



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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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.

Arizona Administrative REGISTER

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ADMINISTRATIVE REGISTER
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.

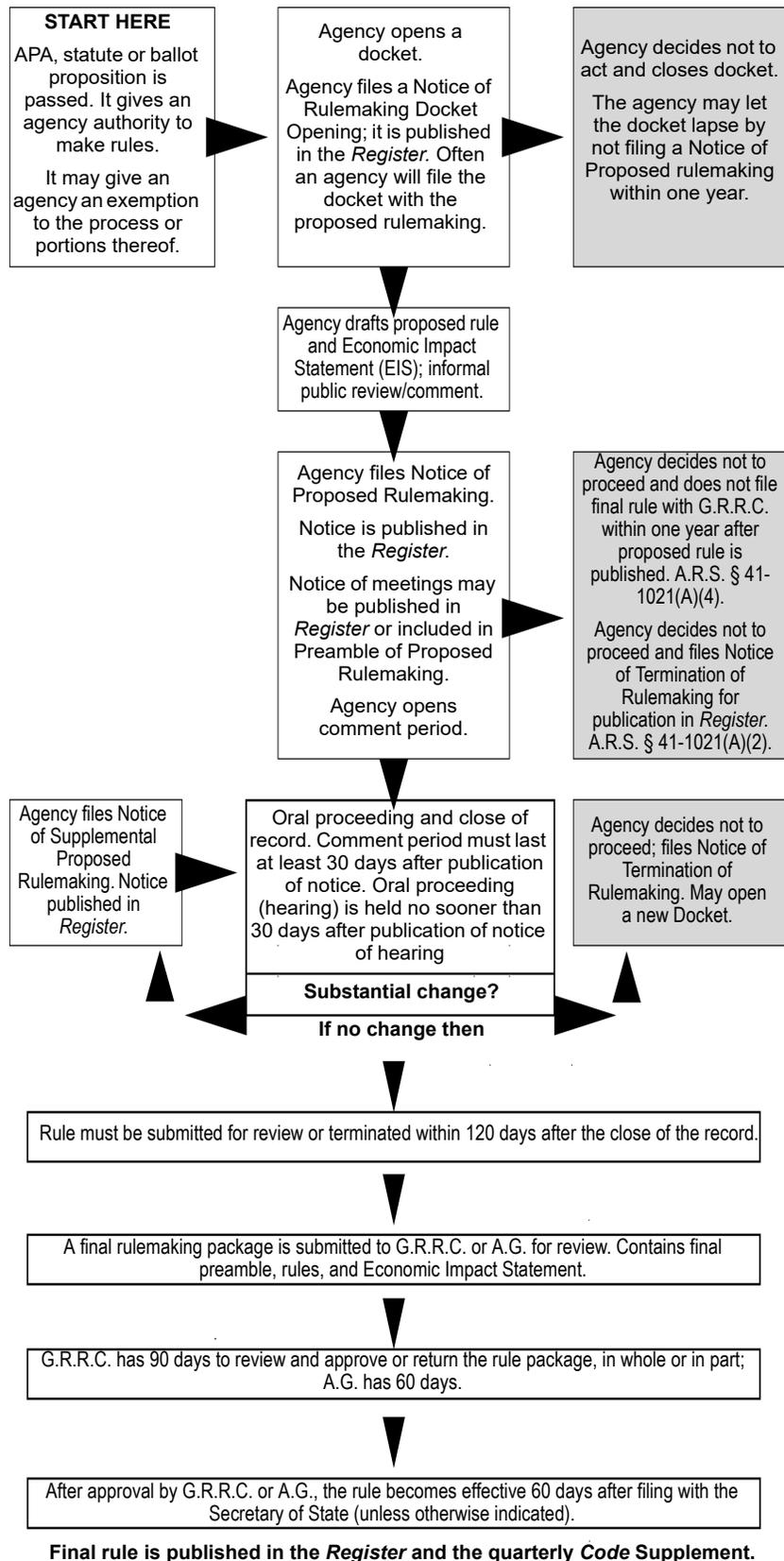
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

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 Rulemaking.

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 oral 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 2. ADMINISTRATION
CHAPTER 11. DEPARTMENT OF ADMINISTRATION
PUBLIC BUILDINGS MAINTENANCE**

[R18-246]

PREAMBLE

<u>1. Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
R2-11-301	Amend
R2-11-302	Amend
R2-11-303	Amend
R2-11-304	Amend
R2-11-305	Amend
R2-11-306	Amend
R2-11-309	Amend
R2-11-310	Amend
R2-11-311	Amend
R2-11-312	New Section
R2-11-401	Amend
R2-11-402	Amend
R2-11-403	Amend
R2-11-404	Amend
R2-11-405	Amend
R2-11-406	Amend
R2-11-407	Amend
R2-11-408	Amend
R2-11-409	Amend
R2-11-501	ReNUMBER

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

Authorizing statute: A.R.S. §§ 41-703
 Implementing statute: A.R.S. §§ 41-791(D) and 41-796(A)

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: 24 A.A.R. 3287, November 23, 2018 (*in this issue*)

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

Name: Nola Barnes
 Address: Department of Administration, General Services Division
 1110 W. Washington, Suite 155
 Phoenix, AZ 85007
 Telephone: (602) 542-1954
 E-mail: Nola.Barnes@azdoa.gov
 Web site: www.gsd.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 Department is amending Article 3 and repealing Article 4, Special Events, to consolidate both articles into one to improve clarification and understanding for the public.

