



Arizona Administrative REGISTER

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From the Publisher

ABOUT THIS PUBLICATION

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

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

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

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

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

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

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

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

The printed *Code* is the official publication of a rule in the A.A.C., and 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 page.

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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.

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Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

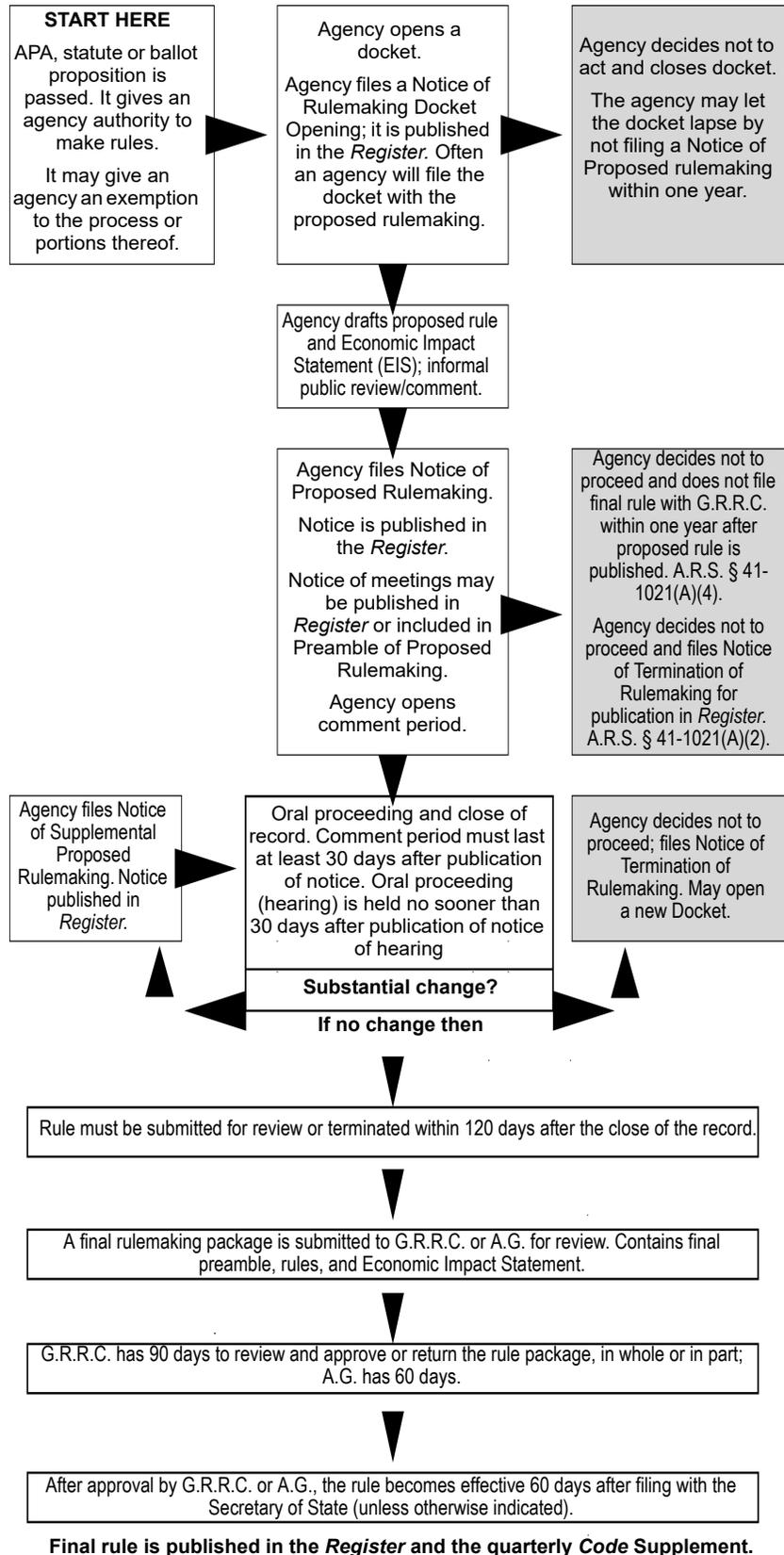
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

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

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 13. PUBLIC SAFETY

CHAPTER 14. CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD

[R17-256]

PREAMBLE

- | | |
|---|---------------------------------|
| <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
| Article 1 | New Article |
| R13-14-101 | New Section |
| R13-14-102 | New Section |
| R13-14-103 | New Section |
| Article 2 | New Article |
| R13-14-201 | New Section |
| R13-14-202 | New Section |
| R13-14-203 | New Section |
| R13-14-204 | New Section |
| R13-14-205 | New Section |
| Article 3 | New Article |
| R13-14-301 | New Section |
| R13-14-302 | New Section |
- 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. § 22-137(A)(1)
 Implementing statute: A.R.S. § 22-137(A) and (B)
- 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: 23 A.A.R. 3556, December 29, 2017 (*in this issue*)
- 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: Tracy Unmacht
 Address: 818 N. 1st St.
 Phoenix, AZ 85004
 and
 P.O. Box 13116
 Phoenix, AZ 85002
 Telephone: (602) 343-6280
 Fax: (602) 712-1252
 E-mail: cestb@azcapitolconsulting.com
 Web site: www.cestb.az.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 Constable Ethics, Standards and Training Board (CESTB) was established at A.R.S. § 22-136 in 2006. Under A.R.S. § 22-137, the CESTB is required to make rules regarding constables, complaints, investigations and hearings, discipline, and training grants. The CESTB has made some informal rules but has never made the rules using the required Arizona Administrative Procedure Act, even though the CESTB is not exempt from the APA. In this rulemaking, the CESTB makes the required rules.



An exemption from Executive Order 2017-02 was provided for this rulemaking by Mara Mellstrom, Policy Advisor in the Governor's Office, in an e-mail dated August 8, 2017.

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 CESTB does not intend to review or rely on a study in its evaluation of or justification for any 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 CESTB expects the rulemaking to have minimal economic impact. The CESTB is simply making the rules required by statute. A constable against whom a complaint is made will incur the expense of defending against the complaint. This expense can be avoided by complying fully with A.R.S. § 22-131 and R13-14-103.

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

Name: Tracy Unmacht
Address: 818 N. 1st St. Phoenix, AZ 85004
and
P.O. Box 13116 Phoenix, AZ 85002
Telephone: (602) 343-6280
Fax: (602) 712-1252
E-mail: cestb@azcapitolconsulting.com
Web site: www.cestb.az.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: Wednesday, February 21, 2018
Time: 10:00 a.m.
Location: 818 N. 1st St. Phoenix, AZ 85004

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 CESTB does not issue permits.

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

There is no federal law directly applicable to the subject of these rules.

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 13. PUBLIC SAFETY

CHAPTER 14. CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD

ARTICLE 1. GENERAL PROVISIONS

Section
R13-14-101. Definitions
R13-14-102. Conduct of the Board
R13-14-103. Constable Code of Conduct



ARTICLE 2. COMPLAINTS; HEARINGS; DISCIPLINARY ACTION

Section

- R13-14-201. Filing a Complaint; Jurisdiction
R13-14-202. Complaint Processing
R13-14-203. Hearing Procedures
R13-14-204. Disciplinary Action
R13-14-205. Review or Rehearing of Decision

ARTICLE 3. TRAINING AND EQUIPMENT PROGRAM GRANTS

Section

- R13-14-301. Request for Grant Applications
R13-14-302. Evaluation of Grant Applications

ARTICLE 1. GENERAL PROVISIONS

R13-14-101. Definitions

In this Chapter, unless the context requires otherwise:

- “Board” means the Constable Ethics, Standards, and Training Board established under A.R.S. § 22-136(A).
“Complainant” means a person, other than the Board, that files a complaint regarding a constable.
“Constable” means an individual elected under A.R.S. § 22-102 and any deputy constable appointed, employed, or authorized by the county board of supervisors.
“Party” has the meaning specified at A.R.S. § 41-1001.
“Person” has the meaning specified at A.R.S. § 1-215.
“Respondent” means a constable against whom a complaint is filed.

R13-14-102. Conduct of the Board

- A.** Board members shall elect the officers specified under A.R.S. § 22-136(B) annually. An individual elected as an officer may serve successive terms without limit.
B. The Board shall comply with A.R.S. Title 38, Chapter 3, Article 3.1 regarding open meetings. A person that wishes to have an item placed on the agenda of the Board for discussion and action shall submit the item in writing to the Board at least 48 hours before the Board meeting.
C. A Board member present at a Board meeting in real time by telephone or other electronic means is present for the purpose of determining a quorum.
D. Board members shall comply with A.R.S. Title 38, Chapter 3, Article 8 regarding conflicts of interest.

R13-14-103. Constable Code of Conduct

- A.** A constable shall:
1. Comply with all federal, state, and local law;
 2. Act in a manner that promotes public confidence in the office of constable;
 3. Be honest and conscientious in all professional and personal interactions;
 4. Avoid a conflict of interest, including the appearance of a conflict of interest, in the performance of constable duties;
 5. Perform constable duties without:
 - a. Bias or prejudice; and
 - b. Regard for kinship, social or economic status, political interests, public opinion, or fear of criticism or reprisal;
 6. Maintain accurate public information regarding the performance of the constable’s duties including the daily activity log required under A.R.S. § 11-445;
 7. Provide complete and accurate answers to questions regarding court and other procedures available to an individual who comes in contact with the constable’s office;
 8. Act at all times in a manner appropriate for an elected public official;
 9. Be courteous, patient, and respectful toward all individuals who come in contact with the constable’s office;
 10. Inform an individual who asks for legal advice that as a matter of law, a constable is not allowed to give legal advice while performing the constable’s official duties; and
 11. Comply with all training requirements relating to being a constable.
- B.** A constable shall not:
1. Use or attempt to use the constable position to obtain a privilege or exemption for the constable or any other person;
 2. Use public funds, property, or other resources for a private or personal purpose;
 3. Solicit or accept a gift or favor from any person known to do business with an Arizona justice court;
 4. Solicit or accept payment other than mandated compensation for providing assistance that is part of an official duty;
 5. Use words or engage in other conduct that a reasonable person would believe reflects bias or prejudice based on race, gender, religion, national origin, disability, age, sexual orientation, or socioeconomic status;
 6. Disclose confidential information received in the course of performing an official duty unless disclosure is required by law; or
 7. Use information received in the course of performing an official duty for personal gain or advantage.



ARTICLE 2. COMPLAINTS: HEARINGS: DISCIPLINARY ACTION

R13-14-201. Filing a Complaint: Jurisdiction

- A. A person may submit to the Board a written complaint regarding a constable using the complaint form on the Board’s web site. The complainant shall include in the complaint facts that allege the constable failed to comply fully with A.R.S. § 22-131 or R13-14-103 within the last four years. The complainant may attach to the complaint form any documents or other evidence relevant to the complaint.
- B. When the Board receives a written complaint under subsection (A), the Board shall review the complaint to determine whether the complaint is within the Board’s jurisdiction.
 - 1. The Board shall find a complaint is within the Board’s jurisdiction if the complaint meets the standards in subsection (A). If the Board determines the complaint is within the Board’s jurisdiction, the Board shall process the complaint as described in R13-14-202.
 - 2. The Board shall find a complaint is not within the Board’s jurisdiction if the complaint does not meet the standards in subsection (A). If the Board determines the complaint is not within the Board’s jurisdiction, the Board shall provide notice to the person that submitted the complaint and the constable who was the subject of the complaint.
- C. If the Board obtains information the Board believes may indicate a constable failed to comply fully with A.R.S. § 22-131 or R13-14-103 within the last four years, the Board may initiate a complaint against the constable. If the Board initiates a complaint against a constable, the Board shall process the complaint as described in R13-14-202.

R13-14-202. Complaint Processing

- A. If the Board determines a complaint is within the Board’s jurisdiction, as described under R13-14-201, the Board shall send notice to the respondent and:
 - 1. A copy of the complaint received, including any documents or other evidence attached to the complaint form; and
 - 2. A request that the respondent submit a written response to the allegations in the complaint within 45 days after the date on the notice.
- B. The Board shall review the respondent’s written response and conduct any investigation the Board determines is necessary.
- C. Before allowing review of the complaint investigative file, the Board may redact confidential information.

R13-14-203. Hearing Procedures

- A. Except as modified by this Chapter, the Board shall conduct a hearing regarding a complaint according to the procedures at A.R.S. Title 41, Chapter 6, Article 10 and the rules of the Office of Administrative Hearings at 2 A.A.C. 19.
- B. If the Board finds after a hearing that a complainant is a vexatious litigant, as defined at A.R.S. § 12-3201, the Board may take the same action with regard to the complainant as the Superior Court would be allowed to take under A.R.S. § 12-3201.

R13-14-204. Disciplinary Action

If the Board determines disciplinary action under A.R.S. § 22-137(A)(5) is warranted, the Board shall consider factors including, but not limited to, the following when determining the appropriate discipline:

- 1. Prior disciplinary offenses;
- 2. Dishonest or self-serving motive;
- 3. Pattern of misconduct; multiple offenses;
- 4. Bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the Board;
- 5. Submission of false evidence, false statements, or other deceptive practices during the investigative or disciplinary process;
- 6. Refusal to acknowledge wrongful nature of conduct; and
- 7. Harm caused to a member of the public.

R13-14-205. Review or Rehearing of Decision

- A. A party aggrieved by a Board order or decision may:
 - 1. Seek judicial review of the order or decision under A.R.S. § 12-904; or
 - 2. Except as provided in subsection (G), file a written motion for review or rehearing with the Board not later than 30 days after service of the order or decision. For purposes of this subsection, service is complete on personal service or five days after the date the Board order or decision was mailed to the party’s last known address.
- B. A motion for rehearing or review may be amended at any time before it is ruled on by the Board. A party may file a response within 15 days after service of the motion or amended motion by any other party. The Board may require written briefs regarding the issues raised in the motion and may provide for oral argument.
- C. The Board may grant rehearing or review of a Board order or decision for any of the following causes materially affecting the moving party’s rights:
 - 1. An irregularity in the administrative proceedings of the Board or the prevailing party or any order or abuse of discretion that caused the moving party to be deprived of a fair hearing;
 - 2. Misconduct of the Board or the prevailing party;
 - 3. An accident or surprise that could not be prevented by ordinary prudence;
 - 4. Newly discovered material evidence that could not with reasonable diligence be discovered and produced at the original hearing;
 - 5. An error in the admission or rejection of evidence or other errors of law occurring at the administrative hearing or during the progress of the case; or
 - 6. The order or decision is not justified by the evidence or is contrary to law.
- D. The Board may affirm or modify a Board order or decision or grant a rehearing or review to all or any of the parties, on all or part of the issues, for any of the reasons specified in subsection (C). An order granting a rehearing or review shall specify the grounds on which the rehearing or review is granted, and the rehearing or review shall cover only the matters specified.



- E. Not later than 30 days after a Board order or decision is rendered, the Board may on its own initiative order a rehearing or review of its order or decision for any reason specified in subsection (C). 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.
- F. When a motion for rehearing or review is based on affidavits, the party shall serve the affidavits with the motion. An opposing party may, within 15 days after service, serve opposing affidavits. The Board for good cause or by written agreement of all parties may extend the period for service of opposing affidavits to a total of 20 days. Reply affidavits are permitted.
- G. If the Board finds that the immediate effectiveness of a Board order or decision is necessary to preserve public peace, health, or safety and that a rehearing or review of the Board order or decision is impracticable, unnecessary, or contrary to the public interest, the Board order or decision may be issued as a final order or decision without an opportunity for a rehearing or review. If a Board order or decision is issued as a final order or decision without an opportunity for rehearing or review, any application for judicial review of the order or decision shall be made within the time permitted for final orders or decisions.
- H. A complainant:
 - 1. Is not a party to:
 - a. A Board administrative action, decision, or proceeding; or
 - b. A court proceeding for judicial review of a Board decision under A.R.S. §§ 12-901 through 12-914; and
 - 2. Is not entitled to seek rehearing or review of a Board action or decision under this Section.

