
 4. Licensee's attestation that the CME obtained under the extension will be reported only to fulfill the current license renewal requirement and will not be reported on a subsequent license renewal application.
- G. The Board shall grant a request for an extension that:
1. Specifies an ending date no later than May 1 following the license renewal date,
 2. Includes the required documentation and attestation,
 3. Is submitted no sooner than 60 days before and no later than 30 days after the license renewal date, and
 4. Will promote the safe and professional practice of osteopathy in this state.



NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKINGS

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

After an agency has filed a Notice of Proposed Rulemaking and it is published in the Register, an agency may decide to make substantial changes to the rule after it is proposed.

The agency prepares a Notice of Supplemental Proposed Rulemaking with these proposed changes. When filed, the Notice is published under the deadline schedule in the back of the Register.

The Notice of Supplemental Proposed Rulemaking shall be published in the Register before holding any oral proceedings (A.R.S. § 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of these rules should be addressed to the person listed in item #4 below. Refer to item #11 for information related to oral proceedings, public comments and the close of record.

NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 8. STATE RETIREMENT SYSTEM BOARD

[R16-238]

PREAMBLE

1. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rules:

Notice of Docket Opening: 22 A.A.R. 2568, September 16, 2016

Notice of Proposed Rulemaking: 22 A.A.R. 2555, September 16, 2016

Table with 2 columns: Articles, Parts, or Sections Affected (as applicable) and Rulemaking Action. Rows include R2-8-401, R2-8-403, and R2-8-405, all with 'Amend' as the action.

3. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. § 38-714(E)(4)

Implementing statutes: A.R.S. §§ 41-1092 et seq.

4. The agency's contact person who can answer questions about the rulemaking:

Name: Jessica A.R. Thomas, Rules Writer

Address: Arizona State Retirement System, 3300 N. Central Ave., Suite 1400, Phoenix, AZ 85012-0250

Telephone: (602) 240-2039

E-mail: JessicaT@azasrs.gov

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

R2-8-401 contains definitions that are applicable to this Article. R2-8-401 needs to be amended to reflect that for purposes of appeals, the "Board" refers to the Committee designated by the Board to hear appeals. R2-8-403 allows a person who is dissatisfied with a decision by the Director to file an appeal with the ASRS by submitting a Request for Hearing of an appealable agency action. The ASRS will amend the rule to distinguish between an appeal related to a long-term disability determination and an appeal related to a member benefits determination. R2-8-405 allows a person who is dissatisfied with the final decision of the appeal to file a motion for rehearing or review. The ASRS will amend this rule to distinguish between a motion for reconsideration and a motion for rehearing. The amended rules will better reflect the ASRS appeals process and will make the appeal rules more consistent, clear, and understandable; this rulemaking will ensure members have notice about how the ASRS processes different types of appeals.



6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not 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:

None

7. An explanation of the substantial change that resulted in this supplemental notice:

In R2-8-403, the ASRS added subsection (H) to clarify when an appellant will receive a response to a letter of appeal at the assistant director level. Also, the ASRS further amended R2-8-403(D) to clarify when an appellant will receive a response letter to a letter of appeal at the Director level. Finally, the ASRS changed “his designee” to “such director’s designee” in order to conform to rulemaking standards.

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

The ASRS promulgates rules that allow the agency to provide for the proper administration of the state retirement trust fund. ASRS rules affect ASRS members and ASRS employers regarding how they contribute to, and receive benefits from, the ASRS. The ASRS effectively administrates how public-sector employers and employees participate in the ASRS. As such, the ASRS does not issue permits or licenses, or charge fees, and its rules have little to no economic impact on private-sector businesses, with the exception of some employer partner charter schools, which have voluntarily contracted to join the ASRS. Thus, there is little to no economic, small business, or consumer impact, other than the minimal cost to the ASRS to prepare the rule package. The rule will have minimal economic impact, if any, because it merely clarifies the appeals process. Clarifying the appeals process will increase understandability of how a person may submit an appeal and will ensure members of the public understand how an appeal will be handled with the ASRS, which will increase the effectiveness and efficiency of the appeals process; thus, reducing the regulatory burden and the economic impact.

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

Name: Jessica A.R. Thomas, Rules Writer
Address: Arizona State Retirement System
3300 N. Central Ave., Suite 1400
Phoenix, AZ 85012-0250
Telephone: (602) 240-2039
E-mail: JessicaT@azasrs.gov

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

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

Date: December 27, 2016
Time: 9:00 a.m.
Location: Arizona State Retirement System
10th Floor Board Room
3300 N. Central Ave.
Phoenix, AZ 85012-0250

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:

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:

None of the rules requires 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 are no federal laws applicable to these rules.

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

No analysis was submitted.

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

None



14. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 8. STATE RETIREMENT SYSTEM BOARD

ARTICLE 4. PRACTICE AND PROCEDURE BEFORE THE BOARD

Section

- R2-8-401. Definitions
- R2-8-403. Letters of Appeal; Request for a Hearing of an Appealable Agency Action
- R2-8-405. Motion for Rehearing Before the Board; Motion for Review of a Final Decision

ARTICLE 4. PRACTICE AND PROCEDURE BEFORE THE BOARD

R2-8-401. Definitions

The following definitions apply to this Article, unless otherwise specified:

- 1. “Appealable agency action” means the same as in A.R.S. § 41-1092(3).
- 2. “Board” means a Committee designated by the Board to take action on appeals as described in A.R.S. § 38-714(E)(1).
- 3. “Final administrative action” means the same as in A.R.S. § 41-1092 and is rendered by the Board.

R2-8-403. Letters of Appeal; Request for a Hearing of an Appealable Agency Action

A. After receipt of an agency decision, a person who is not satisfied with the agency decision, may submit a letter of appeal:

- 1. To the ASRS’s vendor for long-term disability benefits, if the appeal relates to a long-term disability decision; or
- 2. To the ASRS Member Services Division Assistant Director, or such assistant director’s designee, if the appeal relates to an agency decision other than a long-term disability decision.

B. Upon receipt of a letter of appeal, the long-term disability vendor, or the Member Services Division Assistant Director, or such assistant director’s designee, shall send a response letter to the person requesting the appeal notifying the person of:

- 1. The decision the agency is making in response to the letter of appeal; and
- 2. The person’s right to appeal the agency response by submitting a letter of appeal to the ASRS Director or such director’s designee.

C. A person who is not satisfied with the agency response pursuant to subsection (B) may submit a letter of appeal to the ASRS Director or such director’s designee within 60 days of the date on the agency response letter.

D. Within 30 days of the date the ASRS receives a letter of appeal pursuant to subsection (C), the ASRS director or such director’s designee shall send a response letter by certified mail to the person requesting the appeal that includes:

- 1. The agency action the ASRS is taking in response to the letter of appeal; and
- 2. Notice of Appealable Agency Action, as required pursuant to A.R.S. § 41-1092.03 informing the person requesting the appeal, that the person has a right to appeal the agency action by submitting a Request for Hearing pursuant to subsections (E) and (F).

~~**A.E.**~~ For an appealable agency action, a person who is not satisfied with a decision by the Director or an agency action pursuant to subsection (D) that is an appealable agency action may file a Request for a Hearing, in writing, with the Director ASRS. The date the Request is filed is established by the ASRS date stamp on the face of the first page of the Request. The request Request shall include the following:

- 1. The name and mailing address of the member, employer, or other person filing the Request;
- 2. The name and mailing address of the attorney for the person filing the Request, if applicable;
- 3. A concise statement of the reasons for the appeal.

~~**B.F.**~~ The person requesting a hearing shall file the Request for a Hearing with the ASRS Office of the Director within 30 days after receiving a response letter decision of the Director and including a Notice of an Appealable Agency Action, pursuant to subsection (E). The date the request is filed is established by the Director’s date stamp on the face of the first page of the request.

~~**C.G.**~~ Upon receipt of the Request for a Hearing, the ASRS shall notify the Office of Administrative Hearings as required in A.R.S. § 41-1092.03(B).

H. Pursuant to subsection (B):

- 1. The long-term disability vendor shall send a response letter to the person requesting the appeal within 120 days of the date the long-term disability vendor receives the letter of appeal; and
- 2. The Member Services Division Assistant Director, or such assistant director’s designee, shall send a response letter to the person requesting the appeal within 30 days of the date the ASRS receives the letter of appeal.

R2-8-405. Motion for Rehearing Before the Board; Motion for Review of a Final Decision

A. Except as provided in subsection (H), within 30 days after service of the final administrative decision, any aggrieved party in an appealable agency action aggrieved by a final decision may file with the Board a written motion Motion for



- ~~rehearing~~ Rehearing Before the Board, in writing, ~~or review of the final decision~~ specifying the particular grounds for ~~rehearing before the Board not later than 30 days after service of the decision.~~
- B.** ~~Except as provided in subsection (H), within 30 days after service of the final administrative decision, any aggrieved party of an appealable agency action may file with the Board a Motion for Review of a Final Decision, in writing, specifying the particular grounds for reviewing the Board's final administrative decision.~~
- B.C.** A party may amend a ~~motion~~ Motion for ~~rehearing~~ Rehearing Before the Board or a Motion for ~~review~~ Review of a Final Decision at any time before the Board rules on the motion. A party may file a response within 15 days after the motion or ~~the~~ amended motion is filed. The Board may require the filing of written briefs upon the issues raised in the motion ~~or the amended motion~~, and may provide for oral argument.
- C.D.** The Board may grant a ~~Motion for rehearing~~ Rehearing Before the Board or a Motion for ~~review~~ Review of a Final ~~decision~~ Decision for any of the following causes ~~that materially affecting~~ affects the moving party's rights:
1. Irregularity in the administrative proceedings of the agency or the hearing officer, or any order or abuse of discretion that deprives the moving party of a fair hearing;
 2. Misconduct of the Board, the hearing officer, or the prevailing party;
 3. Accident or surprise that could not have been prevented by ordinary prudence;
 4. Newly discovered material evidence that could not with reasonable diligence have been discovered and produced at the original hearing;
 5. Excessive or insufficient penalties;
 6. Error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing ~~or during the process of the action~~;
 7. That the decision, ~~or findings of fact~~, is not justified by the evidence or is contrary to law.
- D.E.** The Board may affirm or modify the ~~final administrative~~ decision or grant a rehearing ~~before the Board~~ or review ~~of final administrative decision~~ to all or any of the parties on all or part of the issues for any of the reasons in subsection (C). An order granting a rehearing or review shall specify with particularity the grounds for the order.
- E.F.** Not later than 10 days after the ~~final administrative~~ decision, the Board may, after giving each party notice and an opportunity to be heard, order a rehearing or review of its ~~final administrative~~ decision for any reason for which it might have granted a rehearing or review on motion of a party. After giving the parties or their counsel notice and an opportunity to be heard on the matter, the Board may grant a motion for rehearing or review for a reason not stated in the motion. In either case, the order granting a rehearing or review shall specify the grounds on which it is granted.
- F.G.** When a motion for rehearing or review is based upon an affidavit, the affidavit shall be filed with the motion. An opposing party may, within 15 days after filing, file an opposing affidavit. The Board may extend the period for filing an opposing affidavit for not more than 20 days for good cause shown or by written stipulation of the parties. The Board may permit a reply affidavit.
- G.H.** The Board shall rule on the motion within 15 days after the response to the motion is filed or if a response is not filed, within five days of the expiration of the response period.
- H.I.** If the Board makes a specific finding that the immediate effectiveness of a particular decision is necessary for the preservation of the public peace, health, and safety and that a rehearing or review of the decision is impracticable, unnecessary, or contrary to the public interest, the decision may be issued as a final decision without an opportunity for a rehearing or review. If a decision is issued as a final decision without an opportunity for rehearing or review, an application for judicial review of the decision may be made within the time limits permitted for applications for judicial review of the Board's final decisions.