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:

None

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:

Articles 3 and 4 can impact small businesses looking to conduct a solicitation or special event on state property. Impacts can occur regarding the special events rules in cases where special events are cancelled due to increased costs for insurance coverage required by the Director. However, the rules on special events can have a favorable impact on small businesses as well, specifically insurance agents who provide coverage for such events.

The administrative costs for compliance of these rules are minimal to the Department. There are no viable alternative methods of compliance that would apply to small business.

The Department did not see any impacts as a result of the 2003 economic impact statement and its estimations as noted nor did it receive comments on the EIS. In addition, there are no changes from the previous economic impact statements provided to Council.

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

Name: Nola Barnes
Address: Department of Administration, General Services Division
1110 W. Washington, Suite 155
Phoenix, AZ 85007
Telephone: (602) 542-1954
E-mail: Nola.Barnes@azdoa.gov
Web site: www.gsd.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:

None

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

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

Yes, a general permit is used. This is required to ensure that state property is protected and to minimize the state's liability.

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:

No corresponding federal law applies.

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:

None 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 2. ADMINISTRATION
CHAPTER 11. DEPARTMENT OF ADMINISTRATION
PUBLIC BUILDINGS MAINTENANCE

ARTICLE 3. SOLICITATION AND SPECIAL EVENT

R2-11-301. Definitions

The following definitions apply in this Article:

1. “Department” means the Arizona Department of Administration.
2. “Director” means the Director of the Arizona Department of Administration or the Director’s designee.
43. “Solicitation” means any activity that can be interpreted as being for the promotion, sale, advocacy or transfer of product or products, service or services, membership or memberships, or cause or causes. In addition, distribution or posting of advertisements, circulars, flyers, handbills, leaflets, posters, or other printed information for these purposes is solicitation.
24. “Solicitation material” means advertising, circulars, flyers, handbills, leaflets, posters, or other printed information.
35. “Solicitor” means a person conducting a solicitation activity.
6. “Special Event” or “Event” means an assembly, gathering, ceremony, press conference, demonstration, display, festival, parade, or rally conducted by a person excluding a ceremony, gathering, or press conference that is conducted by a person authorized by the head of a state agency using the agency’s own office space.
7. “Sponsor” means the person holding an event.
48. “Work site” means any location within a state building where public employees or officers conduct the daily business of an agency, including building lobby areas, cafeterias, break rooms, and areas outside of any main entrance.

R2-11-302. Unauthorized Solicitation or Event Prohibited

A person shall not conduct a solicitation on state property or use state buildings or grounds for an event without express written permission from the Director.

R2-11-303. Application

- A. Any person who would like to conduct a solicitation or hold an event on state property may apply for a permit by filing, in person or by mail, a Department-approved ~~solicitation~~ application form with the ~~Director’s~~ Office of Special Events.
- B. The completed application form shall be submitted at least 15 business days before the desired date of the solicitation or event. A completed application form is one that is legible and contains, at a minimum, all of the following information:
 1. The name, address, and telephone number of the solicitor or sponsor;
 2. The proposed date of the solicitation or event and the approximate starting and concluding times;
 3. The specific, proposed location for the solicitation or event;
 4. A general description of the ~~solicitation’s purpose, and~~ solicitation or event, including equipment and facilities to be used;
 5. ~~Copies of solicitation materials to be used.~~ Approximate number of persons expected to be in attendance.
 6. The name, address, and telephone number of the person responsible for clean-up of the area after the activity, if different from the person in subsection (B)(1);
 7. Copies of all solicitation materials to be used. All materials must provide accurate information;
 8. The name, address, and telephone number of any chief monitor who will be designated to direct the solicitation or event;
 9. A Certificate of Insurance as required by the Department’s Risk Management Division; and
 10. Any use of devices that create amplified noise must be included in the permit request.
- C. The Director may accept a completed application form submitted less than 15 days before a press conference if the Director determines that enforcing the 15-day requirement would nullify the need for the press conference. In this situation, R2-11-304 does not apply.

R2-11-305. Permit Issuance; Denial

- A. Before issuing a permit, the Director shall review the application.
- B. After consideration of the factors in subsection (C), the Director may issue a permit to an applicant who has complied with the application requirements in R2-11-303.
- C. The Director may deny a permit for one or more of the following reasons:
 1. The solicitation or event interferes with the work of an employee or daily business of an agency;
 2. The solicitation or event conflicts with the time, place, manner, or duration of other events or solicitations for which permits have been issued or are pending;
 3. The solicitation or event creates a risk of injury or illness to persons or risk of danger to property; or
 4. The applicant, solicitation, or event fails to comply with the requirements of this Article.
- D. A permit shall not be issued earlier than ~~60 days~~ one year before the solicitation.
- E. If the Director denies a permit, the Department shall send the applicant a written notice explaining:
 1. The reason for denial, with citations to supporting statutes or rules,
 2. The applicant’s right to seek a hearing to challenge the denial,
 3. The applicant’s right to request an informal settlement conference under A.R.S. § 41-1092.06, and
 4. The time periods for appealing the denial.