ARTICLE 3. TRAINING AND EQUIPMENT PROGRAM GRANTS

R13-14-301. Request for Grant Applications

- A. As required under A.R.S. § 22-138, the Board makes grants for constable training and support and equipment.
- B. The Board shall issue requests for grant applications that meet the standards required under A.R.S. § 41-2702.
- C. The Board shall post the requests for grant applications on the Board's web site at least six weeks before grant applications are due. The Board shall send written notice of the online availability of the requests for grant applications to all constables and any person that has submitted a written request to receive the notice.

R13-14-302. Evaluation of Grant Applications

- A. Members of the Board shall review and evaluate each grant application in a manner consistent with A.R.S. § 41-2702. The Board shall base the Board's decision regarding an application only on the criteria specified in the request for grant applications.
- B. The Board shall vote on each application and award grants at a public meeting.



NOTICES OF FINAL RULEMAKING

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

The final published notice includes a preamble and

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

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

NOTICE OF FINAL RULEMAKING
TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 7. BOARD OF CHIROPRACTIC EXAMINERS

[R17-257]

PREAMBLE

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

- R4-7-502
R4-7-503
R4-7-602
R4-7-801
R4-7-1301
R4-7-1401
R4-7-1403
R4-7-1404

Rulemaking Action

- Amend
Amend
Amend
Amend
Amend
Amend
Amend
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. § 32-904(B)(2)
Implementing statute: A.R.S. § 32-904(B)(2)

3. The effective date of the rule:

January 1, 2018

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

Notice of Rulemaking Docket Opening: 23 A.A.R. 1905, July 14, 2017
Notice of Proposed Rulemaking: 23 A.A.R. 1847, July 14, 2017

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

Name: Justin Bohall, Executive Director
Address: Board of Chiropractic Examiners
1951 W. Camelback, Suite 330
Phoenix, AZ 85015
Address after December 27, 2017: 1740 W. Adams St., Suite 2430, Phoenix, AZ 85007
Telephone: (602) 864-5088
Fax: (602) 864-5099
E-mail: Rules@chiroboard.az.gov
Web site: www.chiroboard.az.gov

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

An exemption from Executive Order 2017-02 was provided for this rulemaking by Mara Mellstrom, Policy Advisor, Governor's Office, in an email dated February 22, 2017.
The Board proposed to amend rules to address: legislative changes, outdated rules, and to reduce the regulatory burden on professionals.
The Board is also proposing to promulgate rules regarding "Percutaneous Therapy" Technique.

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:

Not applicable



- 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:**
This rulemaking does not diminish a previous grant of authority of a political subdivision.
- 9. The summary of the economic, small business, and consumer impact:**
The Board does not anticipate a substantial increase cost to licensees, small businesses or consumers. The Board anticipates that there will be a reduction of cost due to the relieving of regulatory burdens as well as a reduction of the processing times in various applications. The Board expects the rulemaking, which implements a statutory change made by the legislature to have a minimal economic impact. The fees that increased have not been changed for over 20 years.
- 10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**
There have been no changes between the proposed rulemaking and the final rulemaking. The Board may make minor grammatical and technical corrections, as needed.
- 11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to the comments:**
No comments were received regarding the rulemaking. No one presented oral or written comments at the oral proceeding held on August 16, 2017. The record closed at 5:00 p.m. on August 18, 2017.
- 12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**
 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
The rules do not require a permit.
 - b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**
There is no applicable federal law regarding Chiropractors, Chiropractic Business Entities, "Percutaneous Therapy" Technique, or other subjects of the rules.
 - c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
No analysis was submitted.
- 13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
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:**
No rule 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 7. BOARD OF CHIROPRACTIC EXAMINERS**

ARTICLE 5. LICENSES

- Section R4-7-502. Procedures for Processing Initial License Applications
- Section R4-7-503. Renewal License: Issuance, Reinstatement

ARTICLE 6. ~~ACUPUNCTURE CERTIFICATION~~ SPECIALITY CERTIFICATIONS

- Section R4-7-602. ~~Repealed Percutaneous Therapy as Applied to Chiropractic~~

ARTICLE 8. CONTINUING EDUCATION

- Section R4-7-801. Continuing Education Requirements

ARTICLE 13. CHARGES

- Section R4-7-1301. Additional Charges

ARTICLE 14. BUSINESS ENTITIES

- Section R4-7-1401. Application for Business Entity; Qualifications of applicant/Applicant; fee/Fee; background investigations
- Section R4-7-1403. Procedures for Processing Initial Registration Applications
- Section R4-7-1404. Business Entity Registration Renewal: Issuance, Reinstatement



ARTICLE 5. LICENSES

R4-7-502. Procedures for Processing Initial License Applications

- A. An applicant may obtain a license application package at the Board Office on business days, from the Board website, or by requesting that the Board mail the application to an address specified by the applicant. An applicant shall pay the Board a non-refundable \$10 fee for each license application package.
- B. A completed license application package shall be submitted to the Board office on business days. The Board shall deem the license application package received on the date that the Board stamps on the package as the date the package is delivered to the Board office;
- C. To complete a license application package, an applicant shall provide the following information and documentation:
 - 1. Two identical passport quality photographs, ~~measuring three inches by four inches~~, showing the applicant's full front face ~~as the applicant will appear at the time of the examination~~ and a description of identifying characteristics, if any;
 - 2. The applicant's full current name and any former names;
 - 3. The applicant's current home and all office addresses, current home and all office phone numbers, all current office fax numbers, and any previous home or office address or addresses for the past five years;
 - 4. The type of license, for which application is made;
 - 5. All applicable fees, ~~required by A.R.S. §§ 32-921(D) and (E) and 32-922.02(E)~~.
 - 6. A record of education requirements described in A.R.S. § 32-921(B) including the applicant's chiropractic college transcript and the applicant's certificate of attainment of passing scores for Parts I, II, III, and IV of the examination conducted by the National Board of Chiropractic Examiners;
 - 7. Any record of being convicted of, pleading guilty to, or pleading nolo contendere to a misdemeanor or a felony, even if the record of the conviction or plea was sealed or expunged or the conviction was set aside or forgiven, and any record of an arrest, investigation, indictment, or charge within the last 12 months. The applicant shall submit any record of being refused a license to practice chiropractic or any other health care profession in this or any other state, and any record of a formal sanction taken against the applicant's license in this or any other state;
 - 8. A completed fingerprint card;
 - 9. A list of all other states or jurisdictions in which the applicant is or has been licensed or certified to practice chiropractic or any other health care profession with a verification of good standing for each current license or certification submitted directly by the licensing agency of the other state or jurisdiction;
 - 10. The name and professional designation of the owner or owners of the clinic or office at which the applicant will be employed, if applicable;
 - 11. The applicant's Social Security number;
 - 12. The applicant's notarized signature, attesting to the truthfulness of the information provided by the applicant;
 - 13. A score of 75% or higher on the Arizona Jurisprudence Examination. The applicant shall not sit for the Arizona Jurisprudence Examination until the application package is otherwise complete.
- D. Within 25 business days of receiving a license application package, the Board shall notify the applicant in writing that the package is either complete or incomplete. If the package is incomplete, the notice shall specify the information that is missing. If the Board does not provide notice to the applicant, the license application package shall be deemed complete after the passage of 25 business days.
- E. An applicant with an incomplete license application package shall supply the missing information within 60 calendar days from the date of the notice. An applicant who is unable to supply the missing information within 60 calendar days may submit a written request to the Board for an extension of time in which to provide a complete application package. The request for an extension of time shall be submitted to the Board office before the 60-day deadline for submission of a complete application package, and shall state the reason that the applicant is unable to comply with the 60-day requirement and the amount of additional time requested. The Board shall grant a request for an extension of time if the Board finds that the reason the applicant was unable to comply with the 60-day requirement was due to circumstances beyond the applicant's control and that compliance can reasonably be expected to be remedied during the extension of time.
- F. If an applicant fails to submit a complete license application package within the time permitted, the Board shall close the applicant's file and send a notice to the applicant by U.S. Mail that the application file has been closed. An applicant whose file has been closed and who later wishes to become licensed, shall apply anew.
- G. After receiving all missing information as specified in subsection (E), the Board shall notify the applicant that the license application package is complete.
- H. The Board shall render a licensing decision no later than 120 business days after receiving a completed license application package. The Board shall deem a license application package to be complete on the postmarked date of the notice advising the applicant that the package is complete.
- I. An applicant seeking initial licensure by reciprocity under A.R.S. § 32-922.01 shall submit an application to the Board and shall comply with all provisions of R4-7-502 except that the applicant is not required to submit proof of obtaining a passing score on Part IV of the examination conducted by the National Board of Chiropractic Examiners.
- J. An applicant seeking initial licensure by endorsement under A.R.S. § 32-922.03 shall submit an application to the Board and shall comply with all provisions of R4-7-502 except that the applicant is not required to submit proof of obtaining a passing score on Part III & IV of the examination conducted by the National Board of Chiropractic Examiners.
- J.K.** For the purpose of A.R.S. § 41-1073, the Board establishes the following time-frames for initial licenses:
 - 1. Administrative completeness review time-frame: 25 business days.
 - 2. Substantive review time-frame: 120 business days.
 - 3. Overall time-frame: 145 business days.

**R4-7-503. Renewal License: Issuance, Reinstatement**

- A. ~~At least 30 days before a renewal application and renewal fee are due, the Executive Director of the Board shall send by first class mail to a licensee at the licensee's address of record, a renewal application and notice. Under A.R.S. § 32-923(B), an individual licensed under A.R.S. Title 32, Chapter 8, shall renew the license every year before January 1.~~
- B. The licensee renewal application shall be returned to the Board office on a business day. The date of receipt shall be the postmarked date or the date the licensee hand delivers the license renewal application.
- C. To complete a license renewal application, a licensee shall provide the following information and documentation:
1. The licensee's full name;
 2. The licensee's current home and office addresses, current home and all office phone numbers, and all current office fax numbers;
 3. The name and professional designation of the owner or owners of the clinic or office at which the licensee is employed;
 4. The licensee's Social Security number;
 5. A record of any professional disciplinary investigation or sanction taken against the licensee by a licensing board since the licensee last applied for renewal of a license in this or any other state;
 6. A record of any arrest, indictment or charge or any conviction or plea agreement for a misdemeanor or felony since the licensee last applied for renewal of the license;
 7. The renewal fee ~~of \$170.00~~ as required by A.R.S. § 32-923;
 8. Attestation of compliance with the continuing education requirements under A.R.S. § 32-931 and R4-7-801. The licensee shall attest to compliance with continuing education requirements by documenting, on the renewal form, the date or dates the continuing education course was attended, the number of hours of continuing education completed, the qualifying course topic or topics, and the name of the accredited college or university with whom the course instructor is affiliated with as faculty. If the course does not meet the requirements under A.R.S. § 32-931 and R4-7-801, but has been approved by the Board, the applicant shall provide the continuing education course approval number issued by the Board instead of the name of the affiliated college or university;
 9. The licensee's signature attesting to the truthfulness of the information provided by the licensee.
- D. In accordance with A.R.S. § 32-923(C), the Board shall automatically suspend a license if the licensee does not submit a completed application for renewal before January 1 of each calendar year. The Board shall send written notice of the license suspension to the licensee on or before January 20.
- E. The Board shall reinstate a suspended license if the licensee pays the annual license renewal fee, pays an additional fee of ~~\$100~~ \$200 as required by A.R.S. § 32-923(D), and submits a completed license renewal application between January 1, and March 31 of the calendar year for which the license renewal is made.
- F. On or after ~~April~~ July 1 of the calendar year for which a license renewal application was to be made, an individual who wishes to have a suspended license reinstated shall apply for reinstatement in accordance with A.R.S. § 32-923(D).
- G. An application for reinstatement of license ~~may be obtained at the Board office on business days or by requesting that the Board mail one to an address specified by the applicant shall be made on a form and in a manner prescribed by the Board.~~
- H. A completed application for reinstatement of a license shall be submitted to the Board office on a business day. The Board shall deem an application for reinstatement of a license received on the date that the Board stamps on the application as the date it is delivered to the Board office.
- I. To complete an application for reinstatement of license, an applicant shall provide the following information and documentation:
1. The applicant's full current name, suspended license number, and certification number if a specialty certification was held by the licensee;
 2. The applicant's current home and all office addresses, current home and all office phone numbers, and all current office fax numbers;
 3. The name and professional designation of the owner or owners of the office or clinic at which the applicant will be employed;
 4. The applicant's Social Security number;
 5. A list of all other states or jurisdictions in which the applicant is or has been licensed or certified to practice chiropractic or any other health care profession with a verification of good standing for each current license or certification submitted directly by the licensing agency of the other states or jurisdictions;
 6. A list of required continuing education courses completed and certification of course completion;
 7. A record of any professional disciplinary investigation or sanction initiated since the applicant last applied to renew the license;
 8. A record of any arrest, indictment or charge or any conviction or plea agreement for a misdemeanor or a felony since the date of the applicant's last application for licensure;
 9. The applicant's notarized signature attesting to the truthfulness of the information provided by the applicant.
- J. The Board shall process a license reinstatement application in accordance with R4-7502(D) through (J). The Board shall deem the application received on the date that the Board stamps on the application as the date the application is delivered to the Board Office.
- K. The Board shall reinstate or renew a license if:
1. The applicant or licensee has complied with the requirements of this Chapter and A.R.S. § 32-900 et seq.;
 2. The applicant or licensee has not had any professional disciplinary sanction taken against the applicant's or licensee's license by a licensing board since the last application for licensure;
 3. The applicant or licensee has not been convicted of, pled guilty to, or pled nolo contendere to a misdemeanor or a felony since the last application for licensure.
- L. If the provisions of subsection (K) are satisfied, the Board shall issue a license renewal certificate on or before February 1, of each year. The license renewal certificate shall serve as notice that the renewal application is complete and approved.
- M. If there is reason to believe that the provisions of subsection (K) have not been satisfied or that possible grounds for denying the renewal or reinstatement application exist, the Board shall notify the applicant of this possibility within 25 business days of the date that the application is received at the Board office.



- N. An applicant who is so notified that renewal or reinstatement may be denied may provide a written response and shall submit any documentation as required through written notice by the Board within 60 calendar days from the date of the Board's notice. An applicant who is unable to supply the required documentation within 60 calendar days may submit a written request to the Board for an extension of time in which to provide the required documentation. The request for an extension of time shall be submitted to the Board office before the 60-day deadline for submission of the required documentation, and shall state the reason that the applicant is unable to comply with the 60-day requirement and the amount of additional time requested. The Board shall grant a request for an extension of time if the Board finds that the reason the applicant was unable to comply with the 60-day requirement was due to circumstances beyond the applicant's control and that compliance can reasonably be expected to be remedied during the extension of time.
- O. If an applicant fails to submit required documentation within the time permitted, the Board shall issue a notice of intent to deny the renewal application or reinstatement application.
- P. The Board shall make a licensing decision no later than 70 business days after receiving all required documentation as specified in subsection (N). The Board shall deem required documentation received on the date that the Board stamps on the documentation as the date the documentation is delivered to the Board's office.
- Q. For the purpose of A.R.S. § 41-1073, the Board establishes the following time-frames for renewal or reinstatement of licenses:
 1. Administrative completeness review time-frame: 25 business days.
 2. Substantive review time-frame: 70 business days.
 3. Overall time-frame: 95 business days.