NOTICES OF FINAL EXEMPT RULEMAKING

This section of the Arizona Administrative Register contains Notices of Final Exempt Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the

interpretation of the final exempt rules should be addressed to the agency promulgating the rules. Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF FINAL EXEMPT RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 6. BOARD OF BEHAVIORAL HEALTH EXAMINERS

[R16-239]

PREAMBLE

1. Article, Part, or Section Affected (as applicable)

Rulemaking Action

Table with 2 columns: Article, Part, or Section Affected (as applicable) and Rulemaking Action. Rows include R4-6-101 through R4-6-802, all with 'Amend' as the action.

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. § 32-3253(A)(1)

Implementing statute: A.R.S. §§ 32-3253(A), 32-3261, 32-3271, 32-3272, 32-3273, 32-3274, 32-3277, 32-3278, 32-3279, 32-3281, 32-3291, 32-3292, 32-3293, 32-3301, 32-3303, 32-3311, and 32-3321

Statute or session law authorizing the exemption: Laws 2015, Chapter 154, Sec 10

3. The effective date for the rules and the reason the agency selected the effective date:

The rules are effective on November 1, 2016, to expedite implementation of clarifying language and technical corrections.

4. Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:

Notice of Rulemaking Docket Opening: 22 A.A.R. 2405, September 2, 2016

5. The agency's contact person who can answer questions about the rulemaking:

Name: Donna Dalton, Deputy Director
Address: 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

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

In 2013, the legislature substantially revised the Board's statutes in Laws 2013, Chapter 242. Laws 2015, Chapter 154 further revised the Board's statutes. The Board, a rules subcommittee and multiple stakeholder groups worked cooperatively to develop, revise, and promulgate rules to align with the revised statutes. The majority of the rulemaking became effective on November 1, 2015.

Since the promulgation of the rules, the Board has documented several technical corrections needed, in addition to other clarifications that have become necessary as the rules have been implemented. This rulemaking seeks to make technical corrections and clarify confusing language to assist in eliminating unintended burdens and consequences of the rules promulgated as of November 1, 2015.

An exemption from Executive Order 2016-03 was provided for this rulemaking by Christina Corieri, Policy Advisor in the Governor's office, in an e-mail dated August 3, 2016.

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 Board did not review or rely on a study in its evaluation of or justification for the rulemaking. The rulemaking does not rely on scientific principles or methods.

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, if applicable:

Because the rulemaking makes only technical corrections and no substantive changes, the Board estimates the rules will have minimal economic impact on applicants and licensees and consumers of behavioral health services.

10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking (if applicable):

Not applicable because the rulemaking was not published in proposed form.

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

The Board made the following changes in response to public comments regarding the proposed rulemaking as posted on the Board's web site. The Board determined none of the changes is substantial under the standard at A.R.S. § 41-1025(B).

COMMENT	BOARD'S ANALYSIS	BOARD'S RESPONSE
R4-6-205. Change of Contact Information: Clarified "office addresses and telephone numbers" to "Address and telephone number for all places of employment"	The Board agrees with the comment.	Language changed.
R4-6-212.01(1)(b). Exemptions to the Clinical Supervision Requirements: Previous language was too stringent regarding a written contract.	The Board agrees with the comment.	Removed requirement (i) and revised (ii) and (iii).
R4-6-214(C). Clinical Supervisor Educational Requirements: Proposed language did not flow correctly and could be misinterpreted.	The Board agrees with the comment.	The language was reorganized however no substance was changed.
R4-6-304(3). Application for a License by Endorsement: "An individual who can independently verify" did not clarify who could provide verification of supervised work experience.	The Board agrees with the comment.	The verification should be from an individual whose objective assessment is not limited by a relationship with the applicant.
R4-6-306(A)(3)(c). Application for a Temporary License: Previous rulemaking inadvertently left out the word "regulatory" as a requirement when looking at another state for a temporary license.	The Board agrees with the comment.	An applicant for a license by examination may be eligible for a temporary license if they are licensed or certified by another state behavioral health regulatory entity.



R4-6-601(B). Curriculum: Clarify that three courses must collectively include the competencies not three individual courses.	The Board agrees with the comment.	Language revised to provide clarity and update competencies.
R4-6-802(C). Continuing Education: Need to clarify that the Board approved tutorial on statutes and rules cannot be used to meet the requirement for 3 clock hours in behavioral health ethics or mental health law.	The Board agrees with the comment.	Continuing education requirements clarified to reflect Board approved tutorial is in addition to the 3 clock hours in behavioral health ethics or mental health law.
R4-6-1106(C)(2)(b). Telepractice: Need to clarify "physical location of the client during the session"	The Board believes physical location is specific enough.	No change

12. Other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. When applicable, matters shall include, but not be limited to:

Laws 2015, Chapter 154, Sec 10 requires the Board to:

- Allow interested parties to provide written comments or testimony on the proposed exempt rules.
- Adequately address all comments including those regarding information contained in the economic, small business, and consumer impact statement.
- Prepare a mailing list of persons who wish to be notified on hearings relating to the proposed exempt rules.
- Hold at least two public hearings on the proposed exempt rules.
- Testify before the JLBC regarding the proposed exempt rules.
- The Board did as required.

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:

For all four disciplines, the licenses issued by the Board are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

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:

None of the rules is more stringent than federal law. No federal law is directly applicable to the subject of any of the rules in this rulemaking.

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:

None of the rules in this rulemaking was previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 6. BOARD OF BEHAVIORAL HEALTH EXAMINERS

ARTICLE 1. DEFINITIONS

Section
R4-6-101. Definitions

ARTICLE 2. GENERAL PROVISIONS

Section
R4-6-205. Change of Contact Information
R4-6-211. Direct Supervision; Supervised Work Experience: General
R4-6-212. Clinical Supervision Requirements
R4-6-212.01. Exemptions to Clinical Supervision Requirements
R4-6-214. Clinical Supervisor Educational Requirements



ARTICLE 3. LICENSURE

- Section
- R4-6-301. Application for a License by Examination
- R4-6-304. Application for a License by Endorsement
- R4-6-306. Application for a Temporary License

ARTICLE 4. SOCIAL WORK

- Section
- R4-6-402. Examination
- R4-6-403. Supervised Work Experience for Clinical Social Worker Licensure

ARTICLE 5. COUNSELING

- Section
- R4-6-502. Examination
- R4-6-503. Supervised Work Experience for Professional Counselor Licensure

ARTICLE 6. MARRIAGE AND FAMILY THERAPY

- Section
- R4-6-601. Curriculum
- R4-6-602. Examination
- R4-6-603. Supervised Work Experience for Marriage and Family Therapy Licensure

ARTICLE 7. SUBSTANCE ABUSE COUNSELING

- Section
- R4-6-701. Licensed Substance Abuse Technician Curriculum
- R4-6-702. Licensed Associate Substance Abuse Counselor Curriculum
- R4-6-703. Licensed Independent Substance Abuse Counselor Curriculum
- R4-6-704. Examination
- R4-6-705. Supervised Work Experience for Substance Abuse Counselor Licensure

ARTICLE 8. LICENSE RENEWAL AND CONTINUING EDUCATION

- Section
- R4-6-802. Continuing Education

ARTICLE 1. DEFINITIONS

R4-6-101. Definitions

The definitions at A.R.S. § 32-3251 apply to this Chapter. Additionally, the following definitions apply to this Chapter, unless otherwise specified:

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. "CACREP" means the Council on for Accreditation ~~for~~ of Counseling and Related Educational Programs.
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
- 23. No change
- 24. No change
- 25. No change
- 26. No change
- 27. No change
- 28. No change
- 29. No change
- 30. No change
- 31. No change
- 32. No change
- 33. No change
- 34. No change
- 35. No change
- 36. No change
- 37. No change
- 38. No change
- 39. No change
- 40. No change
- 41. No change
- 42. No change
- 43. No change
- 44. No change
- 45. No change
- 46. No change
- 47. No change
- 48. No change
- 49. No change
- 50. No change
- 51. No change
- 52. No change
- 53. No change
- 54. No change
- 55. No change
- 56. No change

ARTICLE 2. GENERAL PROVISIONS

R4-6-205. Change of Contact Information

- A. No change
 - 1. No change
 - 2. ~~Office address~~ Address and telephone number for all places of employment,
 - 3. No change
 - 4. No change
- B. No change

R4-6-211. Direct Supervision: Supervised Work Experience: General

- A. No change
 - 1. No change
 - 2. Receive supervision from ~~a family member or an individual whose objective assessment may be limited by a relationship with the licensee:~~
 - a. A family member;
 - b. An individual whose objective assessment may be limited by a relationship with the licensee; or
 - c. An individual not employed or contracted by the same behavioral health entity as the licensee;
 - 3. No change
 - 4. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change



C. No change

R4-6-212. Clinical Supervision Requirements

A. No change

1. No change
 - a. No change
 - b. No change
2. No change
3. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - c. No change

B. No change

1. No change
2. No change

C. No change

1. No change
2. No change
3. No change
4. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
5. No change
6. No change
7. No change
 - a. No change
 - b. No change
8. No change
9. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
10. No change
11. No change

D. No change

1. No change
2. No change
3. No change
4. No change

E. No change

1. No change
2. No change
3. No change
4. No change

F. No change

G. No change

1. At least 25 percent of the clinical supervision hours involve individual supervision, and
2. ~~No more than 75 percent of the~~ Of the minimum 100 hours of clinical supervision required for licensure, the Board may accept: hours may involve a group of two supervisees;
 - a. Up to 75 of the clinical supervision hours involving a group of two supervisees, and
 - b. Up to 50 of the clinical supervision hours involving a group of three to six supervisees.
3. ~~No more than 50 percent of the clinical supervision hours involve a group of three to six supervisees.~~

H. If an applicant provides evidence that a catastrophic event prohibits the applicant from obtaining documentation of clinical supervision that meets the standard specified in subsection (C)(4), the Board ~~shall~~ may consider alternate documentation.



R4-6-212.01. Exemptions to the Clinical Supervision Requirements

The Board shall accept hours of clinical supervision submitted by an applicant if the clinical supervision meets the requirements specified in R4-6-212 and R4-6-404, R4-6-504, R4-6-604, or R4-6-706, as applicable to the license for which application is made, unless an exemption is granted as follows:

1. No change
 - a. Qualifications of the clinical supervisor. The Board may grant an exemption to the supervisor qualification requirements in R4-6-212(A) and R4-6-404, R4-6-504, R4-6-604, or R4-6-706, as applicable to the license for which application is made, if the Board determines that the behavioral health professional who provided or will provide the clinical supervision has education, training, and experience necessary to provide clinical supervision and has complied with the educational requirements specified in R4-6-214 and:
 - i. No change
 - ii. The behavioral health professional who provided or will provide the clinical supervision holds an active and unrestricted license issued under A.R.S. Title 32 as a physician under Chapter 13 or 17 with certification in psychiatry or addiction medicine or as a nurse practitioner under Chapter 15 with certification in mental health; ~~and~~
 - iii. ~~The behavioral health professional who provided or will provide the clinical supervision has education, training, and experience necessary to provide clinical supervision and has complied with the educational requirements specified in R4-6-214;~~
 - b. Employment of clinical supervisor. The Board may grant an exemption to the requirement in R4-6-212(B) regarding employment of the supervisor by the behavioral health entity at which the supervisee obtains hours of clinical supervision if the ~~Board determines that the supervisor and behavioral health entity have a written contract~~ supervisee provides verification that:
 - i. ~~Requires the supervisor to comply with all provisions of R4-6-212~~ The supervisor and behavioral health entity have a written contract providing the supervisor the same access to the supervisee’s clinical records provided to employees of the behavioral health entity, and
 - ii. ~~Guarantees the supervisor unrestricted access to all clinical records maintained by the supervisee, and Supervisee’s clients authorized the release of their clinical records to the supervisor; and~~
 - iii. ~~Requires the supervisee to obtain written authorization from all clients for the release of the clients’ records to the supervisor; and~~
 - c. No change
2. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change

R4-6-214. Clinical Supervisor Educational Requirements

- A. No change
 1. No change
 - a. No change
 - i. No change
 - ii. No change
 - iii. No change
 - iv. No change
 - b. No change
 - c. No change
 - d. No change
 2. Beginning January 1, 2018, completes a three clock hour Board-approved tutorial on Board statutes and rules.
- B. No change
 1. No change
 - a. No change
 - b. No change
 2. No change
 3. No change
- C. To continue providing clinical supervision, an individual qualified under subsection (A)(1)(a) shall, at least every three years, complete a minimum of nine hours of continuing training that:
 1. ~~Complete a minimum of nine hours of continuing training that meets~~ Meets the standard specified in R4-6-802(D);
 2. ~~concerns~~ Concerns clinical supervision; ~~and~~
 3. ~~addresses~~ Addresses the topics listed in subsection (A)(1)(a); ~~and~~
 24. Beginning January 1, 2018, includes three clock hours of ~~complete~~ a Board-approved tutorial on Board statutes and rules.