R2-11-306. Bulletin Boards

- A. The Director shall designate at least one bulletin board for solicitation or event material in each state building.



- B. A person conducting a solicitation or event shall post solicitation or event material only on bulletin boards designated under subsection (A).
- C. All posted material must go through the application process and receive approval of the Office of Special Events prior to posting on bulletin boards.
- ~~C.D.~~ The Department ~~shall~~ has the authority to remove solicitation or event material that is outdated or improperly posted.

R2-11-309. Exemptions

~~A.~~This Article does not apply to the following state programs:

- 1. The State Deferred Compensation Program,
- 2. The State Employees Charitable Campaign,
- 3. The U.S. Savings Bond Drive,
- 4. The United Blood Services Blood Drive,
- 5. The Capitol Rideshare Commuter Club,
- 6. The Capitol Rideshare Clean Air Campaign,
- 7. Human Resources Professional Development programs,
- ~~78.~~ The Employee Wellness Program, ~~and~~
- ~~89.~~ The employee recognition programs of each agency subject to these rules, and
- 10. Programs as determined by the Director related to professional development or training only when sponsored or requested by the agency head.

~~B.~~ An employee association composed principally of employees of state government agencies may apply under this Article for a permit to conduct a solicitation at a work site

R2-11-310. Suspension or Revocation

- A. The Director may suspend or revoke a permit for failure to comply with this Article or other applicable laws.
- B. Before the Director suspends or revokes a permit, the Department shall send the solicitor or sponsor written notice, explaining:
 - 1. The reason for suspension or revocation, with citations to supporting statutes or rules;
 - 2. ~~The solicitor's~~ solicitor or sponsor's right to a hearing before suspension or revocation; and
 - 3. The time and place of the hearing concerning the suspension or revocation.
- C. If the Director finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in the order, the Director may summarily suspend the permit pending proceedings for revocation or other action, based on circumstances of the emergency.

R2-11-311. Review of Denial or Summary Suspension

- A. Under A.R.S. Title 41, Chapter 6, Article 10, an applicant, ~~or~~ solicitor, or sponsor may obtain a hearing on a denial or summary suspension.
- B. An applicant appealing a denial shall file a notice of appeal with the Department within 30 days after receiving the notice prescribed in R2-11-305(E).
- C. If the Director summarily suspends a permit under R2-11-310(C), the Department shall promptly prepare and serve a notice of hearing under A.R.S. § 41-1092.05.
- D. The Department shall notify the Office of Administrative Hearings, which shall schedule and conduct the hearing.

R2-11-312. Risk Management

- A. The Director may take one or more of the following actions to the extent it is necessary and in the best interests of the state:
 - 1. Impose conditions on the conduct of the event in the permit;
 - 2. Require the applicant to post a deposit against damage and clean-up expense;
 - 3. Require the applicant to carry liability insurance and provide the certificate of insurance; and
 - 4. Require the applicant to provide medical, sanitary, and security services.
- B. The Director shall consider all of the following criteria to determine whether one or more of the actions in subsection (A) is necessary and in the best interests of the state:
 - 1. Previous experience with similar events;
 - 2. Deposits required for similar events in Arizona;
 - 3. Risk data; and
 - 4. Medical, sanitary, and security services required for similar events in Arizona and the cost of those services.
- C. The Department shall not provide insurance or guarantee against damage to equipment or personal property of any person using state buildings or grounds.
- D. If the Director requires insurance for a solicitation or event, the solicitor or sponsor shall list the state of Arizona and the Department as additional insured entities.
- E. The sponsor is liable to the state for any injury done to its property and for any expense arising out of the sponsor's use of state buildings or grounds.

ARTICLE 4. SPECIAL EVENTS REPEALED

R2-11-401. Definitions Repealed

The following definitions apply in this Article:

- 1. ~~"Special event" or "event" means an assembly, demonstration, display, festival, parade, or rally conducted by a person other than a ceremony, gathering, or press conference conducted by a person authorized by the head of a state agency using the agency's own office space.~~
- 2. ~~"Sponsor" means the person holding a special event.~~

**R2-11-402. ~~Unauthorized Special Event Prohibited~~Repealed**

A person shall not use state buildings or grounds for a special event without express written permission from the Director.

R2-11-403. ~~Application~~Repealed

- A.** Any person who would like to hold a special event may apply for a permit by filing, either in person or by mail, a Department-approved event application form with the Office of Special Events.
- B.** The completed application form shall be submitted at least two ~~15~~ days before the desired date of the special event. A completed application form is one that is legible and contains, at a minimum, all of the following information:
1. The name, address, and telephone number of the sponsor;
 2. The proposed date of the event and the approximate starting and concluding times;
 3. The specific, proposed location for the event;
 4. A general description of the event, including equipment and facilities to be used;
 5. Approximate number of persons expected to be in attendance;
 6. The name, address, and telephone number of the person responsible for clean up of the area after the activity, if different from the person in subsection (B) (1);
 7. The name, address, and telephone number of any chief monitor who will be designated to direct the event;
 8. A description of the badge or article of clothing used to identify monitors;
 9. A copy of any insurance policy for the special event; and
 10. A copy of any contract for medical, sanitary, and security services.
- C.** The Director may accept a completed application form submitted less than two days before a press conference if the Director determines that enforcing the two-day requirement would nullify the need for the press conference. In this situation, R2-11-404 does not apply.