ARTICLE 6. ACUPUNCTURE CERTIFICATION SPECIALTY CERTIFICATIONS

R4-7-602. ~~Repeated: Percutaneous Therapy as Applied to Chiropractic~~

- A. "Percutaneous Therapy" means a skilled procedure performed by a Chiropractic Physician that uses a filiform needle to penetrate the skin and produce changes to underlying neural, muscular and other biologic tissues for the evaluation and management of neuromusculoskeletal conditions.
- B. "Percutaneous Therapy" includes the use of electrified needles.
- C. Effective January 1, 2018, A Chiropractic Physician, who wishes to perform the Percutaneous Therapy procedure, shall have met the qualifications established in paragraph (D) before providing "Percutaneous Therapy."
- D. A Chiropractic Physician offering to provide or providing "Percutaneous Therapy" procedure(s) shall provide documented proof of compliance with the qualifications to the Board within 30 days of completion of the course content in paragraph (G - J) or within 30 days of initial licensure as a chiropractic physician in Arizona.
- E. An application for review and approval of a chiropractic physician offering to provide "Percutaneous Therapy" shall be made on a form and in a matter prescribed by the Board. An applicant shall pay the Board a non-refundable \$50 fee for each application package.
- F. An application for approval of a "Percutaneous Therapy" course shall comply with R4-7-801 (E).
- G. The course content shall be approved by one or more of the following entities prior to the course(s) being completed by the Chiropractic Physician.
 1. State of Arizona Board of Chiropractic Examiners
 2. American Chiropractic Association
 3. The Federation of Chiropractic Licensing Boards
 4. International Chiropractic Association
 5. Providers of Approved Continuing Education (PACE)
 6. American Medical Association
 7. American Osteopathic Association
 8. Accreditation Council for Continuing Medical Education (ACCME)
- H. The course content shall include the following components of education and training:
 1. Sterile Needle procedures to include either the U.S. Centers for Disease Control and Prevention, or The U.S. Occupational Safety and Health Administration
 2. Anatomical Review
 3. Blood Borne Pathogens
 4. Indications and Contraindication for "Percutaneous Therapy"
- I. The course content required of this section shall total a minimum of 24 in person contact hours of education.
- J. At the request of a licensee, the Board may:
 1. Review coursework completed prior to January 1, 2018 for approval.
 2. Waive some or all of the hours required by subsection 4, if the licensee presents satisfactory proof of completing course work that constitutes adequate training of "Percutaneous Therapy" or of the components of education and training require for "Percutaneous Therapy".
 3. Determine the licensee has received adequate training to be eligible to perform "Percutaneous Therapy."
 4. Determine that a licensee who has been issued an Acupuncture certification is qualified to perform "Percutaneous Therapy".
- K. The Standard of Care of the "Percutaneous Therapy" procedure includes, but is not limited to the Following:
 1. "Percutaneous Therapy" cannot be delegated to any assistive personnel.
 2. Consent & Documentation for Treatment shall be maintained in accordance with R4-7-101(1) and R4-7-902(5) & (6).
- L. The Board may upon its own motion or on receipt of a complaint may withdraw its approval for a licensee to provide "Percutaneous Therapy" or it may withdraw its approval of a "Percutaneous Therapy" course.
- M. The Board shall keep a register of licensees who have been approved to provide "Percutaneous Therapy".

**ARTICLE 8. CONTINUING EDUCATION****R4-7-801. Continuing Education Requirements**

- A.** To be eligible to renew a license, a licensee shall complete 12 credits of continuing education between January 1 and December 31 of each year, and document compliance with continuing education requirements on the license renewal application as required by R4-7-503(C). Continuing education credit shall be given for a minimum of fifty minutes of continuous study for each class hour. No credit shall be allowed for breaks or for time expended for study outside of the classroom.
- B.** Basic requirements – The primary consideration in determining whether or not a specific course qualifies as acceptable continuing education is that it must be a formal program of learning which will contribute directly to the professional competence of a licensee in the practice of chiropractic. Each course shall be on subjects of clinical benefit to the consumer of chiropractic services.
1. The content of the course, seminar or workshop must be recognized by reputable authorities as having validity, and must conform to the scope of practice for assessment, treatment and diagnosis as authorized under A.R.S. § 32-925 and A.R.S. § 32-922.02.
 2. Instructors shall be qualified by education and/ or experience to provide instruction in the relevant subject matter.
 3. Each licensee is responsible for determining in advance that the course which he or she attends qualifies for continuing education credit under this Article.
- C.** A licensee shall only obtain continuing education credit by:
1. Attending a course, (which includes a seminar or workshop), through a provider and on a subjects that have been pre-approved by the Board.
 2. Participating in the development of, or proctoring the National Board of Chiropractic Examiners (NBCE) examinations. Continuing education credits earned in this manner are calculated as one credit hour for each hour of participation in the development of the NBCE examination for a maximum credit of eight hours per year, and one credit hour for each hour proctoring the NBCE exam for a total of eight hours per year. A licensee shall obtain a certificate of participation from the National Board of Chiropractic Examiners to verify compliance with this provision.
 3. By teaching a post-graduate course that has been pre-approved by the Board for continuing education credit under this Section as a faculty member of a college or university that is accredited by or is in good standing with the Council on Chiropractic Education or is accredited by an accrediting agency recognized by the United States Department of Education or the Private Postsecondary Education Board during the renewal year. Continuing education credits earned in this manner are calculated as one credit of continuing education for each hour of post-graduate course instruction. A maximum of six credits of continuing education credit may be earned in this manner annually.
 4. By completing a post-graduate mediated instruction or programmed learning course pre-approved by the Board through an accredited college or university that meets the requirements of A.R.S. § 32-931(B). Mediated instruction and programmed learning refers to learning transmitted by intermediate mechanisms such as webinar or other internet delivered courses that are structured to confirm 50 minutes of continuous instruction for each credit hour received. A licensee shall obtain a certificate of program completion from the accredited college or university to verify compliance with this provision.
- D.** The following are predetermined to meet Board approval as providers for continuing education. Additional approval is not required, nor should it be expected. An application submitted for a course that falls under this subsection shall be returned to the applicant without a review and subsection (E) does not apply. Coursework provided by these entities is approved as meeting continuing education requirements only for those subjects listed in subsections (J) and (K) of this Section. Preapproval does not include mediated instruction or programmed learning courses.
1. A college or university that meets the requirements of A.R.S. § 32-921(B)(2)(a), the American Chiropractic Association and the International Chiropractors Association, with qualified instructors and that provide courses that meet the subject requirements under subsections (J) or (K).
 2. CPR training provided or sponsored by the American Heart Association, the American Red Cross, or an entity that meets equivalent standards of the American Heart Association and the American Red Cross. A maximum of four credits of continuing education credit may be earned in this manner annually.
 3. Participation in the development of or proctoring the NBCE examinations.
- E.** Prior approval is required for all course providers not mentioned in subsection (D) and for all mediated instruction or programmed learning courses regardless of subsection (D). A provider applying for approval of a continuing education course shall submit a complete application to the Board at least 60 days prior to the anticipated initial date of the course if submitted by internet, or 75 days if provided in hard copy form. The Board shall notify the applicant in writing that the package is either complete or incomplete. If the package is incomplete, the notice shall specify the information that is missing and the applicant must submit the missing information within 10 days of the notice. The Board will not approve a course if a complete application has not been submitted at least 15 business days prior to the initial date of the course identified in the initial application. If the applicant changes the initial date of the course or the course content or the instructors, it shall be considered a new application. A complete application shall include:
1. The name, dates, and locations of the course.
 2. The number of hours requested for approval.
 3. The subjects of the course, broken down by the specific time of instruction in/of each subject.
 4. A course description including the content, explicit written objectives identifying expected learner outcomes for each section of the course and teaching method (i.e. lecture, discussion, PowerPoint, internet, webinar).
 5. A detailed, hour by hour syllabus identifying the subject of instruction for each hour, with the instructor for each section identified. If less than an hour is dedicated to a subject, the syllabus shall identify the number of minutes dedicated to instruction on that subject.
 6. A resume or curriculum vitae for each instructor and an attestation of the following:
 - a. Licenses for all instructors are currently in good standing.
 - b. No instructor has had a license placed on probation or restricted within the past five years in this or any other jurisdiction.



- c. No instructor has ever had a license suspended or surrendered for unprofessional conduct or revoked in this or any other jurisdiction.
 - d. No instructor has had a license application or renewal denied for unprofessional conduct.
 - e. No instructor has been convicted of a misdemeanor involving moral turpitude or a felony in this or any other jurisdiction.
 - 7. Documentation of license in good standing for each instructor for each state in which the instructor has or currently holds a license, if applicable. If an instructor is currently under investigation by a regulatory agency or is under investigation for, or been charged with, a criminal offence, the applicant shall disclose the investigation or charge and shall provide all relevant records.
 - 8. One letter of reference for each course instructor from a person familiar with the instructor’s qualifications as an instructor and education and/or experience in the relevant subject.
 - 9. Identification of a sponsor, if applicable, and disclosure of any connection between the provider and/or instructor and/or sponsor of any commercial relationship and/or any external entity giving financial support to the course. If the course does have a sponsor, a completed sponsor/program provider agreement for continuing education, signed and notarized by a responsible party must be provided with the application.
 - 10. Documentation of the method by which attendance will be monitored, confirmed and documented.
 - 11. The name and contact information for the attendance certifying officer with an attestation that the certifying officer is supervised by the applicant provider and a description of the supervision method employed to confirm that the certifying officer is performing the duty of monitoring and confirming attendance.
 - 12. Attestation that each course hour consists of no less than 50 minutes of continuous instruction and that credit is not provided for breaks.
 - 13. The non-refundable fee required under R4-7-1301 for each course, whether individual or included in a program of multiple courses.
 - 14. The name, address, telephone number, fax number and e-mail of a contact person.
 - 15. Any other information required or requested by the Board.
 - 16. If the course is a mediated instruction or programmed learning course, a detailed description of the method used to confirm that the participant was engaged in 50 minutes of continuous instruction for each credit hour awarded.
 - 17. The Board may require that the applicant provide additional information in support of the application if the course qualifications are not clearly demonstrated through the materials provided.
 - 18. At the request of a provider, the Board may review courses for retroactive approval and waive the requirement of 60 days, if the following requirements are met:
 - a. The provider submits an application for retroactive course approval.
 - b. Pays the nonrefundable retroactive application fee of \$50.00.
 - c. The course was provided no more than 12 months prior to the application being submitted.
 - d. Meets all other requirements of this section.
- F.** The Board shall approve a continuing education course if the applicant has submitted a complete application to the Board’s satisfaction within the time-frame required by this chapter and has demonstrated the following:
- 1. The course complies with this Chapter.
 - 2. The course instructor is faculty at an accredited college or university that meets the requirements of A.R.S. § 32-921(B)(2)(a) or demonstrates equivalent qualifications through postgraduate study and experience teaching postgraduate coursework. An instructor must:
 - a. Hold an applicable license in good standing.
 - b. Shall not have had a license placed on probation within the last five years.
 - c. Shall not ever have had a license suspended, surrendered for unprofessional conduct or revoked.
 - d. Shall not have had a license application or renewal denied for unprofessional conduct.
 - e. Shall not or been convicted of a felony in this or any other jurisdiction.
 - 3. The course instructor is qualified by education and experience to provide instruction in the relevant subject matter.
 - 4. The subject of the course qualifies under subsections (D)(2) and (3), (J) and (K).
 - 5. The course demonstrates attendance and/or monitoring procedures. Monitoring procedures must provide confirmation that a licensee was engaged in 50 minutes of continuous study for each credit hour.
- G.** The Board shall not approve a continuing education course if the applicant fails to submit a complete application within the time-frame required by this Chapter or if:
- 1. The course does not qualify under this Chapter.
 - 2. The course subject does not qualify for continuing education credit under subsections (D)(2) and (3), (J) and (K).
 - 3. The instructor’s does not qualify as per subsection (F)(2).
 - 4. The instructor’s references do not support the qualifications of the instructor as per subsection (F).
 - 5. The course primary focus is to promote a product or service.
 - 6. The course requires participants to purchase a product or service.
 - 7. The course has no significant relationship to the assessment, diagnosis or treatment of patients within the scope of practice of chiropractic as defined under A.R.S. §§ 32-925 and 32-922.02.
 - 8. The content cannot be verified.
 - 9. The course refutes generally accepted medical care and treatment and/or instructs participants to encourage patients to stop taking medication and/or stops participating in generally accepted medical care or fails to qualify under subsection (K).
- H.** A course approved by the Board pursuant to subsections (E) and (F) shall be issued an approval number. Once approved, a course provider shall:
- 1. Provide course attendees with a certificate confirming course participation. The certificate shall: a.) include the name of the college or university through which the course was completed, or the course approval code issued by the Board, if applicable, b.) the name and Arizona license number of the attendee, c.) the name of the course provider, the course subject matter, d.) the name



- of the course if different than the subject matter listed, e.) the date and location of the course, and the number of hours of continuing education completed.
2. Maintain a list of all course attendees for a minimum of five years after each date that the course is held, and shall provide a copy of the list to the board within 10 days of a written request to do so.
 3. Maintain a copy of the course syllabus and stated learning objectives, a list of instructors and documentation of the name, location and date of the course for a minimum of five years and shall provide the Board with a copy these materials within 10 days of a written request to do so.
 4. Monitor course attendance by each attendee in a manner that confirms that the attendee was present and participating in the course for a continuous 50 minutes for each hour of continuing education credited.
 5. Notify the Board immediately of concerns or problems that may arise regarding the approved course, to include discipline being imposed on the license of an instructor or an instructor being convicted of a criminal offense.
 6. Reapply for Board approval every two years no later than the first day of the month in which the course was initially approved, and every time the subject of the course changes and/or there is a change in instructors that does not include an instructor already approved by the Board. Failure to reapply as per this subsection shall disqualify the course for ongoing continuing education credit.
 7. Not represent that the course is sanctioned or promoted by the state of Arizona Board of Chiropractic Examiners. The provider may state that the course meets the continuing education requirements as per A.R.S. § 32-931. If the course has been directly approved by the Board, the provider may display the Board's course approval number.
- I.** The Board may monitor a continuing education provider's compliance with continuing education statutes and rules as follows:
1. The Board may request any or all documentation as per Section (H) of this rule from a board-approved Continuing education provider for any course registered for license renewal to ensure compliance with this rule.
 2. A representative of the Board may attend any approved continuing education course for the purpose of verifying the content of the program and ensuring compliance with the Board's continuing education rules at no charge to the Board representative.
 3. If the Board finds that a course or provider is not compliant with the Continuing statutes or rules, has misrepresented course content or instructors in an application, failed to obtain new approval for a course with a change in subject or instructor or failed to pay the course fee, the Board may withdraw its approval for continuing credit for the course and/or the provider. The withdrawal of approval shall be effective upon written notification to the provider's contact of record by the Board.
 4. The Board shall notify a provider that it will consider withdrawal of course approval and provide the date, time and location of the meeting at which the matter will be discussed and possible action taken.
 5. If approval is withdrawn, the Board shall notify the provider of the reasons for withdrawal of approval.
 6. The provider shall notify all Arizona licensees who attended the course that any course hours obtained through the course cannot be used for continuing education credit of license renewal in the State of Arizona. If a provider fails to provide appropriate notice to Arizona licensed attendees, within ten business days of written notice from the Board that course approval has been withdrawn, that provider shall not be considered for approval of continuing education credit in the future. The notice to the Arizona licensed attendees must be made by certified mail in order to establish documentation that the requirement was met.
- J.** Course subjects approved for continuing education for renewal of an Arizona chiropractic license are:
1. Adjusting techniques;
 2. Spinal analysis;
 3. Physical medicine modalities and therapeutic procedures as defined in A.R.S. § 32-900(7) and (8);
 4. Record keeping and documentation;
 5. Ethics;
 6. CPR;
 7. Public health;
 8. Communicable diseases;
 9. Sexual boundaries;
 10. Emergency procedures;
 11. Acupuncture;
 12. Nutrition;
 13. Examination;
 14. Assessment and diagnostic procedures to include physical, orthopedic, neurological procedures;
 15. Radiographic technique;
 16. Diagnostic imaging and interpretation;
 17. Laser as permitted by law;
 18. Clinical laboratory procedures limited to urine collection, fingerpicks and venipuncture (not to be confused with evaluation of lab reports);
 19. Anatomy;
 20. Physiology;
 21. Bacteriology;
 22. Chiropractic orthopedics and neurology;
 23. Chemistry;
 24. Pathology;
 25. Patient management;
 26. Evidence-based clinical interventions models;
 27. Symptomatology;
 28. Arizona jurisprudence; ~~and;~~
 29. ~~Participation in National Board of Chiropractic Examiners examination development or administration of examinations.~~