- D. To continue providing clinical supervision, an individual qualified under subsections (A)(1)(b) through (d) shall:
1. No change
 2. Beginning January 1, 2018, complete a three clock hour Board-approved tutorial on Board statutes and rules.

ARTICLE 3. LICENSURE

R4-6-301. Application for a License by Examination

An applicant for a license by examination shall submit a completed application packet that contains the following:

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
 - a. No change
 - b. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. A completed and legible fingerprint card for a state and federal criminal history background check and payment as prescribed under R4-6-215 if the applicant has not previously submitted a full set of fingerprints to the Board, or verification that the applicant holds a current fingerprint card issued by the Arizona Department of Public Safety; and
- ~~14. A completed application supplement for the license for which application is made; and~~
14. Other documents or information requested by the ARC Board to determine the applicant's eligibility.

R4-6-304. Application for a License by Endorsement

An applicant who meets the requirements specified under A.R.S. § 32-3274 for a license by endorsement shall submit a completed application packet, as prescribed in R4-6-301, and the following:

1. The name of one or more other states where the applicant was certified or licensed as a behavioral health professional by a state regulatory entity for at least three years;
2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
3. An affidavit verifying the work experience required under A.R.S. § 32-3274(A)(3) from an individual who can verify the work experience required under A.R.S. § 32-3274(A)(3) whose objective assessment is not limited by a relationship with the applicant; and
4. No change
 - a. No change
 - b. No change

R4-6-306. Application for a Temporary License

A. No change

1. No change
2. No change
3. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - iii. No change
 - c. Applying for a license by examination and currently licensed or certified by ~~a~~ another state behavioral health regulatory entity.

B. No change

1. No change
2. No change
3. No change
4. No change



- C. ~~The Board shall ensure that a~~ A temporary license issued to an applicant for licensure by examination: ~~expires one year after issuance by the Board.~~
 - 1. ~~Under subsection (A)(3)(b):~~
 - a. ~~Expires 180 days after issuance by the Board., and~~
 - b. ~~Is revoked immediately if the applicant fails to take the required examination within 180 days after the temporary license is issued or fails the required examination; or~~
 - 2. ~~Under subsection (A)(3)(c), expires in one year after issuance by the Board.~~
- D. ~~A temporary licensee shall provide written notice and return the temporary license to the Board~~ license issued to an applicant who has not previously passed the required examination for licensure is revoked immediately if the temporary licensee:
 - 1. ~~Fails to take the required examination~~ by the expiration date of the temporary license; or
 - 2. ~~No change~~
- E. ~~The Board shall ensure that a temporary license issued to an applicant for licensure by endorsement: A temporary licensee shall provide written notice and return the temporary license to the Board if the temporary licensee fails the required examination.~~
 - 1. ~~Expires 180 days after issuance by the Board if the applicant has not previously taken the required examination and is revoked immediately if the applicant fails to take the required examination within 180 days after the temporary license is issued or fails the required examination; or~~
 - 2. ~~Expires one year after the date of issuance if the applicant has previously passed the required examination and is revoked immediately when the applicant is issued or denied a license by endorsement.~~
- F. ~~No change~~
- G. ~~No change~~
- H. ~~No change~~
- I. ~~No change~~
- J. ~~No change~~
- K. ~~No change~~

ARTICLE 4. SOCIAL WORK

R4-6-402. Examination

- A. ~~No change~~
- B. ~~No change~~
- C. ~~No change~~
- D. ~~No change~~
- E. ~~No change~~
- F. The Board may grant a one-time 90-day examination extension request to an applicant who demonstrates good cause as specified under R4-6-305(G).
- ~~F.G.~~ ~~No change~~
 - 1. ~~No change~~
 - 2. ~~No change~~
 - a. ~~No change~~
 - b. ~~No change~~
 - c. ~~No change~~

R4-6-403. Supervised Work Experience for Clinical Social Worker Licensure

- A. ~~No change~~
 - 1. ~~At least 1600 hours of direct client contact involving the use of psychotherapy, no more than 400 hours of which are in psychoeducation;~~
 - 2. No more than 400 of the 1600 hours of direct client contact are in psychoeducation;
 - 23. ~~At least 100 hours of clinical supervision as prescribed under R4-6-212 and R4-6-404; and~~
 - 34. ~~For the purpose of licensure, no more than 1600 hours of indirect client contact related to psychotherapy services.~~
- B. ~~No change~~
- C. ~~No change~~
- D. ~~No change~~
- E. ~~No change~~

ARTICLE 5. COUNSELING

R4-6-502. Examination

- A. ~~No change~~
 - 1. ~~No change~~
 - 2. ~~No change~~
 - 3. ~~No change~~
- B. ~~No change~~
- C. ~~No change~~
- D. ~~No change~~



- E.** The Board may grant a one-time 90-day examination extension request to an applicant who demonstrates good cause as specified under R4-6-305(G).

R4-6-503. Supervised Work Experience for Professional Counselor Licensure

- A.** No change
1. At least 1600 hours of direct client contact involving the use of psychotherapy, ~~no more than 400 hours of which are in psychoeducation;~~
 2. No more than 400 of the 1600 hours of direct client contact are in psychoeducation;
 - ~~23.~~ No change
 - ~~34.~~ No change
- B.** No change
C. No change
D. No change
E. No change

ARTICLE 6. MARRIAGE AND FAMILY THERAPY

R4-6-601. Curriculum

- A.** No change
1. No change
 2. No change
 3. No change
- B.** A program under subsection (A)(3) shall include:
1. Marriage and family studies: Three courses from a family systems theory orientation ~~including but not limited to that collectively contain at minimum the following elements:~~
 - a. Introductory family systems theory;
 - b. No change
 - c. Family systems, including marital, sibling, and individual subsystems; and
 - d. ~~Special family issues; and~~
 - e. No change
 2. Marriage and family therapy: Three courses ~~including but not limited to that collectively contain at minimum the following elements:~~
 - a. Advanced family systems theory and interventions;
 - b. Major systemic marriage and family therapy treatment approaches;
 - c. ~~Group and family therapy;~~
 - ~~d.~~ Communications; and
 - e. Sex therapy;
 - f. ~~Psychopharmacology;~~
 3. Human development: Three courses that may integrate family systems theory ~~including but not limited to that collectively contain at minimum the following elements:~~
 - a. No change
 - b. ~~Personality theory;~~
 - e. No change
 - ~~d.c.~~ No change
 4. Professional studies: One course including at minimum ~~but not limited to:~~
 - a. No change
 - b. No change
 5. No change
 6. No change
- C.** No change
D. No change
1. No change
 2. No change
 3. No change
- E.** No change
F. No change

R4-6-602. Examination

- A.** No change
B. No change
C. No change
D. No change
E. The Board may grant a one-time 90-day examination extension request to an applicant who demonstrates good cause as specified under R4-6-305(G).



R4-6-603. Supervised Work Experience for Marriage and Family Therapy Licensure

- A. No change
 - 1. No change
 - a. At least 1000 of the 1600 hours of direct client contact are with couples or families; and
 - b. No more than 400 of the 1600 hours of direct client contact are in psychoeducation and at least 60 percent of psychoeducation hours are with couples or families;
 - 2. No change
 - 3. No change
- B. No change
- C. No change
- D. No change
- E. No change

ARTICLE 7. SUBSTANCE ABUSE COUNSELING

R4-6-701. Licensed Substance Abuse Technician Curriculum

- A. No change
 - 1. No change
 - 2. No change
 - 3. No change
- B. An associate's or bachelor's degree under subsection (A)(3), shall include at least three semester or four quarter credit hours in each of the following core content areas:
 - 1. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - a. No change
 - b. No change
 - c. No change
 - 6. No change
 - a. No change
 - b. No change
 - c. No change
 - d. Confidentiality and other legal considerations in ~~substance abuse counseling~~ the practice of behavioral health; and
 - 7. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
- D. No change
- E. No change

R4-6-702. Licensed Associate Substance Abuse Counselor Curriculum

- An applicant for licensure as an associate substance abuse counselor shall have one of the following:
- 1. No change
 - 2. A master's or higher degree from a regionally accredited college or university in a program accredited by NASAC ~~and includes at least 300 hours of supervised practicum as prescribed under subsection (C)~~;
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change



- B. No change
- C. No change
- D. No change
- E. No change

R4-6-703. Licensed Independent Substance Abuse Counselor Curriculum

- A. No change
 - 1. A program accredited by NASAC that includes at least 300 hours of supervised practicum as prescribed under subsection (D);
 - 2. No change
 - 3. No change
- B. No change
- C. No change
- D. No change
- E. No change
- F. No change

R4-6-704. Examination

- A. No change
 - 1. No change
 - 2. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
- C. No change
- D. The Board shall deem an applicant for independent substance abuse counselor licensure as meeting the examination requirements if all of the following apply:
 - 1. The applicant has an active associate substance abuse counselor license;
 - 2. The applicant passed a written examination listed in subsection (A) before November 1, 2015; and
 - 3. The applicant submitted an application to the Board on or after November 1, 2015.
- ~~D~~E. No change
- ~~E~~F. No change
- G. The Board may grant a one-time 90-day examination extension request to an applicant who demonstrates good cause as specified under R4-6-305(G).

R4-6-705. Supervised Work Experience for Substance Abuse Counselor Licensure

- A. No change
 - 1. No change
 - 2. No more than 400 of the 1600 hours of direct client contact are in psychoeducation,
 - 3. No change
 - 4. No change
 - 5. No change
- B. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
- D. No change
- E. No change
- F. No change
 - 1. No change
 - 2. No change

ARTICLE 8. LICENSE RENEWAL AND CONTINUING EDUCATION**R4-6-802. Continuing Education**

- A. No change
- B. No change
 - 1. No change
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - 3. No change
- C. No change



1. No change
 - a. No change
 - b. No change
 2. Beginning January 1, 2018, in addition to the requirement under subsection (C)(1), complete a three clock hour Board-approved tutorial on Board statutes and rules.
- D.** No change
1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. 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
 10. No change
 11. No change

NOTICES OF RULEMAKING DOCKET OPENING

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.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY

[R16-240]

- 1. Title and its heading:** 4, Professions and Occupations

Chapter and its heading: 22, Board of Osteopathic Examiners in Medicine and Surgery

Article and its heading: 1, General Provisions
2, Licensing

Section numbers: R4-22-104, Table 1, R4-22-207 (*Additional Sections may be made, amended, or deleted as necessary*)
- 2. The subject matter of the proposed rule:**
The Board is amending its rules in response to two factors. The first is Laws 2015, Chapter 135, which amended A.R.S. § 32-1825(B) to require 40 hours of continuing education during each biennial renewal period rather than 20 hours during each year. The second is a report by the Arizona Auditor General dated June 2016 which indicated the Board should add a time-frame for acting on an application to retire a license. The Board makes both of these changes in this rulemaking. An exemption from EO2016-03 was provided by Christina Corieri, Policy Advisor for Health and Human Services in the Governor’s Office, by e-mail on August 3, 2016.
- 3. A citation to all published notices relating to the proceeding:**
Notice of Proposed Rulemaking: 22 A.A.R. 3229, November 18, 2016 (*in this issue*).
- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Jenna Jones, Executive Director
Address: Board of Examiners in Osteopathic Medicine and Surgery
9535 E. Doubletree Ranch Road
Scottsdale, AZ 85258
Telephone: (480) 657-7703
Fax: (480) 657-7715
E-mail: Jenna.Jones@azdo.gov
Web site: www.azdo.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



NOTICES OF PROPOSED DELEGATION AGREEMENTS

This section of the Arizona Administrative Register contains Notices of Proposed Delegation Agreements.