R2-11-404. ~~Processing Procedure~~Repealed

- A.** Within one day of receiving an application, the Department shall notify the applicant that the application is either complete or incomplete. If the application is incomplete, the notice shall specify what information is missing.
- B.** An applicant with an incomplete application shall supply the missing information within five days after the date of the notice. If the applicant fails to do so, the Department may deny the permit.
- C.** Upon receipt of all missing information within five days, as specified in subsection (B), the Department shall notify the applicant that the application is complete.
- D.** The Department shall not process an application for a permit until the applicant has fully complied with R2-11-403.
- E.** The Director shall render a permit decision no later than one day after receipt of a complete application. The date of receipt is the postmark date of the notice advising the applicant that the application is complete.
- F.** For the purpose of A.R.S. § 41-1073, the Department establishes the following permit time frames:
1. Administrative completeness review time frame: one day.
 2. Substantive review time frame: one day.
 3. Overall time frame: two days.

R2-11-405. ~~Permit Issuance; Denial~~Repealed

- A.** Before issuing a permit, the Director shall review the application.
- B.** After consideration of the factors in subsection (C), the Director may issue a permit to an applicant who has:
1. Complied with the application requirements in R2-11-403;
 2. Posted any deposit necessary under R2-11-407;
 3. Obtained any insurance necessary under R2-11-407; and
 4. Submitted evidence that the applicant will provide any medical, sanitary, and security services necessary under R2-11-407. Submission of a copy of the contract for these services will satisfy this requirement.
- C.** The Director may deny a permit for one or more of the following reasons:
1. The event interferes with the work of an employee or daily business of an agency;
 2. The event conflicts with the time, place, manner, or duration of other events for which permits have been issued or are pending;
 3. The event creates a risk of injury or illness to persons or risk of danger to property; or
 4. The applicant or permit fails to comply with the requirements of this Article.
- D.** A permit shall not be issued earlier than 60 days before the special event.
- E.** If the Director denies a permit, the Department shall send the applicant a written notice explaining:
1. The reason for denial, with citations to supporting statutes or rules;
 2. The applicant's right to seek a hearing to challenge the denial;
 3. The applicant's right to request an informal settlement conference under A.R.S. § 41-1092.06; and
 4. The time periods for appealing the denial.

R2-11-406. ~~Monitors~~Repealed

The sponsor shall designate one monitor for every 50 persons expected to be in attendance. The monitors shall wear a uniform, distinctive badge, or a distinctive article of clothing at all times during the event for identification purposes.

R2-11-407. ~~Risk Management~~Repealed

- A.** The Director may take one or more of the following actions to the extent it is necessary and in the best interests of the state:
1. Impose conditions on the conduct of the event in the permit;
 2. Require the applicant to post a deposit against damage and clean up expense;
 3. Require the applicant to carry liability insurance and provide the certificate of insurance; and
 4. Require the applicant to provide medical, sanitary, and security services.



- ~~B.~~ The Director shall consider all of the following criteria to determine whether one or more of the actions in subsection (A) is necessary and in the best interests of the state:
 1. Previous experience with similar events;
 2. Deposits required for similar events in Arizona;
 3. Risk data;
 4. Medical, sanitary, and security services required for similar events in Arizona and the cost of those services.
- ~~C.~~ The Department shall not provide insurance or guarantee against damage to equipment or personal property of any person using state buildings or grounds.
- ~~D.~~ If the Director requires insurance for a special event, the sponsor shall list the state of Arizona and the Department of Administration as additional insured entities.
- ~~E.~~ The sponsor is liable to the state for any injury done to its property and for any expense arising out of the sponsor's use of state buildings or grounds.

R2-11-408. ~~Suspension or Revocation~~Repealed

- ~~A.~~ The Director may suspend or revoke a permit for failure to comply with this Article, permit conditions, or other applicable laws.
- ~~B.~~ Before the Director suspends or revokes a permit, the Department shall send the sponsor written notice, explaining:
 1. The reason for suspension or revocation, with citations to supporting statutes or rules;
 2. The sponsor's right to a hearing before suspension or revocation.
- ~~C.~~ If the Director finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in the order, the Director may summarily suspend a permit pending proceedings for revocation or other action, based on the circumstances of the emergency.

R2-11-409. ~~Review of Denial or Summary Suspension~~Repealed

- ~~A.~~ Under A.R.S. Title 41, Chapter 6, Article 10, an applicant or sponsor may obtain a hearing on a denial or summary suspension.
- ~~B.~~ An applicant appealing a denial shall file a notice of appeal with the Department within 30 days after receiving the notice prescribed in R2-11-405(E).
- ~~C.~~ The Department shall notify the Office of Administrative Hearings, which shall schedule and conduct the hearing.
- ~~D.~~ If the Director summarily suspends a permit under R2-11-408(C), the Department shall promptly prepare and serve a notice of hearing under A.R.S. § 41-1092.05.