- 29. Billing & Coding;
- 30. Recognition of substance abuse in a patient and Substance Abuse and Mental Health Services Administration Topics; and
- 31. Participation in National Board of Chiropractic Examiners examination development or administration of examinations.
- K. In addition to the subjects in subsections (A), (C), (D) and (J), courses for the purpose of recognizing, assessing and determining appropriate referral or collaborative treatment of complex conditions, including but not limited to cancer, autism, multiple sclerosis, diabetes, and developmental disorders, for the purpose of co-management of the patient’s condition with qualified medical providers shall qualify for continuing education credit.
- L. The following subjects shall not qualify for continuing education for the purpose of license renewal and shall not be approved by the Board:
 - ~~1.~~ ~~Billing, coding;~~
 - ~~2.~~ Malpractice defense;
 - ~~3.~~ Practice management;
 - ~~4.~~ Risk management;
 - ~~5.~~ Promotion of a product or a service or a requirement that attendees purchase a product or service;
 - ~~6.~~ Strategies to increase insurance payments;
 - ~~7.~~ Administrative or economic aspects of a practice;
 - ~~8.~~ Motivational courses;
 - ~~9.~~ Legal courses other than pre-approved Board jurisprudence;
 - ~~10.~~ Anti-aging;
 - ~~11.~~ Hormone treatment;
 - ~~12.~~ Aroma therapy;
 - ~~13.~~ Stress management;
 - ~~14.~~ Psychological treatment;
 - ~~15.~~ HIPAA;
 - ~~16.~~ Homeopathic practice that exceeds A.R.S. § 32-925;
 - ~~17.~~ Professional or business meetings, speeches at luncheons, banquets, etc.;
 - ~~18.~~ Subject matter that exceeds the assessment, diagnosis and treatment of patients within the scope of practice of chiropractic as defined in this chapter;
 - ~~19.~~ Any course without a significant relationship to the safe and effective practice of chiropractic under A.R.S. § 32-925 and A.R.S. § 32-922.02;
 - ~~20.~~ And any course that involves a distance learning format or materials if the course has not been pre-approved by the board and issued a board approval number;
- M. A licensee’s compliance with subsections (A), and (C), shall include the following coursework in order to renew a license.
 - 1. Each licensee shall complete a minimum of two hours of continuing education in recordkeeping for every even numbered year.
 - 2. Each person who is issued a new license to practice chiropractic in Arizona on or after January 1, 2013 is required to attend three hours of a single regularly scheduled Board meeting within the first year of residence in Arizona. The licensee cannot distribute the three hours of Board meeting attendance over two or more Board meetings. The licensee shall notify the Board in writing within ten days of moving to Arizona. The meeting attendance must be pre-scheduled and pre-approved by Board staff. Continuing education credit will not be awarded if the licensee is attending the meeting as a subject of an investigation or other Board review or if the licensee fails to properly schedule attendance as per this Section. This subsection does not pertain to any person who has had a license to practice chiropractic in Arizona issued prior to January 1, 2013.
- N. The Board shall grant an extension of 90 days to comply with the continuing education requirements to a qualified licensee. To qualify for an extension, a licensee shall:
 - 1. Timely file a license renewal application and renewal fee; and
 - 2. Submit a written request for an extension no later than December 1 of the current renewal year, including evidence of good cause why the continuing education requirements cannot be met by December 31 of the current renewal year.
- O. The following reasons constitute good cause for the Board to grant an extension of time to comply with the continuing education requirements:
 - 1. The licensee lived in a country where there was no accredited chiropractic college, or a college that meets the requirements of R4-7-702, for at least seven months during the year that the continuing education requirements are to be met;
 - 2. The licensee was in active military service for at least seven months during the year that the continuing education requirements are to be met; or
 - 3. The licensee was not able to complete the continuing education requirements because of a documented disability of the licensee or the licensee's spouse, child, or parent.
- P. If the Board grants an extension of time to complete the required 12 hours of continuing education requirements, 12 hours of required continuing education credits obtained during the 90-day extension shall be applied to meet only the requirements for which the extension is granted. A licensee shall not report those 12 hours of continuing education credit earned during a 90-day extension for a subsequent renewal year.

ARTICLE 13. FEES

R4-7-1301. Additional Charges

- ~~A.~~ ~~The Board shall collect charges for services as follows:~~
 - ~~1. Annual license renewal fee: \$170.00;~~
 - ~~2. Copies of public records: \$0.25 per page, with a minimum fee of \$2.00;~~
 - ~~3. Directories or labels: \$40.00;~~
 - ~~4. Annual subscription for meeting minutes: \$70.00;~~



5. ~~Agendas: \$25.00 for an annual subscription or \$2.00 per agenda;~~
 6. ~~Recordings of Board meetings: \$5.00 per disc or tape;~~
 7. ~~Lists of licensees, applicants, chiropractic assistants: \$0.05 per name, with a minimum fee of \$2.00;~~
 8. ~~Hard copy credential verification: \$2.00 per name;~~
 9. ~~Verification of license status: \$25.00;~~
 10. ~~Continuing education course review for approval: \$50.00;~~
 11. ~~Jurisprudence booklet: \$10.00;~~
 12. ~~Duplicate renewal receipt: \$5.00;~~
 13. ~~Duplicate ornamental license: \$20.00;~~
 14. ~~Duplicate ornamental certificate: \$20.00; and~~
 15. ~~Penalty for insufficient funds check submitted to Board as payment of fee or other charge: \$25.00.~~
- A. The Board shall collect charges for services as follows:
1. Annual license renewal fee: \$225.00;
 2. Licensure by Examination & Reciprocity Application Fee: \$325.00
 3. Licensure by Endorsement Application Fee: \$500.00
 4. Specialties Certification Application Fee: \$125.00
 5. Issuance Fee: \$125.00
 6. Copies of public records: \$0.25 per page, with a minimum fee of \$2.00;
 7. Directories or labels: \$40.00;
 8. Annual subscription for meeting minutes: \$70.00;
 9. Agendas: \$25.00 for an annual subscription or \$2.00 per agenda;
 10. Recordings of Board meetings: \$5.00 per disc or tape;
 11. Lists of licensees, applicants, chiropractic assistants: \$0.05 per name, with a minimum fee of \$2.00;
 12. Hard copy credential verification: \$2.00 per name;
 13. Verification of license status: \$25.00;
 14. Continuing education course review for approval: \$50.00;
 15. Jurisprudence booklet: \$10.00;
 16. Renewal Receipt: \$5.00;
 17. Ornamental License: \$20.00;
 18. Ornamental Certificate: \$20.00; and
 19. Penalty for insufficient funds check submitted to Board as payment of fee or other charge: \$25.00.
- B. All charges are non-refundable, except if A.R.S. § 41-1077 applies.
- C. The fees in this Section pertain regardless of the method by which the document is delivered.

ARTICLE 14. BUSINESS ENTITIES

R4-7-1401. Application for Business Entity; Qualifications of ~~applicant~~ Applicant; ~~fee~~ Fee; ~~background investigations~~

- A. A business entity that wishes to operate a clinic, franchise, business, club, or any other entity which uses the services of a licensed doctor of chiropractic to provide a service, supervise the provision of services, act as clinical director or otherwise perform any function under a person's chiropractic license (doctor of chiropractic) shall submit a complete application to the Board at least sixty days prior to the intended implementation of engaging the services of a licensed doctor of chiropractic. A business entity that uses the services of a doctor of chiropractic as defined in this subsection prior to the effective date of these rules shall submit a complete application to the Board no later than ten days from the effective date of these rules. A business entity shall not engage the services of a doctor of chiropractic as noted in this section until the Board has approved and issued the registration. The registration shall serve as a license for the purpose of compliance with this Chapter.
- B. "Owner, officer or director" means any person with a fiscal or an administrative interest in the business entity, regardless of whether the business is a for-profit or non-profit affiliation.
- C. To be eligible for business entity registration, the applicant owners, officers or directors shall:
1. Be of good character and reputation.
 2. Have obtained a license or a permit to conduct a business under applicable law and jurisdiction.
- D. The Board may deny registration to a business entity if:
1. The business entity fails to qualify for registration.
 2. An owner, an officer or a director has had a license to practice any profession refused, revoked, suspended, surrendered or restricted by a regulatory entity in this or any other jurisdiction for any act that constitutes unprofessional conduct pursuant to this Chapter.
 3. An owner, an officer or a director is currently under investigation by a regulatory entity in this or any other jurisdiction for an act that may constitute unprofessional conduct pursuant to this Chapter.
 4. An owner, an officer or a director has surrendered a license for an act that constitutes unprofessional conduct pursuant to this Chapter in this or any other jurisdiction.
 5. An owner, an officer or a director has been convicted of criminal conduct that constitutes grounds for disciplinary action pursuant to this Chapter.
 6. The business entity allows or has allowed any person to practice chiropractic without a license or fails or failed to confirm that a person that practices chiropractic is properly licensed.
 7. The business entity allows or has allowed a person who is not a licensed doctor of chiropractic and who is not a chiropractic assistant to provide patient services according to this Chapter.
- E. The applicant shall pay to the Board a nonrefundable application fee of \$400.00.



~~F. In order to determine an applicant business entity's (applicant) eligibility for approval, the Board may require the business entity's owners, officers or directors to submit a full set of fingerprints to the Board. The Board shall submit the fingerprints to the department of public safety for the purpose of obtaining a state and federal criminal records check pursuant to section A.R.S. 41-1750 and Public Law 92-544. The department of public safety may exchange this fingerprint data with the federal bureau of investigation. The Board shall charge each applicant a fee that is necessary to cover the cost of the investigation. The Board shall forward this fee to the department of public safety.~~

R4-7-1403. Procedures for Processing Initial Registration Applications

- A. ~~An application for Business Entity Registration shall be made on a form and in a manner prescribed by the Board. An applicant may obtain an application package at the Board Office on a business day, or by requesting that the Board send the application to an address specified by the applicant.~~
- B. A completed business entity registration application package shall be submitted to the Board office on a business day. The Board shall deem the business entity application package received on the date that the Board stamps on the package as the date the package is delivered to the Board office.
- C. To complete a business entity application package, an applicant shall provide the following information and documentation:
 - 1. The full current name and any former names and title of any and all owners, officers or directors.
 - 2. The current home and all office addresses, current home and all office phone numbers, all current office fax numbers, and any previous home or office addresses for the past five years for each owner, officer or director.
 - 3. The business name and the current addresses, phone numbers and fax numbers for each office, clinic or other setting where any service is performed, supervised or directed by a licensed doctor of chiropractic according to R4-7-1401(A) and this Chapter.
 - 4. The non-refundable application fee of four hundred dollars.
 - 5. The name and license number of each doctor of chiropractic employed with, contracted with, or otherwise affiliated with the business entity according to R4-7-1401(A) and this Chapter.
 - 6. ~~A completed fingerprint card for each owner, officer or director.~~
 - 7. ~~Copies of any and all contracts or any other agreement between the business entity and the doctor of chiropractic, to include employment or franchise contracts, agreements or equivalent.~~
 - 8-6. Any record of an owner, officer or director being convicted of, pleading guilty to, or pleading nolo contendere to a misdemeanor or a felony, even if the record of the conviction or plea was sealed or expunged or the conviction was set aside or forgiven, and any record of an arrest, investigation, indictment, or charge that has not been concluded.
 - 9-7. Any record of an owner, officer or director being refused a license to practice chiropractic or any other profession in this or any other jurisdiction, and any record of a disciplinary action taken against an owner, officer or director's license in this or any other jurisdiction.
 - 10-8. The social security number for each owner, officer, or director.
 - 11-9. A government issued photo identification confirming U.S. citizenship or legal presence in the United States for each owner, officer or director, or if those individuals reside outside of the United States, confirmation of legal authority to operate a business in the United States.
 - 12-10. A copy of the written protocol required by A.R.S. § 32-934(G).
 - 13-11. The name, phone number and address for a contact person.
 - 14-12. A notarized signature for each owner, officer or director attesting to the truthfulness of the information provided by the applicants. A stamped signature will not be accepted for the purposes of completing the application.
- D. Within 25 business days of receiving a business entity registration application package, the Board shall notify the applicant in writing that the package is either complete or incomplete. If the package is incomplete, the notice shall specify the information that is missing.
- E. An applicant with an incomplete business entity registration application package shall supply the missing information within 30 calendar days from the date of the notice. An applicant who is unable to supply the missing information within 30 calendar days may submit a written request to the Board for an extension of time in which to provide a complete application package. The request for an extension of time shall be submitted to the Board office before the 30-day deadline for submission of a complete application package, and shall state the reason that the applicant is unable to comply with the 30-day requirement and the amount of additional time requested. The Board shall grant a request for an extension of time if the Board finds that the reason the applicant was unable to comply with the 30-day requirement was due to circumstances beyond the applicant's control and that compliance can reasonably be expected to be remedied during the extension of time.
- F. If an applicant fails to submit a complete business entity registration application package within the time permitted, the Board shall close the applicant's file and send a notice to the applicant by U.S. Mail that the application file has been closed. An applicant whose file has been closed and who later wishes to become registered shall reapply pursuant to R4-7-1401 and R4-7-1403.
- G. After timely receipt of all missing information as specified in subsection (E), the Board shall notify the applicant that the application package is complete.
- H. The Board shall render a decision no later than 120 business days after receiving a completed registration application package. The Board shall deem a registration application package to be complete on the postmarked date of the notice advising the applicant that the package is complete.
- I. The Board shall approve the registration for a business entity that meets all of the following requirements:
 - 1. Timely submits a complete application.
 - 2. The Board does not find grounds to deny the application under subsection R4-7-1401(D).
 - 3. Pays the original business entity prorated renewal fee of seventeen dollars per month from the first day of the month the business entity is registered through May 31 plus \$25 for each duplicate license issued by the Board for the purpose of compliance with R4-7-1402.
- J. For the purpose of A.R.S. § 41-1073, the Board establishes the following time-frames for initial registration:
 - 1. Administrative completeness review time-frame: 25 business days.