The Administrative Procedure Act requires the publication of notices of proposed delegation agreements in the Register. A delegation agreement is an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers, or duties conferred on the delegating agency by a provision of law.

Delegation agreements are not intergovernmental agreements pursuant to A.R.S. Title 11, Chapter 7, Article 3. For at least 30 days after publication of the Notice of Proposed Delegation Agreement in the Register, the agency shall provide persons the opportunity to submit in writing statements, arguments, data, and views on the proposed delegation agreement and shall provide an opportunity for a public hearing if there is sufficient interest. The delegating agency shall follow the procedures for delegation agreements specified in A.R.S. Title 41, Chapter 6, Article 8.

NOTICE OF PROPOSED DELEGATION AGREEMENT

[M16-278]

1. Name of the agency proposing the delegation agreement:

Arizona Department of Environmental Quality

2. The name of the political subdivision to which functions, powers and duties of the agency are proposed to be delegated:

The City of Tucson

3. The name, address, and telephone number of agency personnel to whom persons may direct questions or comments:

Name: Travis Barnum, Supervisor
Tanks Inspections and Compliance Enforcement Unit
Address: Arizona Department of Environmental Quality
1110 W. Washington St.
Phoenix, AZ 85007
Phone: (602) 771-496
E-mail: tb6@azdeq.gov

4. A summary of the delegation agreement and the subjects and issues involved:

Under A.R.S. §§ 49-1010, 49-1081, and 49-106, the Arizona Department of Environmental Quality proposes to enter into an updated delegation agreement with the City of Tucson to administer the provisions and enforce Chapter 6, Underground Storage Tank (UST) Regulation, of Title 49 of the Arizona Revised Statutes. A.R.S. § 37-1383 allows cities with populations greater than 100,000 to assume jurisdiction in fire code matters. The City of Tucson meets this criterion and agrees to perform those underground storage tank management functions listed below in accordance with personnel qualifications and standards of performance in the agreement:

Table with 2 columns: Functions and Duties, Applicable Laws. Rows include Installation and modification project inspections, Closure inspections, and Oversight.

Changes to the existing agreement include:

- Updated statutory citations and added standard Arizona contract clauses including E-verify, non-discrimination, and prohibition on public disclosure of information that is confidential per A.R.S. §§ 27-274, 41-1803(G), 41-2065(24) and 44-1374.
A new budget with payment of \$400 per UST installation or closure inspection and \$250 per Modification inspection, up to a maximum of \$15,000 for each State Fiscal Year through June 30, 2020.
Payment after receipt of an invoice and reports that meet completeness criteria in the agreement.

5. Copies of the proposed delegation agreement may be obtained from the agency as follows:

An electronic copy of the existing Agreement may be downloaded from the following web site address: http://legacy.azdeq.gov/function/permits/download/delegation/da_tucson.pdf

Or contact: Sherri Zendri, Administrative Counsel
Department of Environmental Quality
Office of Administrative Counsel



1110 W. Washington
Phoenix, AZ 85007
Telephone: (602) 771-2242
E-mail: slz@azdeq.gov

6. The schedule of public hearings on the proposed delegation agreement:

Where there is sufficient public interest, ADEQ will hold a public hearing to receive public comments, in accordance with A.R.S. § 41-1081. The time, place, and location of the hearings will be provided in the corresponding Notice of Public Hearing pursuant to A.A.C. R18-1-401 and R18-1-402.

ADEQ accepts written statements, arguments, data, and views on the proposed delegation agreement that are received within 30 days after the date of the publication of this notice in the *Register* by 5:00 p.m. or postmarked not later than that date.

After the conclusion of the public comment period and hearing, if any, the agency shall prepare a written summary responding to the comments received, whether oral or written. The agency shall consider the comments received from the public in determining whether to enter into the proposed delegation agreement. The agency shall give written notice to those persons who submitted comments of the agency's decision on whether to enter into the proposed delegation agreement.



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

REGISTER INDEXES

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

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

**2016 Arizona Administrative Register
Volume 22 Page Guide**

Issue 1, Jan. 1, 2016.....1-44	Issue 18, April 29, 2016.....917-1016	Issue 35, Aug. 26, 2016.....2235-2302
Issue 2, Jan. 8, 2016.....45-74	Issue 19, May 6, 2016.....1017-1086	Issue 36, Sept. 2, 2016.....2303-2426
Issue 3, Jan. 15, 2016.....75-100	Issue 20, May 13, 2016.....1087-1284	Issue 37, Sept. 9, 2016.....2427-2550
Issue 4, Jan. 22, 2016.....101-134	Issue 21, May 20, 2016.....1285-1336	Issue 38, Sept. 16, 2016.....2551-2588
Issue 5, Jan. 29, 2016.....135-172	Issue 22, May 27, 2016.....1337-1374	Issue 39, Sept. 23, 2016.....2589-2678
Issue 6, Feb. 5, 2016.....173-214	Issue 23, June 3, 2016.....1375-1410	Issue 40, Sept. 30, 2016.....2679-2864
Issue 7, Feb. 12, 2016.....215-250	Issue 24, June 10, 2016.....1411-1585	Issue 41, Oct. 7, 2016.....2865-2942
Issue 8, Feb. 19, 2016.....251-362	Issue 25, June 17, 2016.....1587-1632	Issue 42, Oct. 14, 2016.....2943-3008
Issue 9, Feb. 26, 2016.....363-406	Issue 26, June 24, 2016.....1633-1670	Issue 43, Oct. 21, 2016.....3009-3052
Issue 10, March 4, 2016.....407-544	Issue 27, July 1, 2016.....1671-1722	Issue 44, Oct. 28, 2016.....3053-3134
Issue 11, March 11, 2016.....545-598	Issue 28, July 8, 2016.....1723-1772	Issue 45, Nov. 4, 2016.....3135-3174
Issue 12, March 18, 2016.....599-662	Issue 29, July 15, 2016.....1773-1874	Issue 46, Nov. 11, 2016.....3175-3224
Issue 13, March 25, 2016.....663-692	Issue 30, July 22, 2016.....1875-1936	
Issue 14, April 1, 2016.....693-726	Issue 31, July 29, 2016.....1937-2010	
Issue 15, April 8, 2016.....727-800	Issue 32, Aug. 5, 2016.....2011-2074	
Issue 16, April 15, 2016.....801-846	Issue 33, Aug. 12, 2016.....2075-2162	
Issue 17, April 22, 2016.....847-916	Issue 34, Aug. 19, 2016.....2163-2234	

RULEMAKING ACTIVITY INDEX

Rulemakings are listed in the Index by Chapter, Section number, rulemaking activity abbreviation and by volume page number. Use the page guide above to determine the *Register* issue number to review the rule. Headings for the Subchapters, Articles, Parts, and Sections are not indexed.

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 46 OF VOLUME 22.

Acupuncture Board of Examiners	R3-2-801.	PM-1023; FM-2169	R9-22-712.61	PM-761; FM-2187
R4-8-101.				
	R3-2-806.	PM-1023; FM-2169	R9-22-712.66	PM-761; FM-2187
Table 1.				
	Agriculture, Department of - Environmental Services Division		R9-22-712.67	PM-761; FM-2187
R4-8-203.	R3-3-208.	FM-367	R9-22-712.71	PM-761; FM-2187
	Agriculture, Department of - Agricultural Councils and Commissions			
R4-8-403.	R3-9-105.	EXP-1393	R9-22-712.75	PM-761; FM-2187
	Arizona Health Care Cost Containment System - Administration			
R4-8-407.	R9-22-401.	PN-1289; FN-3191	R9-22-712.90.	SPN-1945
			R9-22-730.	FXM-2050
R4-8-411.	R9-22-402.	PN-1289; FN-3191	Arizona Health Care Cost Containment System - Arizona Long-term Care System	
R4-8-412.				
R4-8-502.	R9-22-403.	PN-1289; FN-3191	R9-28-702.	PM-2015
			Arizona Health Care Cost Containment System - Behavioral Health Services for Persons with Serious Mental Illness	
Agriculture, Department of - Animal Services Division	R9-22-404.	PN-1289; FN-3191	R9-21-101.	PM-731; FM-2019
R3-2-202.	R9-22-405.	PN-1289; FN-3191	R9-21-102.	PM-731; FM-2019
R3-2-405.	R9-22-406.	PN-1289; FN-3191	R9-21-103.	PM-731; FM-2019
R3-2-411.				
R3-2-601.	R9-22-407.	PN-1289; FN-3191	R9-21-104.	PM-731; FM-2019
R3-2-602.				
R3-2-603.	R9-22-408.	PN-1289; FN-3191	R9-21-105.	PM-731; FM-2019
R3-2-605.				
R3-2-606.	R9-22-701.	PM-761; FM-2187	R9-21-106.	PM-731; FM-2019
R3-2-608.				
R3-2-609.	R9-22-712.15.	PM-770	R9-21-201.	PM-731; FM-2019
R3-2-610.	R9-22-712.35.	PM-761; FM-2187		
R3-2-611.				
R3-2-617.	R9-22-712.60.	FM-2187		
R3-2-618.				
R3-2-702.				
R3-2-703.				