~~ARTICLE 5.~~ARTICLE 4. SEVERABILITY

~~R2-11-501.~~R2-11-401. Validity Of Rules

If a rule or portion of a rule contained in this Chapter is held unconstitutional or invalid, the holding does not affect the validity of the remaining rules.



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 21. CHILD SAFETY
CHAPTER 9. DEPARTMENT OF CHILD SAFETY
ADOPTION AGENCY LICENSING**

[R18-250]

PREAMBLE

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

R21-9-202	<u>Rulemaking Action</u>
R21-9-207	New Section
	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. § 8-453(A)(5)
 Implementing statute: A.R.S. §§ 8-120, 8-121, 8-126, 8-127, 8-129, 8-130, 8-132, 8-134, and 46-141

3. **The effective date of the rule:**
 January 6, 2019

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: 24 A.A.R. 765, April 6, 2018
 Notice of Proposed Rulemaking: 24 A.A.R. 738, April 6, 2018

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
 Or
 Name: Angie Trevino, Rules Development Specialist
 Telephone: (602) 255-2569
 E-mail: Angelica.Trevino@azdcs.gov
 Web site: <https://dcs.az.gov/about/dcs-rules-rulemaking>

6. **An agency’s justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**
 Chapter 9, Article 2 was made by final exempt rulemaking. A.R.S. § 41-1008 states that a fee established under an exempt rule making is effective for two years. A.R.S. § 8-126 grants the Department specific authority to charge fees for agency licensing and renewal. The Department charges a fee to provide licensing and licensing renewal for Adoption Agencies. These agencies assist in finding permanent homes for children in foster care; finding permanent homes for children privately placed for adoption by a parent(s); and assisting prospective adoptive parents in adopting a child. A regular rulemaking is required to re-establish the fees previously made by exempt rulemaking.

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

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:**
In addition to the Department the persons directly impacted by this rulemaking are individuals who are applying for an initial license or a renewal of license to operate an Adoption Agency. Re-establishing these rules will not have a significant economic impact for Adoption Agency applicants as the fees will not change from those previously established under exempt rulemaking. This rulemaking does not propose a fee increase in comparison to the fees previously established.
- 10. A description of any changes between the proposed rulemaking, to include supplemental notices, and the final rulemaking:**
There are 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:**
No comments were received regarding this rulemaking. The record closed at 5:00 p.m., May 9, 2018.
The rules in this Chapter and Article were finalized under exempt rulemaking in January 2016. In 2015 public comments were received at the public hearings, from an on-line survey, and by U.S. Mail. However, none of the comments received were in reference to the fees included in Sections R21-9-202 and R21-9-207, which are the subject of this rulemaking.
- 12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**
None
 - a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
An individual license is required to operate an adoption agency. Adoption agency licenses are exempt under A.R.S. § 41-1037 and 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:**
42 U.S.C. 671. The rules are not more stringent than federal law.
 - c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:**
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:**
Not applicable
- 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 21. CHILD SAFETY
CHAPTER 9. DEPARTMENT OF CHILD SAFETY
ADOPTION AGENCY LICENSING**

ARTICLE 2. ADOPTION AGENCY LICENSING REQUIREMENTS

Section
R21-9-202. Adoption Agency License; Initial Application Package; Fee
R21-9-207. Application for License Renewal; Fee

ARTICLE 2. ADOPTION AGENCY LICENSING REQUIREMENTS

- R21-9-202. Adoption Agency License; Initial Application Package; Fee**
- A.** A person who wants to operate an adoption agency shall initiate the licensing process by completing an application package for an adoption agency license.
 - B.** A complete application package for an initial adoption agency license shall contain the information and the supporting documentation listed in this subsection:
 - 1.** Identification and background information, including the following information for the adoption agency, facility, and administrators:
 - a.** Name, address, telephone, and fax numbers for the adoption agency and all offices operated by the adoption agency;
 - b.** Name, title, business address, telephone and fax numbers, and email address of:
 - i.** The person who serves as the adoption agency administrator as prescribed in R21-9-211;
 - ii.** The person who serves as the Social Services Director as prescribed in R21-9-212;
 - iii.** The person with delegated authority to act when the adoption agency administrator is absent;
 - iv.** The person in charge of each separate office;
 - v.** The registered agent, if applicable; and
 - vi.** Persons holding at least a 10 percent ownership interest in the adoption agency applicant;