2. Substantive review time-frame: 120 business days.
3. Overall time-frame: 145 business days.

R4-7-1404. Business Entity Registration Renewal: Issuance, Reinstatement

- A. A business entity registration expires on ~~May 31~~ June 1 of each year.
- B. ~~At least 30 days before a renewal application and renewal fee are due, the executive director of the Board shall send a business entity a renewal application and notice by first class mail to its address of record for the business entity contact person. Under A.R.S. §32-934(C), a Business Entity Registered under A.R.S. Title 32, Chapter 8, shall renew the registration every year before June 1.~~
- C. The business entity registration renewal application shall be returned to the Board office on a business day. The Board shall deem the business entity registration renewal application package received on the date that the Board stamps on the package as the date the package is delivered to the Board office.
- D. To complete a registration renewal application, a business entity shall provide the following information and documentation:
 1. The name of the business entity.
 2. The current addresses, phone numbers, and fax numbers for each facility requiring registration under this Chapter.
 3. Notice of any change of owners, officers or directors, to include any additions and/or deletions with the date of the change for each individual, and notice of any change in home address, office address and phone numbers for owners, officers or directors with the date of the change for each individual.
 4. The name and license number of each doctor of chiropractic employed with, contracted with, or otherwise affiliated with the business entity per Section R4-7-1401(A), to include any affiliation through a franchise.
 5. The record of any professional disciplinary investigation or action taken against an owner, officer or director in this or any other jurisdiction within the last 12 months.
 6. Any record of an owner, officer or director being convicted of, pleading guilty to, or pleading nolo contendere to a misdemeanor or a felony, even if the record of the conviction or plea was sealed or expunged or the conviction was set aside or forgiven, within the last 12 months and any record of an arrest, investigation, indictment within the last 12 months.
 7. A statement attesting that the contract or any other form of agreement with the doctors of chiropractic has not changed, or if the contract or agreement has changed, a copy of any new or amended contract or agreement.
 8. Report any change in the status of the business entity's license or permit to own and operate a business in the State of Arizona.
 9. The renewal fee of \$200 plus a \$25 fee for each duplicate Board issued renewal certificate for the purpose of compliance with R4-7-1402. A business entity applying for renewal for the first time shall pay a prorated fee according to A.R.S. § 32-934(C).
 10. The name, address, phone number, fax number and email for a contact person.
 11. The original signature of the delegated contact person attesting to the truthfulness of the information provided by the business entity. All owners, officers or directors also remain responsible for the accuracy and truthfulness of the application. A stamped signature will not be accepted for the purpose of a complete application.
- E. A business entity registration shall automatically expire if the business entity does not submit a completed application for renewal, the renewal fee and the fee for duplicate renewal certificates for the purpose of complying with R4-7-1402 before June 1 of each registration period. The Board shall send written notice to the business entity that its registration has expired on or before June 20. A business entity shall not use the services of a licensed doctor of chiropractic according to R4-7-1401(A) if the business entity's registration has expired.
- F. The Board shall reinstate an expired business entity registration if the business entity pays the annual renewal fee, the additional fee for duplicate certificates for the purpose of compliance with R4-7-1402, pays an additional non-refundable late fee of \$200 as required by A.R.S. § 32-934(C), and submits a completed renewal application between June 1, and ~~June~~ July 30 of the registration period for which the business entity registration renewal is made.
- G. On or after ~~July~~ August 1 of the registration period for which a renewal application was to be made, a business entity that wishes to have an expired registration reinstated shall apply in accordance with subsection (L).
- H. If the business entity fails to timely submit a complete business entity reinstatement application within 6 months of the date the registration expired, the business entity's registration shall lapse. "Lapse" means that the business entity is no longer registered and cannot offer services per this Chapter.
- I. A business entity that has had a registration lapse and that later wishes to become registered must apply as a new candidate pursuant to R4-7-1401 and R4-7-1403.
- J. An application for reinstatement of business entity registration ~~may be obtained from the Board office on business days or by requesting that the Board send one to an address specified by the applicant.~~ shall be made on a form and in a manner prescribed by the Board.
- K. A completed application for reinstatement of a business entity registration shall be submitted to the Board office on a business day. The Board shall deem an application for reinstatement of a business entity registration received on the date that the Board stamps on the application as the date it is delivered to the Board office.
- L. To complete an application for reinstatement of a registration, a business entity shall provide the following information and documentation:
 1. The business entity's name and expired registration number.
 2. The current addresses, phone numbers, and fax numbers for each facility requiring registration under this Chapter.
 3. The names, home addresses, office addresses and phone numbers for each owner, officer or director.
 4. The name and license number of each doctor of chiropractic employed with, contracted with or otherwise affiliated with the business entity according to R4-7-1401(A) and this Chapter, to include franchises.
 5. The record of any professional disciplinary investigation or action taken against an owner, officer or director in this or any other jurisdiction.
 6. Any record of an owner, officer or director being convicted of, pleading guilty to, or pleading nolo contendere to a misdemeanor or a felony, even if the record of the conviction or plea was sealed or expunged or the conviction was set aside or forgiven, within the last 12 months and any record of an arrest, investigation, indictment, or charge within the last 12 months, to include new owners, officers or directors.



- 7. A statement attesting that the contract or other agreement with the doctors of chiropractic has not changed, or if the contract or agreement has changed, a copy of the new or amended contract or agreement.
- 8. Report any change in the status of the business entity's license or other permit to own and operate a business in the State of Arizona.
- 9. The non-refundable renewal fee of \$200 and a \$25 fee for each Board issued duplicate renewal certificate for the purpose of compliance with R4-7-1402.
- 10. The non-refundable late fee of \$200.
- 11. The name, phone number, fax number and email for a contact person.
- 12. The original signature of the delegated contact attesting to the truthfulness of the information provided by the business entity. All owners, officers or directors also remain responsible for the accuracy and truthfulness of on application. A stamped signature will not be accepted for the purpose of completing an application.
- M. The Board shall process a business entity registration reinstatement application in accordance with R4-7-1403(D) through (G).
- N. The Board shall reinstate or renew a business entity registration if:
 - 1. The business entity has timely submitted a complete application and paid all fees.
 - 2. The business entity has complied with the requirements of this Chapter and A.R.S. § 32-900 et seq.
 - 3. The Board does not find grounds to deny the application under subsection (D).
 - 4. The business holds a current business license or other permit to own and operate the business in the State of Arizona.
- O. If the provisions of subsection (N) are satisfied, the Board shall issue a business registration renewal certificate. The renewal certificate shall serve as notice that the renewal application is complete and approved.
- P. The Board shall make a decision no later than 70 business days after receiving all required documentation as specified in subsection (N). The Board shall deem required documentation received on the date that the Board stamps on the documentation as the date the documentation is delivered to the Board's office.
- Q. For the purpose of A.R.S. § 41-1073, the Board establishes the following time-frames for registration renewal or reinstatement of registration:
 - 1. Administrative completeness review time-frame: 25 business days.
 - 2. Substantive review time-frame: 70 business days.
 - 3. Overall time-frame: 95 business days.

NOTICE OF FINAL RULEMAKING
TITLE 13. PUBLIC SAFETY
CHAPTER 1. DEPARTMENT OF PUBLIC SAFETY
CRIMINAL IDENTIFICATION SECTION

[R17-258]

PREAMBLE

- 1. **Article, Part, or Section Affected (as applicable)** **Rulemaking Action**
 R13-1-502 Amend
 R13-1-504 Amend
- 2. **Citations to the agency's statutory authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. § 41-1713(A)(4)
 Implementing statute: A.R.S. § 41-1750(K)
- 3. **The effective date of the rules:**
 February 10, 2018
 - a. **If the agency selected a date earlier than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**
 The Department is not requesting an earlier implementation date.
 - b. **If the agency selected a date later than the 60 days effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(B):**
 The Department is not requesting a later implementation date.
- 4. **Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**
 Notice of Rulemaking Docket Opening: 22 A.A.R. 2910, October 7, 2016
 Notice of Proposed Rulemaking: 23 A.A.R. 2166, August 11, 2017
- 5. **The agency's contact person who can answer questions about the rulemaking:**
 Name: Captain Alan Haywood
 Address: Department of Public Safety
 POB 6638, Mail Drop 1205
 Phoenix, AZ 85005-6638
 Telephone: (602) 223-2500
 E-mail: ahaywood@azdps.gov



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

The Department is amending the rules to include modern electronic formats in addition to traditional paper and to provide less burdensome fee payment requirements by cash and methods; including electronic payment. Additionally, the Department has developed the least burdensome fee schedule possible to accurately reflect the current costs the Department incurs to provide public records in traditional paper and modern electronic formats. The option for payment by personal check was eliminated. This rulemaking establishes those fees and standards.

The Department was granted an exception to the rulemaking moratorium contained in Executive Orders 2016-03 and 2017-2 in an e-mail from Mr. Tim Roemer, Governor's Office, dated September 1, 2016 and March 27, 2017.

7. A reference to any study relevant to the rule that the agency reviewed and proposes to either 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:

The Department did not rely on any external study in its evaluation of or justification for the rule.

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

Not applicable

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

The Department intends to amend R13-1-502 and R13-1-504 to allow for electronic delivery methods, establish fees for electronic delivery methods, and reduce some existing fees. Persons affected by the rule changes include, private citizens, insurance companies, third party resellers, attorneys, and media outlets. The Department will bring in less revenue as a result of lower fees, but the fees collected are still expected to support their units. The number of full-time employees in these units are not expected to change. Political subdivisions are not affected as governmental agencies are not charged for departmental reports. Currently, the department is aware of seven small businesses buying Department accident reports and reselling them. These businesses would receive a benefit as they will have additional delivery methods available to them and a reduction of fees for reports larger than 9 pages.

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

The Department made no changes between the proposed rulemaking and the final rulemaking.

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

The Department held an oral public comment proceeding on September 19, 2017, as identified in the Notice of Proposed Rulemaking and there were no public attendees. The Department did not receive any public or stakeholder comments either orally or in writing in response to the proposed rulemaking.

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

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

The rules do not require a general permit.

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

There is no corresponding applicable federal law to the rules.

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:

The Department has not received an analysis that compares the rule's impact of competitiveness of business in this state to the impact on business in other states.

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

Not applicable

14. Whether the rule previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-4-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:

The rule was not previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

**TITLE 13. PUBLIC SAFETY
CHAPTER 1. DEPARTMENT OF PUBLIC SAFETY
CRIMINAL IDENTIFICATION SECTION**

ARTICLE 5. DEPARTMENT RECORDS



Section

- R13-1-502. Charges for Copies of Traffic Accident Reports and Photographs
- R13-1-504. Charges for Copies of Offense, Arrest, or Incident Reports and Other Types of Departmental Reports

ARTICLE 5. DEPARTMENT RECORDS

R13-1-502. Charges for Copies of Traffic Accident Reports and Photographs

- A. The charges for copies of traffic accident reports and photographs are:
 1. ~~For traffic accident reports, \$9.00 for nine pages or less and one dollar for each additional page over nine; Charges for a copy of a traffic accident report by method of delivery:~~
 - a. ~~Paper—\$9.00 for nine pages or less and \$0.10 for each additional page exceeding nine.~~
 - b. ~~Fax—\$9.00 up to 20 pages.~~
 - c. ~~Electronic mail—\$9.00 up to five megabytes.~~
 - d. ~~Compact disk—\$10.00 up to 700 megabytes. Additional reports may be delivered on a single compact disk for \$9.00 each.~~
 2. ~~\$4.00 per photograph; and Charges for a copy of a traffic accident photograph by method of delivery:~~
 - a. ~~Printed photograph—\$4.00 each.~~
 - b. ~~Photographic contact sheet—\$10.00 each.~~
 - c. ~~For all photographs associated by a single report delivered by compact disk or digital versatile disk—\$15.00 up to 4.7 gigabytes.~~
 3. ~~\$10.00 per photo contact sheet.~~
- B. A person shall mail ~~fees payment to the Department~~ Department's Records Unit, Mail Drop 3111, P.O. Box 6638, Phoenix, AZ 85005-6638 in the form of a cashier's check, money order, or a business check payable to the Arizona Department of Public Safety. If paying in person at the Department's Public Records Unit, 2222 West Encanto Boulevard, Phoenix, AZ 85009, the person shall pay with a cashier's check, money order, business check, ~~exact change in cash, or personal check if accompanied by valid picture identification~~ or in cash. If paying through an electronic payment system, as instructed on the Department's website www.azdps.gov, the person shall pay with electronic funds.

R13-1-504. Charges for Copies of Offense, Arrest, or Incident Reports and Other Types of Departmental Reports

- A. ~~Charges for copies of Offense, Arrest, or Incident reports are \$9.00 for nine pages or less and \$1.00 for each additional page over nine. The charges for a copy of an offense, arrest, incident, and other types of departmental reports by method of delivery are:~~
 1. ~~Paper—\$9.00 for nine pages or less and \$0.10 for each additional page exceeding nine.~~
 2. ~~Fax—\$9.00 up to 20 pages.~~
 3. ~~Electronic mail—\$9.00 up to five megabytes.~~
 4. ~~Compact disk—\$10.00 up to 700 megabytes. Additional reports may be delivered on a single compact disk for \$9.00 each.~~
 5. ~~Digital versatile disk—\$15.00 up to 4.7 gigabytes.~~
 6. ~~Flash drive—\$20.00 up to eight gigabytes.~~
 7. ~~External drive—\$100.00 up to one terabyte.~~
- B. A person shall mail ~~charges payment to the Department~~ Department's Public Records Unit, Mail Drop 3240, P.O. Box 6638, Phoenix, AZ 85005-6638 in the form of a cashier's check, money order, or a business check payable to the Arizona Department of Public Safety. If paying in person at the Department's Public Records Unit, 2222 West Encanto Boulevard, Phoenix, AZ 85009, the person shall pay with a cashier's check, money order, business check, or ~~exact change~~ in cash. If paying through an electronic payment system as instructed on the Department's website www.azdps.gov, the person shall pay with electronic funds.

NOTICE OF FINAL RULEMAKING

TITLE 21. CHILD SAFETY

CHAPTER 8. DEPARTMENT OF CHILD SAFETY

FOSTER HOME AND CHILD WELFARE AGENCY FACILITY SAFETY

[R17-259]

PREAMBLE

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

R21-8-101	Amend
R21-8-112	Amend
R21-8-113	Amend
2. **Citations to the agency's statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):**

Authorizing statute: A.R.S. § 8-453(A)(5)

Implementing statutes: A.R.S. §§ 8-504, 8-505, and 8-509
3. **The effective date of the rule:**

December 12, 2017

 - a. **If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**

The Department requests that the rules become effective immediately upon filing with the Secretary of State. The final rules will preserve the public peace, health, or safety.
 - b. **If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include**



the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):

Not applicable

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

Notice of Rulemaking Docket Opening: 22 A.A.R. 3198, November 11, 2016

Notice of Proposed Rulemaking: 22 A.A.R. 3181, November 11, 2016

Notice of Supplemental Rulemaking: 23 A.A.R. 1025, May 5, 2017

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

Name: Kathryn Blades, Deputy General Counsel

Address: Department of Child Safety
3003 N. Central Ave.
Phoenix, AZ 85012

Telephone: (602) 255-2527

E-mail: Kathryn.blades@azdcs.gov

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

The proposed amended rules pertain to fire and pool safety. The justification for this regular rulemaking is A.R.S. § 41-1026(A)(1) and (A)(5). The current rules do not enable homes with a bedroom that leads into a pool enclosure to be licensed as foster homes or residential group care facilities. The Department seeks to amend the rules to permit this circumstance, as long as safeguards are met for applicable state law, county code, or municipal ordinances. The current rules may impact the number of foster homes available, as this design is common in residential housing, and can unfairly preclude interested applicants from meeting current licensing requirements and becoming licensed to provide foster care. Further, the Department is in need of more licensed foster homes to protect the health and wellbeing of the children in Arizona.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did 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

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

Not applicable

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

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

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

R21-8-101 added to the final rulemaking definitions to terms "animal or doggie door" and "pool enclosure" which are terms used in the proposed and supplemental rulemaking.