R9-21-203.	PM-731; FM-2019	R7-5-101.	PM-3057	R2-20-114.	PX#-1893; PXN-1893; FXN-2902
R9-21-204.	PM-731; FM-2019	R7-5-201.	PM-3057	R2-20-115.	PX#-1895; PXN-1895; FXN-2904; PXM-3102
R9-21-205.	PM-731; FM-2019	R7-5-202.	PM-3057	R2-20-402.01.	PXM-3104
R9-21-206.	PM-731; FM-2019	R7-5-203.	PM-3057	R2-20-402.02.	PXN-3106
R9-21-206.01.	PM-731; FM-2019	R7-5-204.	PM-3057	R2-20-702.	PXM-1897; FXN-2906
R9-21-208.	PM-731; FM-2019	R7-5-205.	PM-3057	R2-20-703.	PXM-3107
R9-21-209.	PM-731; FM-2019	R7-5-206.	PM-3057	Corporation Commission - Fixed Utilities	
Exhibit A	PM-731; FM-2019	R7-5-207.	PM-3057	R14-2-802.	PM-411; FM-1949
R9-21-301.	PM-731; FM-2019	R7-5-208.	PN-3057	Corporation Commission - Transportation	
R9-21-303.	PM-731; FM-2019	R7-5-301.	P#-3057; PN-3057	R14-5-202.	EM-5; EM-1637; FM-2869
R9-21-307.	PM-731; FM-2019	R7-5-302.	P#-3057; PN-3057	R14-5-203.	EM-5; EM-1637; FM-2869
R9-21-309.	PM-731; FM-2019	R7-5-303.	P#-3057; PN-3057	R14-5-204.	EM-5; EM-1637; FM-2869
R9-21-310.	PM-731; FM-2019	R7-5-304.	P#-3057; PN-3057	R14-5-205.	EM-5; EM-1637; FM-2869
R9-21-311.	PM-731; FM-2019	R7-5-401.	P#-3057; PN-3057	R14-5-207.	EM-5; EM-1637; FM-2869
R9-21-401.	PM-731; FM-2019	R7-5-402.	PN-3057	Cosmetology, Board of	
R9-21-402.	PM-731; FM-2019	R7-5-403.	PN-3057	R4-10-108.	PM-1941
R9-21-403.	PM-731; FM-2019	R7-5-404.	PN-3057	Deaf and the Hard of Hearing, Commission for	
R9-21-404.	PM-731; FM-2019	R7-5-501.	PR-3057; P#-3057; PM-3057	R9-26-101.	P#-177; F#-1675
R9-21-405.	PM-731; FM-2019	R7-5-502.	PR-3057; P#-3057; PM-3057	R9-26-201.	P#-177; PM-177; F#-1675; FM-1675
R9-21-406.	PM-731; FM-2019	R7-5-503.	PR-3057; PN-3057	R9-26-202.	P#-177; PM-177; F#-1675; FM-1675
R9-21-407.	PM-731; FM-2019	R7-5-504.	PR-3057; PN-3057	R9-26-203.	P#-177; PM-177; F#-1675; FM-1675
R9-21-408.	PM-731; FM-2019	R7-5-505.	PN-3057	R9-26-204.	P#-177; PM-177; F#-1675; FM-1675
R9-21-409.	PM-731; FM-2019	R7-5-506.	PN-3057	R9-26-205.	P#-177; PM-177; F#-1675; FM-1675
R9-21-410.	PM-731; FM-2019	R7-5-507.	PN-3057	R9-26-206.	P#-177; F#-1675; FM-1675
		R7-5-508.	PN-3057	R9-26-207.	P#-177; PN-177 F#-1675; FN-1675
		R7-5-509.	PN-3057	R9-26-301.	PR-177; P#-177; PM-177; FR-1675; F#-1675; FM-1675
		R7-5-510.	P#-3057; PM-3057	R9-26-302.	PR-177; P#-177; FR-1675; F#-1675
		R7-5-601.	P#-3057; PM-3057	R9-26-303.	PR-177; P#-177; PM-177; FR-1675; F#-1675; FM-1675
		R7-5-602.	PN-3057	R9-26-304.	P#-177; PM-177; F#-1675; FM-1675
		R7-5-603.	PN-3057	R9-26-501.	PM-177; FM-1675
		R7-5-604.	PN-3057	R9-26-502.	PM-177; FM-1675
		R7-5-605.	PN-3057		
		R7-5-606.	PN-3057		
		R7-5-607.	PN-3057		
		Child Safety, Department of - Foster Home and Child Welfare Agency Facility Safety			
		R21-8-112.	PM-3181		
		R21-8-113.	PM-3181		
		Clean Elections Commission, Citizens			
		R2-20-101.	PXM-3016		
		R2-20-104.	PXM-3018		
		R2-20-105.	PXM-3021		
		R2-20-107.	PXM-3023		
		R2-20-109.	PXM-1744; PXM-1777; PXM-1883; FXM-2892; PXM-3025		
		R2-20-110.	PX#-1888; PXM-1888; FXM-2897; PXM-3096		
		R2-20-111.	PX#-1891; PXM-1891; FXM-2899; PXM-3098		
		R2-20-112.	PXM-3100		
Arizona Health Care Cost Containment System - Medicare Part D Prescription Coverage Extra Help Subsidy Program					
R9-30-201.	PM-805				
R9-30-202.	PR-805				
R9-30-203.	PM-805				
R9-30-204.	PR-805; PN-805				
R9-30-205.	PR-805				
R9-30-206.	PR-805				
R9-30-207.	PM-805				
R9-30-208.	PR-805				
R9-30-209.	PM-805				
R9-30-210.	PR-805				
R9-30-211.	PR-805				
R9-30-212.	PM-805				
R9-30-213.	PM-805				
R9-30-214.	PM-805				
R9-30-215.	PM-805				
R9-30-216.	PM-805				
R9-30-218.	PR-805				
R9-30-401.	PR-805				
R9-30-402.	PR-805				
Barbers, Board of					
R4-5-103.	PR-3179				
Charter Schools, State Board for					

R9-26-503.	PM-177; FM-1675	R6-5-6509. R6-5-6510.	EXP-2567 EXP-2567	R6-5-7035. R6-5-7036.	EXP-2567 EXP-2567
R9-26-504.	PM-177; FM-1675	R6-5-6511. R6-5-6601.	EXP-2567 EXP-2567	R6-5-7037. R6-5-7038.	EXP-2567 EXP-2567
R9-26-505.	PM-177; FM-1675	R6-5-6602. R6-5-6603.	EXP-2567 EXP-2567	R6-5-7039. R6-5-7040.	EXP-2567 EXP-2567
R9-26-506.	PM-177; FM-1675	R6-5-6604. R6-5-6605.	EXP-2567 EXP-2567	R6-5-8001. R6-5-8002.	EXP-2567 EXP-2567
R9-26-507.	PM-177; FM-1675	R6-5-6606. R6-5-6607.	EXP-2567 EXP-2567	R6-5-8003. R6-5-8004.	EXP-2567 EXP-2567
R9-26-508.	PM-177; FM-1675	R6-5-6608. R6-5-6609.	EXP-2567 EXP-2567	R6-5-8005. R6-5-8006.	EXP-2567 EXP-2567
R9-26-509.	PM-177; FM-1675	R6-5-6610. R6-5-6611.	EXP-2567 EXP-2567	R6-5-8007. R6-5-8008.	EXP-2567 EXP-2567
R9-26-510.	PM-177; FM-1675	R6-5-6612. R6-5-6613.	EXP-2567 EXP-2567	R6-5-8009. R6-5-8010.	EXP-2567 EXP-2567
R9-26-511.	PR-177; PN-177; FR-1675; FN-1675	R6-5-6614. R6-5-6615.	EXP-2567 EXP-2567	Economic Security, Department of - The JOBS Program	
R9-26-512.	PM-177; FM-1675	R6-5-6616. R6-5-6617.	EXP-2567 EXP-2567	R6-10-118. R6-10-125.	EXP-1393 EXP-1393
R9-26-515.	P#-177; PN-177; F#-1675; FN-1675	R6-5-6618. R6-5-6619. R6-5-6620.	EXP-2567 EXP-2567 EXP-2567	R6-10-126. R6-10-304.	EXP-1393 EXP-1393
R9-26-516.	P#-177; F#-1675	R6-5-6621. R6-5-6622.	EXP-2567 EXP-2567	Education, State Board of	
R9-26-517.	PM-177; FM-1675	R6-5-6623. R6-5-6624.	EXP-2567 EXP-2567	R7-2-201. R7-2-300. R7-2-301.	FXM-2239 FXN-143 FXM-143
R9-26-518.	PM-177; FM-1675	R6-5-6701. R6-5-6702.	EXP-2567 EXP-2567	R7-2-302. R7-2-302.01.	FXM-143; FNM-197 FXR-143
Dental Examiners, State Board of		R6-5-6703. R6-5-6704.	EXP-2567 EXP-2567	R7-2-302.02. R7-2-302.04.	FXR-143 FXR-143
R4-11-201.	FM-371	R6-5-6705. R6-5-6706.	EXP-2567 EXP-2567	R7-2-302.05.	FX#-111; FXN-111
R4-11-202.	FM-371	R6-5-6707. R6-5-6708.	EXP-2567 EXP-2567	R7-2-302.06.	FX#-111; FXR-143
R4-11-203.	FM-371	R6-5-6709. R6-5-6710.	EXP-2567 EXP-2567	R7-2-302.07.	FX#-111; FXR-143
R4-11-204.	FM-371	R6-5-6711. R6-5-6712.	EXP-2567 EXP-2567	R7-2-302.08.	FX#-111; FXR-143
R4-11-301.	FM-371	R6-5-6713. R6-5-7001.	EXP-2567 EXP-2567	R7-2-302.09.	FX#-111; FXR-143
R4-11-302.	FR-371	R6-5-7002. R6-5-7003.	EXP-2567 EXP-2567	R7-2-302.10.	FX#-111; FXN-111;
R4-11-303.	FM-371	R6-5-7004. R6-5-7005.	EXP-2567 EXP-2567		FXM-143; FXR-197
R4-11-304.	FM-371	R6-5-7006. R6-5-7007.	EXP-2567 EXP-2567	R7-2-607. R7-2-612.01.	FXM-648 FXN-2617
R4-11-305.	FM-371	R6-5-7008. R6-5-7009.	EXP-2567 EXP-2567	R7-2-614.	FXM-667; FXM-2617
R4-11-401.	FM-2307	R6-5-7010. R6-5-7011.	EXP-2567 EXP-2567	R7-2-615.	FXM-219; FXM-227;
R4-11-402.	FM-2307	R6-5-7012. R6-5-7013.	EXP-2567 EXP-2567		FXM-233; FXM-670;
R4-11-403.	FN-2307	R6-5-7014. R6-5-7015.	EXP-2567 EXP-2567		FXM-1912; FXM-2241
R4-11-405.	FM-2307	R6-5-7016. R6-5-7017.	EXP-2567 EXP-2567	R7-2-616. R7-2-619.	FXM-219 FXM-648;
R4-11-406.	FM-2307	R6-5-7018. R6-5-7019.	EXP-2567 EXP-2567		FXM-2246 FXM-219;
Economic Security, Department of - Developmental Disabilities		R6-5-7020. R6-5-7021.	EXP-2567 EXP-2567	R7-2-621.	FXM-227; FXM-2248
R6-6-1401.	EXP-14	R6-5-7022. R6-5-7023.	EXP-2567 EXP-2567	Environmental Quality, Department of - Air Pollution Control	
Economic Security, Department of - Social Services		R6-5-7024. R6-5-7025.	EXP-2567 EXP-2567	R18-2-611. R18-2-611.01.	FXM-987 FXM-987
Appendix A.	FXR-1603; FXN-1603; FXR-1607; FXN-1607	R6-5-7026. R6-5-7027.	EXP-2567 EXP-2567	R18-2-709. R18-2-711.	EXP-15 EXP-15
R6-5-5201.	PM-1029; FM-3185	R6-5-7028. R6-5-7029.	EXP-2567 EXP-2567	R18-2-712. R18-2-713.	EXP-15 EXP-15
R6-5-5202.	PM-1029; FM-3185	R6-5-7030. R6-5-7031.	EXP-2567 EXP-2567	R18-2-717. R18-2-732.	EXP-15 EXP-15
R6-5-5207.	PM-1029; FM-3185	R6-5-7032. R6-5-7033.	EXP-2567 EXP-2567	R18-2-101. R18-2-102.	PM-2431 PM-2431
R6-5-5217.	PM-1029; FM-3185	R6-5-7034.	EXP-2567	R18-2-201.	PM-2431
R6-5-5218.	PM-1029; FM-3185				
R6-5-5219.	PM-1029; FM-3185				
R6-5-6501.	EXP-2567				
R6-5-6502.	EXP-2567				
R6-5-6503.	EXP-2567				
R6-5-6503.01.	EXP-2567				
R6-5-6504.	EXP-2567				
R6-5-6505.	EXP-2567				
R6-5-6506.	EXP-2567				
R6-5-6507.	EXP-2567				
R6-5-6508.	EXP-2567				