- c. The educational qualifications and work history for each person identified in R21-9-214, with that person's attached resume or employment application;
 - d. A list of the members of the adoption agency's governing body required by R21-9-210, including name, address, position in the adoption agency, term of membership, and any relationship to the adoption agency applicant;
 - e. If applicable, a written description of any proceedings pending or filed, brought against the adoption agency applicant or a person listed in R21-9-210 through R21-9-214, adoption agency employees, partners, or independent contractors, including those held in this state or another state or country; for denial, suspension, or revocation of a license or certificate for provision of:
 - i. Adoption services; or
 - ii. Social services, including child welfare, child care, or any other programs or services to children, elderly, or vulnerable adults; and
 - f. If applicable, a written description of any litigation in which the adoption agency applicant or a person listed in R21-9-210 through R21-9-214 is or has been a party, including, collection matters and bankruptcy proceedings, during the 10 years preceding the date of application for the adoption agency license.
2. Business organization.
- a. An organizational chart for the adoption agency and each separate office, showing administrative structure, lines of authority, and staff;
 - b. Business organization documents appropriate to the adoption agency applicant, including:
 - i. Articles of incorporation,
 - ii. By-laws,
 - iii. Articles of organization, or
 - iv. Partnership documents, such as the Partnership Agreement;
 - c. Annual reports for the preceding three years if the adoption agency has been in existence for three or more years;
 - d. For corporations, or limited liability companies, a certificate of good standing from the Arizona Corporation Commission;
 - e. A copy of any license or authorization to perform adoption services in a foreign country; and
 - f. A consent allowing any out-of-state or foreign licensing authority to release information on the adoption agency applicant to OLR.
3. Staff.
- a. A list of the adoption agency applicant's paid or unpaid staff, including:
 - i. Name,
 - ii. Position or title,
 - iii. Degrees,
 - iv. Certificates,
 - v. Licenses held,
 - vi. Business address,
 - vii. Date of hire,
 - viii. Date of submission for fingerprinting and criminal background clearance, and
 - ix. If contracted with the Department, a Central Registry check;
 - b. Obtain and provide to the Department evidence that all staff, interns, and volunteers have submitted fingerprints and criminal background information as prescribed in A.R.S. § 46-141, R21-9-214, and R21-9-215.
4. Financial Stability.
- a. A written, proposed operating budget for startup and a projected or annual budget for the first year of operation;
 - b. Verifiable documentation of funds available to pay start-up costs; the funds shall be in the form of cash or written authorization for a line of credit;
 - c. Verifiable documentation of funds available to pay operating expenses for the first three months of operations; the funds shall be in the form of cash or written authorization for a line of credit;
 - d. Verifiable documentation of financial resources to operate in accordance with the proposed operating budget for the remaining nine months of the licensing year; the resources may include:
 - i. Cash,
 - ii. Contracts for placement,
 - iii. Donations,
 - iv. Letters of commitment from financial backers or investors,
 - v. Grants, and
 - vi. Authorization for a line of credit;
 - e. If the adoption agency applicant, the adoption agency administrator, a Board Member, or any adoption agency employee or partner has operated any adoption agency in this state or any other state during the past 10 years, the most recent financial statement and financial audit for that adoption agency, unless the most recent statement or audit is more than 10 years old; and
 - f. A certificate of insurance, or letter of commitment from an insurer, showing that the adoption agency applicant has insurance coverage as prescribed in R21-9-223.
5. Program.
- a. Informational, marketing, or advertising material about the adoption agency;
 - b. Program description, including:
 - i. All adoption services the adoption agency applicant intends to provide;
 - ii. The fee the adoption agency applicant will charge for each service;
 - iii. The cost to the adoption agency applicant of providing each service;



- iv. The time in the adoption process when the adoption agency applicant will require a client to pay the fee described in R21-9-231;
- v. The anticipated number of clients the adoption agency applicant will serve; and
- vi. The methods the adoption agency applicant will use to recruit birth parents and prospective adoptive parents; and
- c. A written explanation of how the adoption agency applicant will provide adoption services, including:
 - i. The number and description of staff who will provide the service, and
 - ii. Staff training requirements.
- 6. Documentation, Forms, and Notices. Samples of all documents, forms, and notices, which the adoption agency applicant will use with or provide to a client, including:
 - a. Adoption agency application for services;
 - b. Adoptive parent certification application;
 - c. Fee policy and schedule as prescribed by R21-9-231;
 - d. Sample birth parent relinquishment and consent form;
 - e. Informational or advertising brochures;
 - f. Sample fee agreement;
 - g. Sample birth parent agreement letter;
 - h. Intake form;
 - i. Sample case file;
 - j. Court report format; and
 - k. Statistical report.
- 7. Sample Files. A sample of the type of filing format the adoption agency applicant will utilize for personnel files as prescribed in R21-9-216, and client files as prescribed in R21-9-226 and R21-9-227.
- 8. Policies and Procedures. Copies of the adoption agency applicant's internal policies and operations manual.
- 9. Physical site and environment.
 - a. The floor plan for each office or location designated for conducting private discussions, interviews, and meetings;
 - b. A description of the adoption agency applicant's computer security system and the adoption agency applicant's confidentiality safeguards; and
 - c. Registration and inspection certificates for all vehicles used to transport a client or children.
- 10. Miscellaneous.
 - a. A signed, written statement authorizing OLR to investigate the adoption agency applicant;
 - b. The signature, under penalty of perjury, of the adoption agency administrator or authorized person submitting the application, attesting to the truthfulness of the information contained in the application;
 - c. The date of application; and
 - d. Board or partnership meeting minutes for the past three years if the adoption agency has been in existence for three or more years.
- 11. Fee. Pay a non-refundable, initial application fee of \$400.
- C. An adoption agency that does not have or maintain all or part of the supporting documentation listed in this Section shall so indicate in a written statement filed with the application.