R21-8-112(6)(c) language and formatting in the final rulemaking was amended in order for the rule to read clearer than language in the proposed and supplemental rulemaking. It now reads as follows: "Identify two routes of evacuation from each bedroom on every floor used by individuals residing in or receiving care in the home. At least one of the exit routes for these bedrooms shall lead leads directly to the outside of the home, ~~but shall not lead into an area that serves as a pool enclosure; If that exit leads into an area that serves as a pool enclosure, an individual six years of age or less receiving care in the home shall not reside in that bedroom. i. If the exit is a window, it shall be secured with a latching device located a minimum of 54 inches above the floor; or ii. If the exit is a door, it shall be locked at all times with a latching devise or lock located a minimum of 54 inches above the floor. If there is no quick release mechanism on the lock, it must comply with the provisions of R21-8-112(11), and a key for the deadbolt shall be located a minimum of 54 inches above the floor. Bedroom doors that lead into an area that serves as a pool enclosure shall comply with this Section and also be self-closing and self-latching. Such doors that are hinged shall also swing outward from the pool area.~~

R21-8-112(8) added two missing words inadvertently left out in the proposed rulemaking. It is changed to read: Each bedroom used by a foster child or child in a residential group care facility receiving care or services has two exits to the outside. This change is reflected in the supplemental notice and the final notice.

R21-8-113(A) amended the term "licensee" to "provider" in the final rulemaking in order to provide clarity and consistency of terms. It now reads as follows: "The provisions of this Section apply to each Child Welfare Agency residential group care facility and ~~licensee~~ provider."

R21-8-113(B)(2)(h)(ii): The Supplemental rulemaking amends the proposed rulemaking to allow a bedroom which exits to a pool area to be occupied by a child who is in care and age seven and above. Supplemental rulemaking added "under the age of seven" while the final rulemaking amends it to "six years of age or less" and now reads as follows: "A door from the home does not open within the enclosure, ~~unless it is a bedroom door in a bedroom not occupied by an individual six years of age or less receiving care and~~ Such such a door cannot be opened by a foster child six years of age or less or child in a residential group care facility because



it is either permanently locked as required in R21-8-112(6)(c)(ii) or barricaded inoperable. Any key shall not be accessible to a foster child six years of age or less or child in a residential group care facility;”

R21-8-113(B)(2)(h)(iii): The Supplemental Rulemaking adds “under the age of seven” while the Final Rulemaking changes the terms to “six years of age or less” and now reads as follows: “A window located in a room that is designated as a bedroom for a foster child six years of age or less or child in a residential group care facility shall not open into the pool enclosure; or shall be permanently locked and not used for egress; and”

R21-8-113(B)(2)(h)(iv): The Proposed and Supplemental Rulemaking incorrectly cites to R21-8-122(c)(ii). Final Rulemaking includes the correct citation to read as R21-8-112(6)(c)(ii) and adds the word “or” in the sentence. Final rulemaking also amends the Proposed and Supplemental Rulemaking which proposed to remove “permanently” and “to open no more than four inches” from the following: “Other windows that open into the pool enclosure are permanently secured to open no more than four inches; or as required in R21-8-112(6)(c)(i).” However, after further review, the Department determined language would remain.

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

Rule	Date and Source	Comment	Response
Pool fence rule	Christie Kelley Friday, November 18, 2016	I currently am affected by the pool fence rule and have been forced to change my licensing age to 7 and up. Since my youngest is 8 and keeping foster children younger than my youngest works best with my family this severely restricts the age of kids we can serve. Up until the rule change I have served 0-6 aged children. Currently the bedrooms in question are utilized by only my two teenagers that are perfectly able to escape a pool fence enclosure. I was allowed previously to have a ladder available in the pool enclosure to aid escape. Which was a perfect accommodation. Since my yard is small moving the pool fence for safe escape would then violate no climbing obstacles within 3 feet rule (our air conditioners which are not easily moved). I would be so happy if this rule was changed back so my family can serve young children again. I think the reality of very small yards and many homes with pools should allow for persons aged 12 and up who are physically able to escape a pool enclosure with a ladder should be allowed in bedrooms opening to pool areas. Or who are mentally able to use a key or combo on pool fence lock to unlock fence from inside enclosure should be allowed. Teens are probably more physically able than an adult to climb a pool fence in any circumstance. Please change this rule to allow families like mine to better serve more foster children in need.	The Department is considering this proposal along with other changes for a possible future rulemaking.
	Suzanne Pallas, LMSW Foster Care Supervisor Christian Family Care Wednesday, November 30, 2016	I would support this amended rule as far as foster homes are concerned. I don’t feel comfortable speaking to its impact on Residential Group homes since that does not affect us. This is rule was introduced in January of this year and it affected several families. It deterred some families from renewing their license and others from getting their license. I think the perception of all the “new rules” in January from the Foster Families perspective was that OLR was making it difficult for them to be a licensed foster family. I read this as they are wanting to amend the rule they established in January and eliminate it. As long as the family has a locked gate around the pool (which is already currently required) and the fire escape plan does not take them out the window that leads to the pool, I think families would be appreciative to see this. That being said, families that had to made costly and big adjustments to bring their home in compliance may be frustrated. . . . but moving forward, it would be nice to eliminate it.	Purpose of this change is to prevent other families from incurring unnecessary expenses. However the rules are necessary to ensure the safety of children in foster care.



<p>R21-8-112 and R21-8-113 Fire Safety, Evacuation and Pool Safety</p>	<p>Sue Lowther Training Manager</p> <p>AASK - Aid to Adoption of Special Kids</p> <p>Friday, December 09, 2016</p>	<p>Regarding the suggested amendment to the Fire Safety and Pool Safety rules, AASK would advocate that the rules be amended to allow a child in care, who is age seven or older, and does not have a Developmental Disability, to be allowed to sleep in a room where the second method of egress exits into the pool fence enclosure. Since a child who is seven or older could reside in a home with an unfenced pool, the logic would hold that a child that age could also sleep in a bedroom where the second exit was into a pool fence enclosure. Thank-you for your consideration.</p>	<p>The Department is considering this proposal along with other changes for a possible future rulemaking.</p>
	<p>Bahney Dedolph, Director of Communications & Programs</p> <p>Arizona Council of Human Service Providers</p> <p>Monday, December 12, 2016</p>	<p>I, want first to thank the Department for actually getting closer to right this time on the whole suggestions around pool fences. We certainly support any kind of rule changes that are going to create a more home-like and yet still safe environment. Our concern is in the implementation as always and that's been our concern all along is around the implementation and the consistent implementation. So we're happy to say we finally support something around the rules. So thank you.</p>	<p>The Department has worked extensively both internally and with partners to improve the implementation of Chapter 8 rules.</p>
<p>R21-8-112, and R21-8-113</p>	<p>Jacob Schmitt, MPA Chief Compliance Officer & Director of Quality</p> <p>Arizona's Children Association</p> <p>Tuesday, December 13, 2016</p>	<p>Arizona's Children Association is in agreement with the proposed Rule changes to R21-8-112, and R21-8-113 to allow a home to have an exit in a bedroom leading to a pool enclosure and to create parameters for this allowance. Continued safety in the home is of primary importance; the restrictions on who may reside in the room, and the additional physical safeguards for exit doors and windows make this rule change acceptable.</p> <p>We would like to note that there remain financial implications for families interested in becoming licensed as foster families because of these regulations. Reverting doors that exit to a pool enclosure to swing inwards and reconfiguring doors to become self-closing and self-latching may have a financial impact on families.</p>	<p>The Department acknowledges compliance will have some financial impact on families. This is also true of municipal codes.</p> <p>The Department is attempting, with the proposed rule changes, to relieve foster care providers of unnecessary financial impacts.</p>
<p>No rule</p>	<p>Del McArdle Citizen</p> <p>Thursday, June 8, 2017</p>	<ul style="list-style-type: none"> • Against warrantless seizing of children. DCS should obtain a warrant before seizing children. It's unconstitutional. • Exigency exemption to the 4th Amendment, that is for seizing children from real emergency when kids are going to be suffering harm or death. • DCS policy department should stop the gross injustice because kids are dying. • Pressure should be placed on Greg McKay to respect the kids' God given rights. • DCS can't go to school and seize kids. Parents have the 14th Amendment's right to legal due process before a child is seized. 	<p>The Department did not have a response as the comment was not in reference to the rules at hand.</p>



<p>Pool fence rules</p>	<p>Bahney Dedolph, Director of Communications & Programs</p> <p>Arizona Council of Human Service Provid- ers</p> <p>Thursday, June 8, 2017</p>	<ul style="list-style-type: none"> • Tucson newspaper article in which children of foster parents were interview. A young person said foster parent licensing requirements, most parents don't meet with their own kids and made like parents don't have common sense. • Thinks changes with the pool fence and bedrooms is a tremendous step forward in showing some common sense and is appreciated. • Some remaining room for improvement that she was not sure it is necessarily a rule change but perhaps a rules interpretation. • Wants family foster homes to be family homes and not treat them as institutions. • Want foster parents to be able to be parents and not staff to the children in care. • The first aid kit continues to be an issue and wanted to confirm if a 10 dollar first aid kit purchased meets the first aid kit requirements. • There is a greater consistency in the life safety inspectors. • There is a better understanding from foster parents on what is expected. 	<p>The rule does not reference a first aid kit as the supplies can be purchased individually or as part of a kit. The requirement is that the foster parent's residence have first aid supplies available. OLR has trained several agencies regarding the first aid supplies a foster home should have available in the home.</p> <p>The Department went over the first aid kit the commentator brought to the oral proceeding and alerted the commentator to the supplies missing in that specific kit.</p>
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12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

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

Not applicable

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

42 U.S.C. 671. The rules are not more stringent than federal law.

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

Not applicable

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:

On October 2, 2017 a Notice of Renewal of Emergency Rulemaking was published in the *Arizona Register*.

R21-8-101 added to the final rulemaking definitions to terms "animal or doggie door" and "pool enclosure" which are terms used in the proposed and supplemental rulemaking.

R21-8-112(6)(c): The final rulemaking differs from the emergency rulemaking to allow a bedroom which exits to a pool area to be occupied by a child who is in care and age seven and above. It adds "six years of age or less" language. The final rulemaking makes edits to formatting and language for clarity and consistency purposes. The final rulemaking now reads as follows: "c. Identify two routes of evacuation from each bedroom on every floor used by individuals residing in or receiving care in the home. At least one of the exit routes for these bedrooms shall lead leads directly to the outside of the home, but shall not lead into an area that serves as a pool enclosure; If that exit leads into an area that serves as a pool enclosure, an individual six years of age or less receiving care in the home shall not reside in that bedroom and i. If the exit is a window, it shall be secured with a latching device located a minimum of 54 inches above the floor; or ii. If the exit is a door, it shall be locked at all times with a latching devise or lock located a minimum of 54 inches above the floor. If there is no quick release mechanism on the lock, it must comply with the provisions of R21-8-112(11), and a key for the deadbolt shall be located a minimum of 54 inches above the floor. Bedroom doors that lead into an area that serves as a pool enclosure shall comply with this Section and also be self-closing and self-latching. Such doors that are hinged shall also swing outward from the pool area."

R21-8-112(8): The final rulemaking adds missing word inadvertently left out in the emergency rulemaking. It is changed to read: Each bedroom used by a foster child or child in a residential group care facility receiving care or services has two exits to the outside.

R21-8-113(A): The final rulemaking amends the term "licensee" to "provider" in order to provide clarity and consistency of terms. It now reads as follows: "The provisions of this Section apply to each Child Welfare Agency residential group care facility and licensee provider."

R21-8-113(B)(2)(h)(ii): The final rulemaking differs from the emergency rulemaking to allow a bedroom which exits to a pool area to be occupied by a child who is in care and age seven and above. It adds "six years of age or less" to now read as follows: "A door from the home does not open within the enclosure, unless it is a bedroom door in a bedroom not occupied by an individual six years of age or less receiving care and Such such a door cannot be opened by a foster child six years of age or less or child in a residential group care facility because it is either permanently locked as required in R21-8-112(6)(c)(ii) or barricaded inoperable."



Any key shall not be accessible to a foster child six years of age or less or child in a residential group care facility;”

R21-8-113(B)(2)(h)(iii): The final rulemaking differs from the emergency rulemaking by adding “six years of age or less” for it to now read as follows: “A window located in a room that is designated as a bedroom for a foster child six years of age or less or child in a residential group care facility shall not open into the pool enclosure; or shall be permanently locked and not used for egress; and”

R21-8-113(B)(2)(h)(iv): Final rulemaking also differs from emergency rulemaking which removed “permanently” and “to open no more than four inches” from the following: “Other windows that open into the pool enclosure are permanently secured to open no more than four inches; or as required in R21-8-112(6)(c)(i).” However, after further review, the Department determined language would remain.

15. The full text of the rules follows:

**TITLE 21. CHILD SAFETY
CHAPTER 8. DEPARTMENT OF CHILD SAFETY
FOSTER HOME AND CHILD WELFARE AGENCY FACILITY SAFETY**

ARTICLE 1. LIFE SAFETY INSPECTIONS

Section	
R21-8-101.	Definitions
R21-8-112.	Fire Safety and Evacuation Plan Requirements
R21-8-113.	Pool Safety

ARTICLE 1. LIFE SAFETY INSPECTIONS

R21-8-101. Definitions

The definitions in R21-6-101 apply to this Article, except the following terms are defined as:

1. “Animal or doggie door” means a small portal in a wall, window, or human door to allow pets to enter and exit a house on their own without a person to open the door.
- ~~1-2.~~ “Home” means a foster home or Child Welfare Agency residential group care facility where the provider is licensed to provide care to a foster or privately placed child in a residential group care facility.
- ~~2-3.~~ “Pool” means any natural or man-made body of water located at a home or on its premises that:
 - a. Could be used for swimming, recreational, therapeutic, or decorative purposes;
 - b. Is greater than 18 inches in depth; and
 - c. Includes swimming pools, spas, hot tubs, fountains, and fishponds.
4. “Pool enclosure” means a fence or barrier surrounding a pool and meets the requirements of R21-8-113 (B)(2).
- ~~3-5.~~ “Premises” means:
 - a. The home; and
 - b. The property surrounding the home that is owned, leased, or controlled by the provider.
- ~~4-6.~~ “Provider” means a licensed foster parent or Child Welfare Agency residential group care facility, and applicants for these licenses.

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

The provider shall ensure:

1. The premises is free of obvious fire hazards, such as defective heating equipment, or improperly stored flammable materials. Household heating equipment must be equipped with appropriate safeguards, maintained as recommended by the manufacturer.
2. Flammables and combustibles are stored more than three feet from water heaters, furnaces, portable heaters, fire-places, and wood-burning stoves.
3. If the premises has a working fireplace or wood-burning stove, it is protected by a fire screen sufficient to shield the room from open flames and flying embers.
4. A functioning fire extinguisher with a rating of “2A 10BC” or greater is available near the kitchen area. If the home has multiple levels at least one functioning fire extinguisher with a rating of “2A 10BC” or greater is available on each level.
5. At least one UL approved and working smoke detector is installed:
 - a. In the main living or program area of the setting;
 - b. In each bedroom, if overnight care is provided; and
 - c. On each level of a multiple-level setting.
6. A written emergency evacuation plan is developed and maintained in the home, to provide guidance on the safe and rapid evacuation of the home. An emergency evacuation plan shall:
 - a. Be reviewed with the child within 72 hours of placement in the home and posted in a prominent place in the home;
 - b. Identify multiple exits from the home;
 - c. Identify two routes of evacuation from each bedroom on every floor used by individuals residing in or receiving care in the home. At least one of the exit routes for these bedrooms shall lead leads directly to the outside of the home, but shall not lead into an area that serves as a pool enclosure; If that exit leads into an area that serves as a pool enclosure, a child six years of age or less receiving care in the home shall not reside in that bedroom.
 - i. If the exit is a window, it shall be secured with a latching device located a minimum of 54 inches above the floor; or
 - ii. If the exit is a door, it shall be locked at all times with a latching device or lock located a minimum of 54 inches above the floor. If there is no quick release mechanism on the lock, it must comply with the provisions of R21-8-112(11), and



a key for the deadbolt shall be located a minimum of 54 inches above the floor. Bedroom doors that lead into an area that serves as a pool enclosure shall comply with this Section and also be self-closing and self-latching. Such doors that are hinged shall also swing outward from the pool area.