R18-2-203.	PM-2431	R18-11-109.	TM-343;	R9-14-608.	PM-1415;
R18-2-217.	PM-2431		PM-255;		FM-2683
R18-2-218.	PM-2431		FM-2328	R9-14-609.	PM-1415;
R18-2-301.	PM-2431	R18-11-110.	TM-343;		FM-2683
R18-2-302.	PM-2431		PM-255;	R9-14-610.	PM-1415;
R18-2-302.01.	PM-2431		FM-2328		FM-2683
R18-2-303.	PM-2431	R18-11-112.	TM-343;	R9-14-611.	PM-1415;
R18-2-304.	PM-2431		PM-255;		FM-2683
R18-2-306.	PM-2431		FM-2328	R9-14-612.	PM-1415;
R18-2-306.01.	PM-2431	R18-11-115.	TM-343;		FM-2683
R18-2-306.02.	PM-2431;		PM-255;	R9-14-613.	PM-1415;
	EXP-2982		FM-2328		FM-2683
R18-2-307.	PM-2431	R18-11-121.	TM-343;	R9-14-614.	PM-1415;
R18-2-311.	PM-2431		PM-255;		FM-2683
R18-2-312.	PM-2431		FM-2328	R9-14-615.	PM-1415;
R18-2-319.	PM-2431	Appendix A.	TM-343;		FM-2683
R18-2-320.	PM-2431		PM-255;	R9-14-616.	PM-1415;
R18-2-324.	PM-2431		FM-2328		FM-2683
R18-2-326.	PM-2431	Appendix B.	TM-343;	R9-14-617.	PM-1415;
R18-2-327.	PM-2431		PM-255;		FM-2683
R18-2-330.	PM-2431		FM-2328	R9-14-620.	PM-1415;
R18-2-332.	PM-2431	Appendix C.	TM-343;		FM-2683
R18-2-334.	PM-2431		PM-255;	R9-14-621.	PM-1415;
R18-2-401.	PM-2431		FM-2328		FM-2683
R18-2-402.	PM-2431	Game and Fish Commission		Table 1.	P#-1415;
R18-2-403.	PM-2431	R12-4-402.	PM-2558		F#-2683
R18-2-404.	PM-2431	R12-4-701.	PM-810;	Table 6.1.	P#-1415;
R18-2-405.	PM-2431		FM-2200		PM-1415;
R18-2-406.	PM-2431	R12-4-702.	PM-810;		F#-2683;
R18-2-407.	PM-2431		FM-2200		FM-2683
R18-2-408.	PM-2431	R12-4-703.	PM-810;	Exhibit I.	PR-1415;
R18-2-410.	PM-2431		FR-2200		FR-2683
R18-2-411.	PN-2431	R12-4-704.	PM-810;	Exhibit II.	PR-1415;
R18-2-412.	PM-2431		FR-2200		FR-2683
R18-2-502.	PM-2431	R12-4-705.	PM-810;	Table 6.2.A	PN-1415;
R18-2-503.	PM-2431		FR-2200		FN-2683
R18-2-504.	PM-2431	R12-4-706.	PM-810;	Table 6.2.B.	PN-1415;
R18-2-507.	PR-2431		FR-2200		FN-2683
R18-2-508.	PR-2431	R12-4-707.	PM-810;	Table 6.2.C.	PN-1415;
R18-2-512.	PM-2431		FR-2200		FN-2683
R18-2-513.	PM-2431	R12-4-708.	PM-810;	Table 6.2.D.	PN-1415;
R18-2-514.	PN-2431		FR-2200		FN-2683
R18-2-515.	PN-2431	R12-4-801.	FXM-951	Table 6.2.E.	PN-1415;
R18-2-1205.	PM-2431	R12-4-802.	FXM-951;		FN-2683
Appendix 1.	PR-2431		FXM-2209	Table 6.3.	PN-1415;
Environmental Quality, Department of		R12-4-803.	FXM-951;		FN-2683
- Hazardous Waste Management			FXM-2209	Table 6.4.	PN-1415;
R18-8-201.	EXP-2983	Health Services, Department of - Health			FN-2683
Environmental Quality, Department of		Care Institutions: Licensing		Health Services, Department of - Loan	Repayment Program
- Safe Drinking Water		R9-10-101.	FXM-1035	R9-15-101.	FXM-851
R18-4-102.	FM-379	R9-10-119.	PN-139;	R9-15-201.	FXR-851;
R18-4-103.	FM-379		EM-420;		FXN-851
R18-4-105.	FM-379		FN-1343	R9-15-202.	FXR-851;
R18-4-121.	FM-379	R9-10-707.	FXM-1035		FXN-851
R18-4-126.	FN-379	R9-10-1002.	FXM-1035	R9-15-203.	FXR-851;
R18-4-210.	FM-379	R9-10-1025.	FXM-1035		FXN-851
Environmental Quality, Department of		R9-10-1030.	FXM-1035	R9-15-204.	FXR-851;
- Solid Waste Management		R9-10-1031.	FXN-1035		FXN-851
R18-13-902.	EXP-2983	Health Services, Department of - Labo-		R9-15-205.	FXR-851;
R18-13-2701.	EXP-2984	ratories			FXN-851
R18-13-2702.	EXP-2984	R9-14-601.	PM-1415;	R9-15-205.01.	FXN-851
R18-13-2703.	EXP-2984		FM-2683	R9-15-206.	FXR-851;
Environmental Quality, Department of		R9-14-602.	PM-1415;		FXN-851
- Underground Storage Tanks			FM-2683	Table 2.1.	FXN-851
R18-12-802.	EXP-2983	R9-14-603.	PM-1415;	R9-15-207.	FXR-851;
Environmental Quality, Department of			FM-2683		FXN-851
- Water Pollution Control		R9-14-605.	PM-1415;	R9-15-208.	FXR-851;
R18-9-704.	FM-1696		FM-2683		FXN-851
Environmental Quality, Department of		R9-14-606.	PM-1415;	R9-15-209.	FXR-851;
- Water Quality Standards			FM-2683		FXN-851
R18-11-106.	TM-343;	R9-14-607.	PM-1415;	R9-15-210.	FXR-851;
	PM-255;		FM-2683		FXN-851
	FM-2328				

	F#-2966;	R13-4-112.	FM-555	R4-26-110.	PN-1591;
R19-3-567.	FM-2966	R13-4-114.	FM-555	R4-26-111.	FN-3083
	P#-1091;	R13-4-116.	FM-555		PN-1591;
R19-3-568.	F#-2966	R13-4-117.	FM-555	R4-26-203.03.	FN-3083
	P#-1091;	R13-4-118.	FM-555		PM-1591;
R19-3-569.	F#-2966	R13-4-201.	FM-555	R4-26-203.04.	FM-3083
	P#-1091;	R13-4-202.	FM-555		PN-1591;
	PM-1091;	R13-4-203.	FM-555	R4-26-205.	FN-3083
	F#-2966;	R13-4-204.	FM-555		PM-1591;
	FM-2966	R13-4-205.	FM-555	R4-26-206.	FM-3083
Medical Board, Arizona		R13-4-206.	FM-555		PN-1591;
R4-16-201.	FXM-778	R13-4-208.	FM-555	R4-26-207.	FM-3083
R4-16-205.	FXM-778				PM-1591;
Nursing, State Board of		Pharmacy, Board of		R4-26-208.	FM-3083
R4-19-101.	PM-2947	R4-23-110.	FXM-2606	R4-26-210.	PM-1591;
Table 1.	PM-2947	R4-23-205.	FXM-2606		FM-3083
R4-19-201.	PM-2947	R4-23-411.	PM-2593	R4-26-210.	PM-1591;
R4-19-205.	PM-2947				FM-3083
R4-19-207.	PM-2947	Physician Assistants, Regulatory Board of		R4-26-304.	PM-1591;
R4-19-209.	PM-2947	Table 1.	PM-2310		FM-3083
R4-19-216.	PM-2947	R4-17-202.	PM-2310	R4-26-310.	PM-1591;
R4-19-301.	PM-2947	R4-17-203.	PM-2310		FM-3083
R4-19-305.	PM-2947	R4-17-204.	PM-2310	R4-26-401.	PM-2318
R4-19-312.	PM-2947	R4-17-205.	PM-2310	R4-26-403.	PM-2318
R4-19-511.	PM-2947	R4-17-206.	PM-2310	R4-26-404.	PM-2318
R4-19-801.	FXM-1900;	R4-17-301.	PN-2310	R4-26-404.1.	PN-2318
	PM-2947	R4-17-302.	PN-2310	R4-26-404.2.	PN-2318
R4-19-802.	FXM-1900;	R4-17-303.	PN-2310	R4-26-405.	PM-2318
	PM-2947	R4-17-304.	PN-2310	R4-26-406.	PM-2318
R4-19-804.	FXM-1900	R4-17-305.	PN-2310	R4-26-407.	PM-2318
R4-19-806.	FXM-1900	R4-17-306.	PN-2310	R4-26-408.	PM-2318
R4-19-807.	FXM-1900			R4-26-409.	PM-2318
R4-19-808.	FXM-1900	Private Postsecondary Education, Board for		R4-26-410.	PM-2318
R4-19-809.	FXM-1900	R4-39-101.	FM-921	R4-26-414.	PM-2318
R4-19-810.	FXM-1900	R4-39-102.	FM-921	R4-26-417.	PM-2318
R4-19-811.	FXM-1900	R4-39-103.	FM-921		
R4-19-812.	FXM-1900	R4-39-104.	FM-921	Public Safety, Department of - Alcohol Testing	
R4-19-813.	FXM-1900	R4-39-105.	FM-921	Exhibit E-1.	EXP-2054
R4-19-814.	FXM-1900	R4-39-106.	FM-921	Exhibit E-2.	EXP-2054
R4-19-815.	FXM-1900	R4-39-107.	FM-921	Exhibit E-3.	EXP-2054
		R4-39-108.	FM-921	Exhibit E-4.	EXP-2054
Optometry, Board of		R4-39-109.	FM-921	Exhibit E-5.	EXP-2054
R4-21-101.	FM-328	R4-39-110.	FM-921	Exhibit E-6.	EXP-2054
R4-21-102.	FM-328	R4-39-111.	FM-921	Exhibit F-1.	EXP-2054
R4-21-103.	FM-328	R4-39-201.	FM-921	Exhibit F-2.	EXP-2054
R4-21-201.	FM-328	R4-39-301.	FM-921	Exhibit F-3.	EXP-2054
R4-21-202.	FM-328	R4-39-302.	FM-921	Exhibit F-4.	EXP-2054
R4-21-203.	FM-328	R4-39-303.	FM-921	Exhibit F-5.	EXP-2054
R4-21-205.	FM-328	R4-39-304.	FM-921		
R4-21-205.1.	FN-328	R4-39-305.	FM-921	Radiation Regulatory Agency	
R4-21-206.	FM-328	R4-39-306.	FM-921	R12-1-102.	FM-603
R4-21-208.	FM-328	R4-39-307.	FM-921	R12-1-303.	FM-603
R4-21-209.	FM-328	R4-39-308.	FM-921	R12-1-306.	FM-603
R4-21-210.	FM-328	R4-39-401.	FM-921	R12-1-308.	FM-603
R4-21-211.	FM-328	R4-39-402.	FM-921	R12-1-311.	FM-603
R4-21-213.	FR-328	R4-39-403.	FM-921	R12-1-313.	FM-603
R4-21-302.	FM-328	R4-39-404.	FM-921	R12-1-320.	FM-603
R4-21-305.	FM-328	R4-39-405.	FR-921	R12-1-323.	FM-603
R4-21-306.	FM-328	R4-39-406.	FM-921	R12-1-418.	FM-603
R4-21-308.	FM-328	R4-39-407.	FN-921	R12-1-452.	FM-603
		R4-39-408.	FN-921	R12-1-503.	FM-603
Peace Officer Standards and Training Board, Arizona		R4-39-501.	FM-921	R12-1-703.	FM-603
R13-4-101.	FM-555	R4-39-502.	FM-921	R12-1-1302.	FM-603
R13-4-102.	FM-555	R4-39-503.	FM-921	R12-1-1512.	FM-603
R13-4-103.	FM-555	R4-39-504.	FN-921	R12-1-1901.	FN-603
R13-4-104.	FM-555	R4-39-601.	FM-921	R12-1-1903.	FN-603
R13-4-105.	FM-555	R4-39-602.	FM-921	R12-1-1905.	FN-603
R13-4-106.	FM-555	R4-39-603.	FM-921	R12-1-1907.	FN-603
R13-4-107.	FM-555			R12-1-1909.	FN-603
R13-4-108.	FM-555	Psychologist Examiners, Board of		R12-1-1911.	FN-603
R13-4-109.	FM-555	R4-26-101.	PM-1591;	R12-1-1921.	FN-603
R13-4-109.01.	FM-555		FM-3083	R12-1-1923.	FN-603
R13-4-110.	FM-555	R4-26-108.	PM-1591;	R12-1-1925.	FN-603
R13-4-111.	FM-555		FM-3083	R12-1-1927.	FN-603
		R4-26-109.	PN-1591;	R12-1-1929.	FN-603
			FM-3083		