R21-9-207. Application for License Renewal; Fee

- A. No earlier than 90 days and no later than 45 days prior to the expiration date of a license, an adoption agency may apply to OLR for license renewal.
- B. The renewal application shall be on a Department form containing the information listed in R21-9-202 and R21-9-203, as applicable.
- C. The adoption agency shall submit evidence that each current employee has obtained a new fingerprint clearance card every six years following original clearance.
- D. An adoption agency shall submit copies of the supporting documents listed in R21-9-202 if the adoption agency has changed, amended, or updated such documents since the adoption agency last renewed its license.
- E. With a renewal application, the adoption agency shall also submit a non-refundable renewal fee of \$225 and the following documentation:
 - 1. A current financial statement;
 - 2. A copy of the adoption agency's current operating budget and a recent audit report required by R21-9-222 or if applicable, the documentation required by R21-9-222 subsection (C);
 - 3. Copies of any written complaints the adoption agency has received about its performance during the expiring license year; and
 - 4. A written description of any changes in program services or locations, or the population served by the adoption agency.



19th. The Board received one public comment from the Arizona State Association of Physician Assistants and the Arizona Asthma Coalition in favor of the proposed changes. An update was provided to the Board at the September 24, 2018 meeting.

Although public comment was not officially submitted to this point, proponents of the program raised concerns regarding the limitation placed on who may receive the training and administration authority. This is not within the Board’s scope or authority to modify and a statutory change is necessary.

12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

13. Incorporations by reference and their location in the rules:

Not applicable

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

Not applicable

15. The full text of the rule follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 8. COMPLIANCE

Section

R7-2-809. Emergency Administration of Auto-Injectable Epinephrine

R7-2-810. Emergency Administration of Inhalers

ARTICLE 8. COMPLIANCE

R7-2-809. Emergency Administration of Auto-Injectable Epinephrine

- A. Applicability. This rule applies to:
 1. Any school district or charter school that voluntarily chooses to stock auto-injectable epinephrine pursuant to A.R.S. § 15-157.
 2. All school districts and charter schools when required to stock auto-injectable epinephrine pursuant to A.R.S. § 15-157.
- B. Definitions. The following definitions are applicable to this rule:
 1. “Anaphylactic shock” is a severe systemic allergic reaction, resulting from exposure to an allergen, which may result in death.
 2. “Auto-injectable epinephrine” means a disposable drug delivery device that is easily transportable and contains a premeasured single dose of epinephrine used to treat anaphylactic shock.
 3. “Standing order” means a prescription protocol or instructions issued by the chief medical officer of the department of health services, the chief medical officer of a county health department, a doctor of medicine licensed pursuant to Title 32, Chapter 13, or a doctor of osteopathy osteopathic medicine licensed pursuant to Title 32, Chapter 17, a nurse practitioner licensed pursuant to Title 32, Chapter 15 or a physician assistant licensed pursuant to Title 32, Chapter 25 for non-individual specific epinephrine.
- C. Annual training in the administration of auto-injectable epinephrine.
 1. Each school district and charter school shall designate at least two school personnel, in addition to any school nurse or athletic trainer, for each school site who shall be required to receive annual training in the proper administration of auto-injectable epinephrine in cases of anaphylactic shock pursuant to standing order.
 2. Training in the administration of auto-injectable epinephrine shall be conducted in accordance with minimum standards and curriculum developed by the Arizona Department of Health Services in consultation with the Arizona Department of Education.
 3. At a minimum, training shall include procedures to follow when responding to anaphylactic shock, including direction regarding summoning appropriate emergency care, and documenting, tracking and reporting of the event.
 4. Training shall also include standards and procedures for acquiring a supply of at least two juvenile doses and two adult doses of auto-injectable epinephrine, restocking auto-injectable epinephrine upon use or expiration, and storing all auto-injectable epinephrine at room temperature and in secure, easily accessible locations on school sites.
 5. Training shall be conducted by a regulated health care professional, whose competencies include the administration of auto-injectable epinephrine, including but not limited to a licensed school nurse, certified emergency medical technician or licensed athletic trainer.
 6. School districts and charter schools shall maintain and make available upon request a list of those school personnel authorized and trained to administer auto-injectable epinephrine pursuant to a standing order.
- D. Annual training on the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs.
 1. Each school district and charter school shall require all school site personnel to receive an annual training on the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs.
 2. Training shall be conducted in accordance with minimum training standards developed by the Arizona Department of Health Services in consultation with the Arizona Department of Education and shall follow the most current guidelines issued by the American Academy of Pediatrics.
 3. Training shall be conducted by a regulated health care professional whose competencies include the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs, including but not limited to a licensed school nurse, certified emergency medical technician or licensed athletic trainer.
- E. Procedures for annually requesting a standing order for auto-injectable epinephrine.