- d. Identify the location of fire extinguishers and fire evacuation equipment, including rope or chain ladders, and emergency lighting, as applicable;
 - e. Designate a safe central meeting place close to the home, known to the child, at a safe distance from potential danger;
 - f. Be maintained in the home to review with individuals residing in or receiving care in the home; and
 - g. Include the placement of equipment, such as a ladder, that can be safely used by the individuals residing in each upstairs bedroom that have been identified with fire exits.
7. All windows identified as fire exits, must have enough space for an adult to move through.
 8. Each bedroom used by a foster child or child in a residential group care facility receiving care or services has two exits to the outside.
 - a. One exit shall be a path through the premises and leading to a door that opens to the outside. A garage door that opens either manually by lifting or with an automatic opener shall not be accepted as an exit.
 - b. Another exit shall be a window or door within the bedroom that opens directly to the outside.
 9. Premises authorized to provide care or services to five or more children shall train staff and children in evacuation procedures and conduct emergency drills at least every three months as prescribed in this subsection.
 - a. Practice drills shall include actual evacuation of children to safe areas, outside, and beyond the home.
 - b. Drills shall be held at random times and under varying conditions to simulate the possible conditions in case of fire or other disaster.
 - c. All persons in the home shall participate in the drill.
 - d. Records shall be maintained for each emergency drill and shall include:
 - i. Date and time of drill;
 - ii. Total evacuation time;
 - iii. Exits used;
 - iv. Problems noted; and
 - v. Measures taken to ensure that a foster child or a child in a residential group home facility understand the purpose of a drill and his or her responsibilities during a drill.
 10. The exit routes for the home are clear of obstruction that could prevent safe and rapid evacuation.
 11. The locks on exterior doors and windows, including the front door, screen doors, and bars on windows, are equipped with a quick release mechanism. A quick release mechanism is a lock that can be opened from inside the setting without special knowledge (such as a combination) or equipment (such as a key). The Department may grant an exception to this requirement for a double-key deadbolt on a door if:
 - a. There is breakable glass within 40 inches of the interior locking mechanism;
 - b. There is another exit with a quick release mechanism on the same level of the premises; and
 - c. The key for the deadbolt is permanently maintained in a location that is:
 - i. Within six feet of the locking mechanism;
 - ii. Accessible to all household members;
 - iii. Reviewed with persons residing in or receiving care in the home; and
 - iv. Identified on the emergency evacuation plan, specified in subsection (6).
 12. The address for the home is posted and visible from the street, or the local emergency response team, such as the local fire department, is notified of the location of the home in writing, with a copy of this notification maintained in the home.
 13. Providers must maintain a comprehensive list of emergency telephone numbers, including poison control, and post those numbers in a prominent place in the home.

R21-8-113. Pool Safety

- A. The provisions of this Section apply to each Child Welfare Agency residential group care facility and ~~licensee~~ provider.
- B. For a home that has a pool, and provides care to a child six years of age or less, or an individual with a Developmental Disability, the provider shall ensure the following:
 1. That the pool complies with A.R.S. § 36-1681 and all local municipal codes to the extent not inconsistent with this Section.
 2. A fence or barrier meeting the following requirements is maintained between the pool and the home, or any building used to provide care and supervision.
 - a. The exterior side of the fence or barrier is at least five feet high;
 - b. If the barrier is a chain link fence or lattice, each opening in the mesh measures less than 1 3/4 inches horizontally. Chicken wire and other light gauge wire are prohibited as a primary fencing material for the pool;
 - c. If the barrier is a fence constructed of vertical bars or wooden slats, the openings between bars or slats measure less than four inches;
 - d. The exterior side of the barrier is free of hand holds or foot holds or other means that could be used to climb over it and if it has a horizontal component spaced at least 45 inches, measured vertically;
 - e. The gate to the enclosure is locked, except when in use and there is an adult within the enclosure to supervise the pool and spa area;
 - f. The connection between the panels of the fence cannot be separated without a key or a tool;
 - g. The fence is secured to the ground or has sufficient tension to prevent the fence from being lifted more than four inches from the ground;
 - h. If the home or building to provide care or supervision constitutes part of the enclosure:
 - i. The enclosure does not interfere with safe egress from the home;



- ii. A door from the home does not open within the pool enclosure, unless it is a bedroom door in a bedroom not occupied by an individual six years of age or less receiving care and ~~Such~~ such a door cannot be opened by a foster child six years of age or less or child in a residential group care facility because it is either ~~permanently~~ locked as required in R21-8-112(6)(c)(ii) or barricaded inoperable. Any key shall not be accessible to a foster child six years of age or less or child in a residential group care facility;
 - iii. A window located in a room that is designated as a bedroom for a foster child six years of age or less or child in a residential group care facility shall not open into the pool enclosure; or shall be permanently locked and not used for egress; and
 - iv. Other windows that open into the pool enclosure are permanently secured to open no more than four inches; or as required in R21-8-112(6)(c)(i).
 - v. Animal or doggie doors shall not open directly into the pool enclosure.
- 3. A pool shall have its methods of access through the barrier equipped with a safety device, such as a bolt lock:
 - a. Gates should be self-closing and self-latching, maintained in good repair, and open out or away from the pool.
 - b. The gate latch is at least 54" above the ground and is equipped with a key or combination lock.
 - 4. If the swimming pool cannot be emptied after each use, the pool must have a working pump and filtering system.
 - 5. Hot tubs and spas must have safety covers that are locked when not in use.
 - 6. Hot tubs and spas that are drained must be disconnected from the power and water source and have safety covers that are always locked.
- C. No change
 - D. No change
 - E. No change
 - F. No change



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
CONSTABLE ETHICS, STANDARDS AND TRAINING BOARD

[R17-260]

- 1. Title and its heading: 13, Public Safety
Chapter and its heading: 14, Constable Ethics, Standards and Training Board
Article and its heading: 1, General Provisions; 2, Complaints; Hearings; Disciplinary Action; 3, Training and Equipment Program Grants
Section numbers: R13-14-101 through R13-14-103, R13-14-201 through R13-14-205, and R13-14-301 through R13-14-302

2. The subject matter of the proposed rule: The Constable Ethics, Standards and Training Board (CESTB) was established at A.R.S. § 22-136 in 2006. Under A.R.S. § 22-137, the CESTB is required to make rules regarding constables, complaints, investigations and hearings, discipline, and training grants. The CESTB has made some informal rules but has never made the rules using the required Arizona Administrative Procedure Act, even though the CESTB is not exempt from the APA. In this rulemaking, the CESTB makes the required rules. An exemption from Executive Order 2017-02 was provided for this rulemaking by Mara Mellstrom, Policy Advisor in the Governor's Office, in an e-mail dated August 8, 2017.

3. A citation to all published notices relating to the proceeding: Notice of Proposed Rulemaking: 23 A.A.R. 3529, December 29, 2017 (in this issue)

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Tracy Unmacht
Address: 818 N. 1st St.
Phoenix, AZ 85004
and
P.O. Box 13116
Phoenix, AZ 85002
Telephone: (602) 343-6280
Fax: (602) 712-1252
E-mail: cestb@azcapitolconsulting.com
Web site: www.cestb.az.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 is included in the Notice of Proposed Rulemaking that starts on page 3529 of this issue.

6. A timetable for agency decisions or other action on the proceeding, if known:

See page 3529 of this issue.



NOTICES OF SUBSTANTIVE POLICY STATEMENT

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

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

Substantive policy statements are advisory only. A substantive policy statement does not include internal procedural documents that only affect an agency's internal

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

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

NOTICE OF SUBSTANTIVE POLICY STATEMENT BOARD OF BEHAVIORAL HEALTH EXAMINERS

[M17-301]

1. **Title of the Substantive Policy Statement and the substantive policy statement number by which the substantive policy statement is referenced:**
2017-01 Supervision Acquired in Another State by an Applicant for Arizona Licensure
2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
December 1, 2017
3. **Summary of the contents of the substantive policy statement:**
R4-6-403, R4-6-503, R4-6-603, R4-6-705 and R4-6-211 establish the requirements for acquiring supervised work experience for applicants for independent licensure. The substantive policy clarifies eligibility for supervision acquired outside the state of Arizona.
4. **Federal or state constitutional provision; federal or state statute, administrative rule, or regulation; or final court judgment that underlies the substantive policy statement:**
Not applicable
5. **A statement as to whether the substantive policy statement is a new statement or a revision:**
New statement
6. **The agency contact person who can answer questions about the substantive policy statement:**
Name: Donna Dalton
Address: Board of Behavioral Health Examiners
1740 W. Adams St., Suite 3600
Phoenix, AZ 85007
Telephone: (602) 542-1811
Fax: (602) 364-0890
E-mail: donna.dalton@azbbhe.us
Web site: www.azbbhe.us
7. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
A person may obtain a copy of the substantive policy statement by contacting the individual listed in item 6, or visiting the Board's website at www.azbbhe.us.



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 2017-02

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

[M17-23]

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2017, as a notice to the public regarding state agencies' rulemaking activities.

WHEREAS, burdensome regulations inhibit job growth and economic development;

WHEREAS, job creators and entrepreneurs are especially hurt by red tape and regulations;

WHEREAS, all government agencies 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 of 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 eliminate rules that are antiquated, redundant or otherwise no longer necessary for the operation of state government.
3. All directors of state agencies subject to this Order shall engage their respective regulated or stakeholder communities to solicit comment on which rules the regulated community believes to be overly burdensome and not necessary to protect consumers, public health, or public safety. Each agency shall submit a report regarding the aforementioned information to the Governor's Office no later than September 1, 2017.
4. 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.
5. 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.



6. This Executive Order expires on December 31, 2017.

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this Eleventh day of January in the Year Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

ATTEST:

Michele Reagan
SECRETARY OF STATE

REGISTER INDEXES

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

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 RULEMAKING

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

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C = Corrections to Published Rules

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R3-8-202.	FXM-1949; RC-1976	R3-8-402.	RC-1976	R3-7-102.	PM-895; FM-2280
R3-8-203.	FXM-1949; RC-1976	R3-8-403.	FXM-1949; RC-1976	R3-7-103.	PM-895; FM-2280
		R3-8-404.	RC-1976	R3-7-104.	PM-895; FM-2280
		R3-8-405.	FXM-1949; RC-1976	R3-7-108.	PM-895; FM-2280
		R3-8-406.	FXM-1949; RC-1976	R3-7-109.	PM-895; FM-2280
		R3-8-407.	FXM-1949; RC-1976	R3-7-110.	PM-895; FM-2280
		R3-8-408.	RC-1976		
		R3-8-409.	RC-1976		
		R3-8-410.	RC-1976		
		R3-8-411.	RC-1976		

Table 1.	PM-895; FM-2280	R3-7-718.	PM-895; FM-2280	R3-7-1005.	PM-895; FM-2280
R3-7-201.	PM-895; FM-2280	R3-7-749.	PM-895; FM-2280	R3-7-1007.	PM-895; FM-2280
R3-7-203.	PM-895; FM-2280	R3-7-750.	PM-895; FM-2280	R3-7-1008.	PM-895; FM-2280
R3-7-302.	PM-895; FM-2280	R3-7-751.	PM-895; FM-2280	R3-7-1009.	PM-895; FM-2280
R3-7-402.	PM-895; FM-2280	R3-7-752.	PM-895; FM-2280	R3-7-1010.	PM-895; FM-2280
R3-7-501.	PM-895; FM-2280	R3-7-753.	PM-895; FM-2280	R3-7-1011.	PM-895; FM-2280
R3-7-502.	PM-895; FM-2280	R3-7-754.	PM-895; FM-2280	R3-7-1012.	PM-895; FM-2280
R3-7-503.	PM-895; FM-2280	R3-7-755.	PM-895; FM-2280	R3-7-1013.	PM-895; FM-2280
R3-7-504.	PM-895; FM-2280	R3-7-756.	PM-895; FM-2280	Arizona Health Care Cost Containment System - Administration	
R3-7-505.	PM-895; FM-2280	R3-7-757.	PM-895; FM-2280		
R3-7-506.	PM-895; FM-2280	R3-7-759.	PM-895; FM-2280	R9-22-712.05.	PM-2733
R3-7-507.	PM-895; FM-2280	Table A.	PM-895; FM-2280	R9-22-712.35.	PM-1015; FM-2338
R3-7-601.	PM-895; FM-2280	R3-7-760.	PM-895; FM-2280	R9-22-712.60.	PM-1791; FM-2896
R3-7-602.	PM-895; FM-2280	R3-7-761.	PM-895; FM-2280	R9-22-712.61.	PM-1015; FM-2338
R3-7-603.	PM-895; FM-2280	R3-7-762.	PM-895; FM-2280	R9-22-712.62.	PM-1791; FM-2896
R3-7-604.	PM-895; FM-2280	Table 1.	PM-895; FM-2280	R9-22-712.63.	PM-1791; FM-2896
R3-7-701.	PM-895; FM-2280	Table 2.	PM-895; FM-2280	R9-22-712.64.	PM-1791; FM-2896
R3-7-702.	PM-895; FM-2280	R3-7-901.	PM-895; FM-2280	R9-22-712.65.	PM-1791; FM-2896
R3-7-703.	PM-895; FM-2280	R3-7-902.	PM-895; FM-2280	R9-22-712.66.	PM-1791; FM-2896
R3-7-704.	PM-895; FM-2280	R3-7-903.	PM-895; FM-2280	R9-22-712.68.	PM-1791; FM-2896
R3-7-705.	PM-895; FM-2280	R3-7-904.	PM-895; FM-2280	R9-22-712.71.	PM-1015; FM-2338; FM-2896
R3-7-706.	PR-895; FR-2280	R3-7-905.	PM-895; FM-2280	R9-22-712.72.	PM-1791; FM-2896
R3-7-707.	PM-895; FM-2280	R3-7-907.	PM-895; FM-2280	R9-22-712.80.	PM-1791; FM-2896
R3-7-708.	PM-895; FM-2280	R3-7-908.	PM-895; FM-2280	R9-22-712.81.	FM-2896
R3-7-709.	PR-895; FR-2280	R3-7-909.	PM-895; FM-2280	R9-22-712.90.	FN-22
R3-7-710.	PM-895; FM-2280	R3-7-910.	PM-895; FM-2280	R9-22-730.	PXM-1633; FXM-1945
R3-7-711.	PM-895; FM-2280	R3-7-911.	PM-895; FM-2280	Arizona Health Care Cost Containment System - Arizona Long-term Care System	
R3-7-712.	PM-895; FM-2280	R3-7-912.	PM-895; FM-2280		
R3-7-713.	PM-895; FM-2280	R3-7-913.	PM-895; FM-2280	R9-28-408.	PM-3397
R3-7-714.	PM-895; FM-2280	R3-7-1001.	PM-895; FM-2280	R9-28-703.	PM-2738
R3-7-715.	PM-895; FM-2280	R3-7-1002.	PM-895; FM-2280	R9-28-801.	PM-3400
R3-7-716.	PM-895; FM-2280	R3-7-1003.	PM-895; FM-2280	R9-28-801.01.	PR-3400
R3-7-717.	PM-895; FM-2280	R3-7-1004.	PM-895; FM-2280	R9-28-802.	PM-3400
				R9-28-803.	PM-3400
				R9-28-806.	PM-3400
				R9-28-807.	PM-3400
				Barbers, Board of	
				R4-5-103.	FM-490
				Behavioral Health Examiners, Board of	