R12-1-1931.	FN-603	R15-10-702.	EN-2621	R20-2-108.	RC-2786
R12-1-1933.	FN-603	R15-10-703.	EN-2621	R20-2-109.	RC-2786
R12-1-1941.	FN-603	R15-10-704.	EN-2621	R20-2-110.	RC-2786
R12-1-1943.	FN-603	R15-10-705.	EN-2621	R20-2-111.	RC-2786
R12-1-1945.	FN-603	Revenue, Department of - Luxury Tax Section		R20-2-112.	RC-2786
R12-1-1947.	FN-603	R15-3-201.	FXM-1843	R20-2-113.	RC-2786
R12-1-1949.	FN-603	R15-3-301.	FXM-1843	R20-2-114.	RC-2786
R12-1-1951.	FN-603	R15-3-302.	FXR-1843	R20-2-115.	RC-2786
R12-1-1953.	FN-603	R15-3-303.	FXR-1843	R20-2-116.	RC-2786
R12-1-1955.	FN-603	R15-3-304.	FXM-1843	R20-2-117.	RC-2786
R12-1-1957.	FN-603	R15-3-305.	FXM-1843	R20-2-201.	RC-2786
R12-1-1971.	FN-603	R15-3-306.	FXN-1843	R20-2-202.	RC-2786
R12-1-1973.	FN-603	R15-3-307.	FXM-1843	R20-2-203.	RC-2786
R12-1-1975.	FN-603	R15-3-308.	FXM-1843	R20-2-204.	RC-2786
R12-1-1977.	FN-603	R15-3-309.	FXM-1843	R20-2-301.	RC-2786
R12-1-1979.	FN-603	R15-3-310.	FXM-1843	R20-2-302.	RC-2786
R12-1-1981.	FN-603	R15-3-311.	FXR-1843	R20-2-303.	RC-2786
R12-1-19101.	FN-603	R15-3-312.	FXR-1843	R20-2-304.	RC-2786
R12-1-19103.	FN-603	R15-3-313.	FXM-1843	R20-2-305.	RC-2786
R12-1-19105.	FN-603	R15-3-314.	FXM-1843	R20-2-306.	RC-2786
R12-1-19107.	FN-603	R15-3-315.	FXN-1843	R20-2-307.	RC-2786
R12-1-19109.	FN-603	R15-3-316.	FXM-1843	R20-2-308.	RC-2786
Appendix A.	FN-603	R15-3-317.	FXM-1843	R20-2-309.	RC-2786
Respiratory Care Examiners, Board of		R15-3-318.	FXM-1843	R20-2-310.	RC-2786
R4-45-101.	PM-549;	R15-3-319.	FXN-1843	R20-2-311.	RC-2786
	FM-2181	R15-3-501.	FXM-1843	R20-2-312.	RC-2786
R4-45-102.	PM-549;	Revenue, Department of - Transaction Privilege and Use Tax Section		R20-2-313.	RC-2786
	FM-2181	R15-5-175.	EXP-2054	R20-2-401.	RC-2786
R4-45-105.	PM-549;	Secretary of State, Office of		R20-2-402.	RC-2786
	FM-2181	R2-12-402.	PM-109	R20-2-403.	RC-2786
R4-45-201.	PM-549;	Secretary of State - Rules and Rulemaking		R20-2-404.	RC-2786
	FM-2181	R1-1-107.	PM-105	R20-2-405.	RC-2786
R4-45-203.	PM-549;	Transportation, Department of - Commercial Programs		R20-2-406.	RC-2786
	FM-2181	R17-5-403.	EXP-3195	R20-2-407.	RC-2786
R4-45-205.	PR-549;	R17-5-901.	PR-2597;	R20-2-408.	RC-2786
	FM-2181		PN-2597	R20-2-409.	RC-2786
R4-45-213.	PM-549;	R17-5-902.	PR-2597;	R20-2-410.	RC-2786
	FR-2181		PN-2597	R20-2-411.	RC-2786
R4-45-218.	PM-549;	R17-5-903.	PR-2597;	R20-2-412.	RC-2786
	FM-2181		PN-2597	R20-2-501.	RC-2786
Retirement System Board, State		R17-5-904.	PR-2597;	R20-2-502.	RC-2786
R2-8-115.	FM-79		PN-2597	R20-2-503.	RC-2786
R2-8-116.	PN-107;	R17-5-905.	PR-2597;	R20-2-504.	RC-2786
	FN-1341		PN-2597	R20-2-505.	RC-2786
R2-8-117.	PN-3013	R17-5-906.	PR-2597;	R20-2-506.	RC-2786
R2-8-118.	FM-79		PN-2597	R20-2-507.	RC-2786
R2-8-122.	FM-79	R17-5-905.	PR-2597;	R20-2-507.	RC-2786
R2-8-126.	FM-79;		PN-2597	R20-2-601.	RC-2786
	PM-1727;	R17-5-906.	PR-2597;	R20-2-602.	RC-2786
	FM-3081		PN-2597	R20-2-603.	RC-2786
R2-8-401.	PM-2555	R17-5-1001.	PN-2597	R20-2-604.	RC-2786
R2-8-403.	PM-2555	R17-5-1001.	PN-2597	R20-2-605.	RC-2786
R2-8-405.	PM-2555	R17-5-1001.	PN-2597	R20-2-701.	RC-2786
R2-8-516.	EXP-3195	R17-5-1001.	PN-2597	R20-2-702.	RC-2786
R2-8-517.	EXP-3195	R17-5-1001.	PN-2597	R20-2-703.	RC-2786
R2-8-602.	PM-1879	R17-5-1001.	PN-2597	R20-2-704.	RC-2786
R2-8-603.	PM-1879	R17-5-1001.	PN-2597	R20-2-705.	RC-2786
R2-8-604.	PM-1879	R17-5-1001.	PN-2597	R20-2-706.	RC-2786
R2-8-605.	PM-1879	R17-5-1001.	PN-2597	R20-2-707.	RC-2786
R2-8-606.	PM-1879	R17-5-1001.	PN-2597	R20-2-708.	RC-2786
R2-8-607.	PM-1879	Transportation, Department of - Title, Registration, and Driver Licenses		R20-2-709.	RC-2786
R2-8-704.	PM-2079	R17-4-407.	PXN-194;	R20-2-710.	RC-2786
R2-8-706.	PM-2079		FXN-819;	R20-2-711.	RC-2786
R2-8-708.	EXP-2982	R17-4-409.	PXM-194;	R20-2-712.	RC-2786
			FXN-819	R20-2-713.	RC-2786
Revenue, Department of - General Administration		Weights and Measures, Department of		R20-2-714.	RC-2786
R15-10-105.	FXM-116	R20-2-101.	RC-2786	R20-2-715.	RC-2786
R15-10-501.	FXM-116;	R20-2-102.	RC-2786	R20-2-716.	RC-2786
	FXM-1852	R20-2-103.	RC-2786	R20-2-717.	RC-2786
R15-10-502.	FXM-116	R20-2-104.	RC-2786	R20-2-718.	RC-2786
R15-10-504.	FXM-116	R20-2-105.	RC-2786	R20-2-719.	RC-2786
R15-10-505.	FXN-116;	R20-2-106.	RC-2786	R20-2-720.	RC-2786
	FXM-1852	R20-2-107.	RC-2786	R20-2-721.	RC-2786
R15-10-506.	FXN-1852			R20-2-722.	RC-2786
				R20-2-723.	RC-2786

R20-2-724.	RC-2786	R20-2-749.	RC-2786	R20-2-907.	RC-2786
R20-2-725.	RC-2786	R20-2-750.	RC-2786	R20-2-908.	RC-2786
R20-2-726.	RC-2786	R20-2-751.	RC-2786	R20-2-909.	RC-2786
R20-2-727.	RC-2786	R20-2-751.01.	RC-2786	R20-2-910.	RC-2786
R20-2-728.	RC-2786	R20-2-752.	RC-2786	R20-2-911.	RC-2786
R20-2-729.	RC-2786	R20-2-753.	RC-2786	R20-2-912.	RC-2786
R20-2-730.	RC-2786	R20-2-754.	RC-2786	R20-2-913.	RC-2786
R20-2-731.	RC-2786	R20-2-755.	RC-2786	R20-2-1001.	RC-2786
R20-2-732.	RC-2786	R20-2-756.	RC-2786	R20-2-1002.	RC-2786
R20-2-733.	RC-2786	R20-2-757.	RC-2786	R20-2-1003.	RC-2786
R20-2-734.	RC-2786	R20-2-758.	RC-2786	R20-2-1004.	RC-2786
R20-2-735.	RC-2786	R20-2-759.	RC-2786	R20-2-1005.	RC-2786
R20-2-736.	RC-2786	Table A.	RC-2786	R20-2-1006.	RC-2786
R20-2-737.	RC-2786	R20-2-760.	RC-2786	R20-2-1007.	RC-2786
R20-2-738.	RC-2786	R20-2-761.	RC-2786	R20-2-1008.	RC-2786
R20-2-739.	RC-2786	R20-2-762.	RC-2786	R20-2-1009.	RC-2786
R20-2-740.	RC-2786	Table 1.	RC-2786	R20-2-1010.	RC-2786
R20-2-741.	RC-2786	Table 2.	RC-2786	R20-2-1011.	RC-2786
R20-2-742.	RC-2786	Table 3.	RC-2786	R20-2-1012.	RC-2786
R20-2-743.	RC-2786	R20-2-901.	RC-2786	R20-2-1013.	RC-2786
R20-2-744.	RC-2786	R20-2-902.	RC-2786	Table 1.	RC-2786
R20-2-745.	RC-2786	R20-2-903.	RC-2786		
R20-2-746.	RC-2786	R20-2-904.	RC-2786		
R20-2-747.	RC-2786	R20-2-905.	RC-2786		
R20-2-748.	RC-2786	R20-2-906.	RC-2786		

OTHER NOTICES AND PUBLIC RECORDS INDEX

Other notices related to rulemakings are listed in the Index by notice type, agency/county and by volume page number. Agency policy statements and proposed delegation agreements are included in this section of the Index by volume page number.

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.

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 46 OF VOLUME 22.

Agency Guidance Document, Notices of

Health Services, Department of; pp. 159, 705

Retirement System, State; pp. 3141-3149

Revenue, Department of; pp. 1857-1858

Agency Ombudsman, Notices of

Early Childhood Development and Health Board/ First Things First; p. 353

Game and Fish Commission; pp. 62-63, 1649

Health Services, Department of; p. 353

Public Safety, Department of; p. 2092

Transportation, Department of; p. 62

County Notices Pursuant to A.R.S. § 49-112

Maricopa County; pp. 431-535, 1116-1273, 1552-1572, 1708, 1958-1995, 2095-2149, 2914-2923

Pima County; pp. 1305-1325, 2631

Pinal County; pp. 2253-2288

Governor's Office

Executive Order: pp. 19-20 (E.O. #2015-11); 20-21 (E.O. #2015-13); 21-22 (E.O. #2015-01); 84 (E.O. #2016-01); 85 (E.O. #2016-02); 86 (E.O. 2015-06); 87 (E.O. #2015-09); 88 (E.O. #2015-12); 426-27 (E.O. #2016-03)

Declarations: p. 1703 (M16-176)

Proclamations: pp. 23 (M15-350, M15-349); 24 (M15-348); 25 (M15-347); 64 (M15-354, M15-355); 65 (M15-356, M15-357); 66 (M15-358); 123 (M16-04, M16-05); 124 (M16-06, M16-07); 125 (M16-08); 126 (M16-09); 162 (M16-13); 202 (M16-23, M16-24); 203 (M16-25, M16-26); 204 (M16-27); 428 (M16-33, M16-34); 429 (M16-35, M16-36); 430 (M16-430); 585 (M16-38, M16-39); 586 (M16-40, M16-41); 587 (M16-42, M16-43); 588 (M16-44); 653 (M16-45); 678 (M16-50, M16-51); 679 (M16-52, M16-53); 680 (M16-54, M16-55); 681 (M16-57, M16-58); 682 (M16-59); 711 (M16-62, M16-63); 712 (M16-66, M16-56); 713 (M16-67, M16-68); 714 (M16-69, M16-70); 715 (M16-71, M16-72); 788 (M16-64,

M16-60); 789 (M16-75); 832 (M16-65, M16-83); 833 (M16-74, M16-84); 834 (M16-86, M16-87); 902 (M16-73, M16-89); 903 (M16-91, M16-85); 904 (M16-76, M16-77); 1002 (M16-88, M16-90); 1003 (M16-92, M16-93); 1004 (M16-94); 1070 (M16-110, M16-111); 1071 (M16-112, M16-113); 1072 (M16-114, M16-115); 1073 (M16-116, M16-117); 1074 (M16-118); 1299 (M16-125, M16-126); 1300 (M16-127, M16-128); 1301 (M16-129, M16-130); 1302 (M16-131, M16-132); 1303 (M16-133, M16-138); 1304 (M16-134); 1359 (M16-143, M16-136); 1360 (M16-144, M16-145); 1361 (M16-137, M16-139); 1549 (M16-147, M16-148); 1550 (M16-149); 1551 (M16-150); 1617 (M16-159, M16-156); 1618 (M16-157, M16-158); 1619 (M16-160, M16-161); 1652 (M16-162, M16-163); 1653 (M16-164, M16-65); 1654 (M16-166, M16-167); 1704 (M16-177, M16-179); 1705 (M16-181, M16-182); 1706 (M16-183, M16-168); 1758 (M16-187, M16-178); 1759 (M16-180); 1922 (M16-188, M16-189); 1923 (M16-190); 2536 (M16-207); 3031 (M16-243, M16-244); 3032 (M16-245, M16-246); 3033 (M16-247, M16-248); 3034 (M16-249, M16-250), 3035 (M16-251,



M16-252); 3114 (M16-253, M16-254); 3115 (M16-255, M16-256); 3153 (M16-257, M16-258); 3154 (M16-259, M16-260); 3155 (M16-261, M16-262, M16-263); 3156 (M16-264, M16-265); 3157 (M16-266); 3204 (M16-270, M16-271); 3205 (M16-272, M16-273); 3206 (M16-274, M16-275); 3207 (M16-276, M16-277)

Governor's Regulatory Review Council

Notices of Action Taken at Monthly Meetings: pp. 96, 97-98, 402-403, 798, 1014, 1406, 1666, 2007-2008, 2231-2232, 2938-2939, 3131-3132

Proposed Delegation Agreement

Notices of

Environmental Quality, Department of; pp. 826, 827, 1545

Public Information, Notices of

Arizona Health Care Cost Containment System; pp. 49, 1067

Child Safety, Department of; pp. 160, 2626

Environmental Quality, Department of; pp. 49, 1112, 2823

Environmental Quality, Department of - Pesticides and Water Pollution Control; pp. 1294-1296

Environmental Quality, Department of - Safe Drinking Water; pp. 1348-1349

Environmental Quality, Department of - Water Pollution Control; pp. 1112, 3110

Game and Fish Department; pp. 1349-1354, 1646, 1919

Health Services, Department of; pp. 394, 2572; 2986-2987

Health Services, Department of - Loan Repayment; p. 346

Health Services, Department of - Vital Records and Statistics; p. 899

Real Estate, Department of; pp. 2408, 2844

Rulemaking Docket Opening, Notices of

Acupuncture Board of Examiners; 4 A.A.C. 8; p. 703

Agriculture, Department of - Animal Services Division; 3 A.A.C. 2; p. 344

Arizona Health Care Cost Containment System - Administration; 9 A.A.C. 22; pp. 784-785, 1293

Arizona Health Care Cost Containment System - Arizona Long-term Care System; 9 A.A.C. 28; p. 2057

Arizona Health Care Cost Containment System - Behavioral Health Services for Persons with Serious Mental Illness; 9 A.A.C. 21; p. 782

Arizona Health Care Cost Containment System - Medicare Part D Prescription Coverage Extra Help Subsidy Program; 9 A.A.C. 30; p. 824

Behavioral Health Examiners, Board of; 4 A.A.C. 6; p. 2405

Barbers, Board of; 4 A.A.C. 5; p. 2625

Charter Schools, State Board for; 7 A.A.C. 5; p. 823

Child Safety, Department of - Foster Care and Child Welfare Agency Facility Safety; 21 A.A.C. 8; p. 3198

Child Safety, Department of - Child Welfare Agency Licensing; 21 A.A.C. 7; p. 999

Corporation Commission - Fixed Utilities; 14 A.A.C. 2; pp. 424-425

Cosmetology, Board; 4 A.A.C. 10; p. 1611

Dental Examiners, State Board of; 4 A.A.C. 11; p. 2056

Economic Security, Department of; 6 A.A.C. 1; p. 2083

Economic Security, Department of - Cash Assistance Program; 6 A.A.C. 12; p. 2087

Economic Security, Department of - Developmental Disabilities; 6 A.A.C. 6; p. 2085

Economic Security, Department of - Social Services; 6 A.A.C. 5; pp. 1065, 2084

Economic Security, Department of - The JOBS Program; 6 A.A.C. 10; p. 2086

Economic Security, Department of - Unemployment Insurance; 6 A.A.C. 3; p. 2084

Environmental Quality, Department of - Air Pollution Control; 18 A.A.C. 2; p. 998

Environmental Quality, Department of - Water Pollution Control; 18 A.A.C. 9; pp. 16-17

Environmental Quality, Department of - Water Quality Standards; 18 A.A.C. 11; pp. 17-18, 345

Game and Fish Commission; 12 A.A.C. 4; pp. 825, 2569

Health Services, Department of - Communicable Diseases; 9 A.A.C. 6; p. 1954

Health Services, Department of - Emergency Medical Services; 9 A.A.C. 25; pp. 1612, 3197

Health Services, Department of - Laboratories; 9 A.A.C. 14; p. 704

Health Services, Department of - Medical Marijuana Program; 9 A.A.C. 17; pp. 423-424, 2407

Health Services, Department of - Occupational Licensing; 9 A.A.C. 16; pp. 2909-2910

Industrial Commission of Arizona; 20 A.A.C. 5; pp. 239, 2570-2571

Mine Inspector, State - Aggregate Mined Land Reclamation; 11 A.A.C. 3; p. 2057

Nursing, State Board of; 4 A.A.C. 19; 2985

Pharmacy, Board of; 4 A.A.C. 23; pp. 2406, 3196

Psychologist Examiners, Board of; 4 A.A.C. 26; pp. 1109-1110

Public Safety, Department of; 13 A.A.C. 1; pp. 2910-2911

Regulatory Board of Physician Assistants, Arizona; 4 A.A.C. 17; p. 2217

Retirement System, State; 2 A.A.C. 8; pp. 822, 823, 1063-1064, 1918, 2055, 2082, 2568

Secretary of State, Office of; 2 A.A.C. 12; pp. 121-122; 239

Secretary of State - Rules and Rulemaking; 1 A.A.C. 1; p.121

State Lottery Commission - 19 A.A.C. 3; p. 582

Technical Registration, Board of; 4 A.A.C. 30; pp. 1110-1111

Transportation, Department of - Administration; 17 A.A.C. 1; p. 3139

Transportation, Department of - Commercial Programs; 17 A.A.C. 5; pp. 1347, 2089-2090, 2569

Transportation, Department of - Oversize and Overweight Special Permits; 17 A.A.C. 6; p. 3140

Transportation, Department of - Title, Registration, and Driver Licenses; 17 A.A.C. 4; p. 2088

Substantive Policy Statement, Notices of

Behavioral Health Examiners, Board of; pp. 706, 3199



Environmental Quality, Department of; pp. 58-59; 161, 1356, 1614, 2091

Health Services, Department of; pp. 2627, 2988

Insurance, Department of; p. 3200

Peace Officers Standards and Training Board; p. 348

Psychologist Examiners, Board of; pp. 1355, 1647-1648

Real Estate Department; pp. 829, 2409, 2845-2846

Registrar of Contractors; pp. 60-61, 706-707

Retirement System, State; pp. 707-708

Revenue, Department of; pp. 1859-1860

Technical Registration, Board of; pp. 348

Transportation, Department of; p. 3150

Water Infrastructure Finance Authority; p. 349-352



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.

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.



GOVERNOR'S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE
NOVEMBER 1, 2016 MEETING

[M16-279]

RULES:

ARIZONA STATE RETIREMENT SYSTEM (R-16-1101)

Title 2, Chapter 8, Article 6, Public Participation in Rulemaking

Amend: R2-8-602; R2-8-603; R2-8-604; R2-8-605; R2-8-606; R2-8-607

COUNCIL ACTION: APPROVED

BOARD OF COSMETOLOGY (R-16-1102)

Title 4, Chapter 10, Article 1, General Provisions

Amend: R4-10-108

COUNCIL ACTION: APPROVED, IMMEDIATE EFFECTIVE DATE

ARIZONA STATE RETIREMENT SYSTEM (R-16-1103)

Title 2, Chapter 8, Article 7, Contributions Not Withheld

Amend: R2-8-704; R2-8-706

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (R-16-1104)

Title 9, Chapter 28, Article 7, Standards for Payments

Amend: R9-28-702

COUNCIL ACTION: APPROVED

FIVE-YEAR-REVIEW REPORTS:

DEPARTMENT OF ECONOMIC SECURITY (F-16-0904)

Title 6, Chapter 5, Article 24, Appeals and Hearings; Article 50, Child Care Resource and Referral System

COUNCIL ACTION: APPROVED

BOARD OF DENTAL EXAMINERS (F-16-0906)

Title 4, Chapter 11, Article 1, Definitions; Article 2, Licensure by Credential; Article 4, Fees

COUNCIL ACTION: APPROVED

BOARD OF NURSING (F-16-1001)

Title 4, Chapter 19, Article 4, Regulation; Article 6, Rules of Practice and Procedure; Article 7, Public Participation Procedures

COUNCIL ACTION: APPROVED

BOARD OF ATHLETIC TRAINING (F-16-1002)

Title 4, Chapter 49, Article 1, General Provisions; Article 4, Athletic Training Practice

COUNCIL ACTION: APPROVED

BOARD OF RESPIRATORY CARE EXAMINERS (F-16-1003)

Title 4, Chapter 45, All Articles



COUNCIL ACTION: APPROVED

CONSIDERATION AND DISCUSSION OF THE REVIEW OF RULES OUTSIDE OF THE FIVE-YEAR REVIEW PROCESS:

INDUSTRIAL COMMISSION

- a. Title 20, Chapter 5, Article 3 (Private Employment Agents)

COUNCIL ACTION: Require a report be submitted with a due date of January 3, 2017

- b. R20-5-136 (Time Within Which Requests for Hearing Shall be Filed)

COUNCIL ACTION: Require a report be submitted with a due date of November 8, 2016

- c. R20-5-816 (Notice of Hearing)

COUNCIL ACTION: Require a report be submitted with a due date of November 8, 2016