R14-2-1205.	F#-2822; FM-2822 E#-865; P#-1869; F#-2822	R14-2-1211.	E#-865; P#-1869; F#-2822	R14-2-1217.	E#-865; P#-1869; F#-2822
R14-2-A1205.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-A1211.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-A1217.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822
R14-2-1206.	E#-865; P#-1869; F#-2822	R14-2-1212.	E#-865; P#-1869; F#-2822	R14-2-B1218.	EN-865; PN-1869; FN-2822
R14-2-A1206.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-A1212.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-B1219.	EN-865; PN-1869; FN-2822
R14-2-1207.	E#-865; P#-1869; F#-2822	R14-2-1213.	E#-865; P#-1869; F#-2822	R14-2-B1220.	EN-865; PN-1869; FN-2822
R14-2-A1207.	EN-865; E#-865; EM-865; FN-2822; F#-2822; FM-2822	R14-2-A1213.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822	R14-2-B1221.	EN-865; PN-1869; FN-2822
R14-2-1208.	E#-865; P#-1869; F#-2822	R14-2-1214.	E#-865; P#-1869; F#-2822	R14-2-B1222.	EN-865; PN-1869; FN-2822
R14-2-A1208.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-A1214.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-B1223.	EN-865; PN-1869; FN-2822
R14-2-1209.	E#-865; P#-1869; F#-2822	R14-2-1215.	E#-865; P#-1869; F#-2822	Cosmetology, Board of	
R14-2-A1209.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-A1215.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R4-10-101.	PM-1859; FM-3028
R14-2-1210.	E#-865; P#-1869; F#-2822	R14-2-1216.	E#-865; P#-1869; F#-2822	R4-10-104.	PM-1859; FM-3028
R14-2-A1210.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R14-2-A1216.	EN-865; E#-865; EM-865; PN-1869; P#-1869; PM-1869; FN-2822; F#-2822; FM-2822	R4-10-105.	PM-1859; FM-3028
				R4-10-107.	PM-1859; FM-3028
				R4-10-108.	PM-1859; FM-3028
				R4-10-110.	PM-1859; FM-3028
				R4-10-203.	PM-1859; FM-3028
				R4-10-204.	PM-1859; FM-3028
				R4-10-205.	PM-1859; FM-3028
				R4-10-206.	PM-1859; FM-3028
				R4-10-206.1.	PN-1859; FN-3028
				R4-10-208.	PM-1859; FM-3028
				R4-10-302.	PM-1859; FM-3028
				R4-10-304.1.	PN-1859; FN-3028
				R4-10-306.	PM-1859; FM-3028
				R4-10-403.	PM-1859; FM-3028
				R4-10-404.	PM-1859; FM-3028

R18-5-235.	PR-1882	R18-15-101.	PM-2464	R18-9-709.	P#-1663;
R18-5-236.	PR-1882	R18-15-102.	PM-2464		F#-3091
R18-5-237.	PR-1882	R18-15-103.	PM-2464	R18-9-710.	P#-1663;
R18-5-238.	PR-1882	R18-15-104.	PM-2464		F#-3091
R18-5-239.	PR-1882	R18-15-105.	PM-2464	R18-9-711.	P#-1663;
R18-5-240.	PR-1882	R18-15-106.	PM-2464		F#-3091
R18-5-241.	PR-1882	R18-15-107.	PM-2464	R18-9-712.	P#-1663;
R18-5-242.	PR-1882	R18-15-201.	PM-2464		F#-3091
R18-5-243.	PR-1882	R18-15-203.	PM-2464	R18-9-713.	P#-1663;
R18-5-244.	PR-1882	R18-15-204.	PM-2464		F#-3091
R18-5-245.	PR-1882	R18-15-205.	PM-2464	R18-9-714.	P#-1663;
R18-5-246.	PR-1882	R18-15-206.	PM-2464		F#-3091
R18-5-247.	PR-1882	R18-15-207.	PM-2464	R18-9-715.	P#-1663;
R18-5-248.	PR-1882	R18-15-303.	PM-2464		F#-3091
R18-5-249.	PM-1882	R18-15-304.	PM-2464	R18-9-716.	P#-1663;
		R18-15-305.	PM-2464		F#-3091
		R18-15-306.	PM-2464	R18-9-717.	P#-1663;
		R18-15-307.	PM-2464		F#-3091
		R18-15-401.	PM-2464	R18-9-718.	P#-1663;
		R18-15-402.	PR-2464;		F#-3091
			P#-2464;	R18-9-719.	P#-1663;
			PM-2464		F#-3091
		R18-15-403.	P#-2464;	R18-9-720.	PR-1663;
			PM-2464		FR-3091
		R18-15-404.	P#-2464;	R18-9-A701.	P#-1663;
			PM-2464		PM-1663;
		R18-15-405.	PR-2464;		F#-3091;
			P#-2464;		FM-3091
			PM-2464	R18-9-A702.	P#-1663;
		R18-15-406.	P#-2464;		PM-1663;
			PM-2464		F#-3091;
		R18-15-407.	P#-2464		FM-3091
		R18-15-408.	P#-2464	R18-9-A703.	P#-1663;
		R18-15-501.	PM-2464		PM-1663;
		R18-15-502.	PM-2464		F#-3091;
		R18-15-503.	PM-2464		FM-3091
		R18-15-504.	PM-2464	R18-9-A704.	P#-1663;
		R18-15-505.	PM-2464		PM-1663;
		R18-15-602.	PM-2464		F#-3091;
		R18-15-701.	PM-2464		FM-3091
				R18-9-A705.	P#-1663;
					PM-1663;
					F#-3091;
					FM-3091
				R18-9-A706.	P#-1663;
					PM-1663;
					F#-3091;
					FM-3091
				R18-9-A707.	PN-1663;
					FN-3091
				R18-9-B701.	P#-1663;
					PM-1663;
					F#-3091;
					FM-3091
				R18-9-B702.	P#-1663;
					PM-1663;
					F#-3091;
					FM-3091
				R18-9-B703.	P#-1663;
					PM-1663;
					F#-3091;
					FM-3091
				R18-9-B704.	P#-1663;
					PM-1663;
					F#-3091;
					FM-3091
					F#-3091;
					FM-3091

R9-6-203.	PM-1524; FM-2605	R9-6-314.	P#-1524; PM-1524;	F#-2605; FM-2605
Table 2.	PM-1524; F#-2605		F#-2605; FM-2605	R9-6-331.
Table 2.2.	FN-2605; FM-2605	R9-6-315.	P#-1524; PN-1524;	F#-2605; FM-2605
R9-6-204.	PM-1524; FM-2605		F#-2605; FN-2605	R9-6-332.
Table 3.	PR-1524; FR-2605	R9-6-316.	P#-1524; PM-1524;	PM-1524; F#-2605;
Table 2.3.	PN-1524; FN-2605		F#-2605; FM-2605	R9-6-333.
R9-6-205.	PM-1524; FM-2605	R9-6-317.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-206.	PM-1524; FM-2605		F#-2605; FM-2605	R9-6-334.
Table 4.	PR-1524; FR-2605	R9-6-318.	P#-1524; PN-1524;	PM-1524; F#-2605;
Table 2.4.	PN-1524; FN-2605		F#-2605; FN-2605	R9-6-335.
R9-6-207.	PM-1524; FM-2605	R9-6-319.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-301.	PM-1524; FM-2605		F#-2605; FM-2605	R9-6-336.
R9-6-302.	PM-1524; FM-2605	R9-6-320.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-303.	PM-1524; FM-2605		F#-2605; FM-2605	R9-6-337.
R9-6-304.	PM-1524; FM-2605	R9-6-321.	P#-1524; PN-1524;	PN-1524; F#-2605;
R9-6-305.	P#-1524; PN-1524;		F#-2605; FN-2605	R9-6-338.
	F#-2605; FN-2605	R9-6-322.	P#-1524; PM-1524;	F#-2605; FM-2605
R9-6-306.	P#-1524; PM-1524;		F#-2605; FM-2605	R9-6-339.
	F#-2605; FM-2605	R9-6-323.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-307.	PR-1524; PN-1524;		F#-2605; FM-2605	R9-6-340.
	FR-2605; FN-2605	R9-6-324.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-308.	P#-1524; PM-1524;		F#-2605; FM-2605	R9-6-341.
	F#-2605; FM-2605	R9-6-325.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-309.	P#-1524; PN-1524;		F#-2605; FM-2605	R9-6-342.
	F#-2605; FN-2605	R9-6-326.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-310.	P#-1524; PN-1524;		F#-2605; FM-2605	R9-6-343.
	F#-2605; FN-2605	R9-6-327.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-311.	P#-1524; PM-1524;		F#-2605; FM-2605	R9-6-344.
	F#-2605; FM-2605	R9-6-328.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-312.	P#-1524; PM-1524;		F#-2605; FM-2605	R9-6-345.
	F#-2605; FM-2605	R9-6-329.	P#-1524; PM-1524;	PM-1524; F#-2605;
R9-6-313.	P#-1524; PM-1524;		F#-2605; FM-2605	R9-6-346.
	F#-2605; FM-2605	R9-6-330.	P#-1524; PM-1524;	PM-1524; F#-2605;
				FM-2605

R9-6-347.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-364.	F#-2605; FM-2605 PR-1524; P#-1524;	R9-6-380.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-348.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-365.	PM-1524; F#-2605; FM-2605 P#-1524;	R9-6-381.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-349.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-366.	PM-1524; F#-2605; FM-2605 P#-1524;	R9-6-382.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-350.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-367.	PM-1524; F#-2605; FM-2605 P#-1524;	R9-6-383.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-351.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-368.	PM-1524; F#-2605; FM-2605 P#-1524;	R9-6-384.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-352.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-369.	PM-1524; F#-2605; FM-2605 PR-1524;	R9-6-385.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-353.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-370.	P#-1524; PM-1524; F#-2605; FN-2605	R9-6-386.	F#-2605; FM-2605 P#-1524; PM-1524;
R9-6-354.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-371.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-387.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-355.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-372.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-388.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-356.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-373.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-389.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-357.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-374.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-390.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-358.	P#-1524; PN-1524; F#-2605; FN-2605	R9-6-375.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-391.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-359.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-376.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-392.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-360.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-377.	P#-1524; PN-1524; F#-2605; FN-2605	R9-6-393.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-361.	P#-1524; PN-1524; F#-2605; FN-2605	R9-6-378.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-394.	P#-1524; PM-1524; F#-2605; FM-2605
R9-6-362.	P#-1524; PM-1524; F#-2605; FM-2605	R9-6-379.	P#-1524; PM-1524;	R9-6-395.	P#-1524; PM-1524;
R9-6-363.	P#-1524; PM-1524;				

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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.

Table with 12 columns: January, February, March, April, May, June. Each month has sub-columns for Date Filed and Effective Date. Rows list dates from 1/1 to 1/31 and corresponding effective dates.



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
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
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7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
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7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17	12/18	2/16
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18	12/19	2/17
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19	12/20	2/18
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20	12/21	2/19
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21	12/22	2/20
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22	12/23	2/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23	12/24	2/22
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24	12/25	2/23
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25	12/26	2/24
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26	12/27	2/25
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27	12/28	2/26
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28	12/29	2/27
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29	12/30	2/28
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1



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 August 4, 2017 to February 23, 2018.



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 5 p.m. 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 2017

[M16-300]

DEADLINE FOR PLACEMENT ON AGENDA	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday November 22, 2016	Tuesday December 20, 2016	Wednesday December 28, 2016	Wednesday January 4, 2017
Tuesday December 27, 2016	Tuesday January 24, 2017	Tuesday January 31, 2017	Tuesday February 7, 2017
Tuesday January 24, 2017	Tuesday February 21, 2017	Tuesday February 28, 2017	Tuesday March 7, 2017
Tuesday February 21, 2017	Tuesday March 21, 2017	Tuesday March 28, 2017	Tuesday April 4, 2017
Tuesday March 21, 2017	Tuesday April 18, 2017	Tuesday April 25, 2017	Tuesday May 2, 2017
Tuesday April 25, 2017	Tuesday May 23, 2017	Wednesday May 31, 2017	Tuesday June 6, 2017
Tuesday May 23, 2017	Tuesday June 20, 2017	Tuesday June 27, 2017	Thursday July 6, 2017
Tuesday June 20, 2017	Tuesday July 18, 2017	Tuesday July 25, 2017	Tuesday August 1, 2017
Tuesday July 25, 2017	Tuesday August 22, 2017	Tuesday August 29, 2017	Wednesday September 6, 2017
Tuesday August 22, 2017	Tuesday September 19, 2017	Tuesday September 26, 2017	Tuesday October 3, 2017
Tuesday September 26, 2017	Tuesday October 24, 2017	Tuesday October 31, 2017	Tuesday November 7, 2017
Tuesday October 24, 2017	Tuesday November 21, 2017	Tuesday November 28, 2017	Tuesday December 5, 2017
Tuesday November 21, 2017	Tuesday December 19, 2017	Wednesday December 27, 2017	Wednesday January 3, 2018

*Materials must be submitted by 5 P.M. 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
DECEMBER 5, 2017 MEETING**

[M17-307]

Rules:

DEPARTMENT OF PUBLIC SAFETY (R-17-1201)

Title 13, Chapter 1, Article 5, Department Records

Amend: R13-1-502; R13-1-504

COUNCIL ACTION: APPROVED

DEPARTMENT OF CHILD SAFETY (R-17-1202)

Title 21, Chapter 8, Article 1, Life Safety Inspections

Amend: R21-8-101; R21-8-112; R21-8-113

COUNCIL ACTION: APPROVED

DEPARTMENT OF INSURANCE (R-17-1203)

Title 20, Chapter 6, Article 6, Types of Insurance Contracts

Amend: R20-6-607

COUNCIL ACTION: APPROVED

BOARD OF CHIROPRACTIC EXAMINERS (R-17-1204)

Title 4, Chapter 7, Article 5, Licenses; Article 6, Acupuncture Certification; Article 8, Continuing Education; Article 13, Charges; Article 14, Business Entities

Amend: R4-7-502; R4-7-503; R4-7-602; R4-7-801; R4-7-1301; R4-7-1401; R4-7-1403; R4-7-1404

COUNCIL ACTION: APPROVED

Five-Year Review Reports:

DEPARTMENT OF GAMING (F-17-0701)

Title 4, Chapter 3, Article 1, Equipment; Article 2, Weigh-in and Examination; Article 3, Conduct of Contests; Article 4, Administration

COUNCIL ACTION: APPROVED

LAND DEPARTMENT (F-17-1010)

Title 12, Chapter 5, Article 7, Special Licensing Provisions; Article 8, Right-of-way; Article 9, Exchanges; Article 11, Special Use Permits

COUNCIL ACTION: TABLED – NO VOTE TAKEN

MEDICAL BOARD (F-17-1201)

Title 4, Chapter 16, Article 1, General Provisions; Article 4, Medical Assistants

COUNCIL ACTION: APPROVED

BOARD OF PHARMACY (F-17-1202)

Title 4, Chapter 23, Article 1, Administration; Article 2, Pharmacist Licensure; Article 3, Intern Training and Pharmacy Intern Preceptors;



Article 4, Professional Practices

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (F-17-1203)

Title 9, Chapter 22, Article 10, First- and Third-Party Liability and Recoveries

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (F-17-1204)

Title 9, Chapter 28, Article 9, First- and Third-Party Liability and Recoveries

COUNCIL ACTION: APPROVED