1. Each school district or charter school shall obtain a standing order from its designated district or charter school physician licensed pursuant to Title 32, Chapter 13 or 17, ~~15, or 25~~ and if no such physician is available to provide a standing order, from the chief medical officer of the Department of Health Services or the chief medical officer of a county health department.
 2. Standing orders shall be renewed annually and upon the change of any designated school district or charter school physician.
 3. Standing orders shall identify the appropriate dosage of auto-injectable epinephrine to administer based upon weight and the frequency at which auto-injectable epinephrine may be administered if symptoms persist or return.
- F.** Procedures for the administration of auto-injectable epinephrine in emergency situations.
1. All school districts and charters schools shall adopt procedures for the emergency administration of auto-injectable epinephrine by designated trained personnel.
 2. Procedures shall address, at a minimum, the following requirements:
 - a. Determining if symptoms indicate possible anaphylactic shock.
 - b. Selecting the appropriate dosage of auto-injectable epinephrine to administer pursuant to a standing order.
 - c. Injecting epinephrine via auto-injector pursuant to a standing order, noting the time and dose given.
 - d. Calling 911 to advise that anaphylactic shock is suspected and epinephrine was administered.
 - e. Keeping the person stable until emergency responders arrive.
 - f. Advising school medical personnel and administration of the incident.
 - g. Repeating dose pursuant to a standing order when symptoms persist and emergency responders have not arrived.
 - h. Providing emergency responders with used epinephrine auto-injector labeled with name, date and time administered.
 - i. Assuring that parents/guardians have been notified and advised to promptly alert student's primary care physician of the incident.
 - j. Completing written documentation of the incident, detailing who administered the injection, the rationale for administering the injection, the approximate time of the injection(s), and notifications made to school administration, emergency responders, the student's parents/guardians, and the doctor or chief medical officer who issued the standing order.
 - k. Ordering replacement dose(s) of auto-injectable epinephrine.
 - l. Reviewing any incident involving emergency administration of epinephrine to determine the adequacy of response.
- G.** All school districts and charter schools shall report to the Arizona Department of Health Services all incidents of use of auto-injectable epinephrine pursuant to this rule in the format prescribed by the Arizona Department of Health Services.

R7-2-810. Emergency Administration of Inhalers

- A.** Applicability. This rule applies to:
1. Any school district or charter school that voluntarily chooses to stock inhalers pursuant to A.R.S. § 15-158.
 2. All school districts when required to stock inhalers pursuant to A.R.S. § 15-158.
- B.** Definitions. The following definitions are applicable to this rule:
1. "Authorized Entity" refers to any school district or charter school.
 2. "Bronchodilator" means Albuterol or another short-acting bronchodilator that is approved by the United States Food and Drug Administration for the treatment of respiratory distress.
 3. "Inhaler" means a device that delivers a bronchodilator to alleviate symptoms of respiratory distress that is manufactured in the form of a metered-dose inhaler or dry-powder inhaler that includes a spacer or holding chamber that attaches to the inhaler to improve the delivery of the bronchodilator.
 4. "Personnel" means employees at a school district or charter school or nurses who are under contract with the school district or charter school.
 - 4-5. "Respiratory distress" includes the perceived or actual presence of coughing, wheezing or shortness of breath.
 - 5-6. "Standing order" means a prescription protocol or instructions issued by the chief medical officer of a county health department, physicians licensed pursuant to Title 32, Chapter 13 or 17, or nurse practitioners licensed pursuant to ~~Chapter~~ Title 32, Chapter 15.
- C.** Annual training on recognition of symptoms of respiratory distress and administration of inhalers:
1. Each school district and charter school that elects to administer inhalers shall designate at least two ~~employees~~ personnel at each school site who shall be required to be trained in the recognition of respiratory distress symptoms, the procedures to follow when respiratory distress occurs, and the administration of inhalers, as directed on the prescription protocol. ~~Schools may also designate agents to receive training.~~ While each school is required to have two trained personnel in order to implement the stock inhaler policies, schools may train as many personnel ~~or agents~~ as they feel necessary.
 2. Training in the administration of inhalers shall be conducted by a nationally recognized organization or professionally certified medical professionals that are experienced in training laypersons in emergency health treatment.
 3. Training may be conducted online or in person and at a minimum shall include:
 - a. How to recognize signs and symptoms of respiratory distress in accordance with good clinical practice.
 - b. Standards and procedures for the storage of inhalers.
 - c. Standards and procedures for the administration of an inhaler, as directed on the prescription protocol.
 - d. If necessary, emergency follow-up procedures after the administration of an inhaler.
 4. The organization that conducts the training shall issue a certificate to each person who successfully completes the training. The ~~school employee or authorized agent~~ personnel shall submit this certificate to the school.
 5. Annual training is required for all designated ~~employees or agents~~ personnel of the school.
 6. School districts and charter schools shall maintain and make available on request a list of school personnel ~~or authorized agents~~ who are authorized to administer inhalers pursuant to a standing order.
- D.** Procedures for annually requesting a standing order and the prescription for the inhaler and holding chamber
1. Each participating school district or charter school shall obtain a standing order and prescription for inhalers and spacers or holding chambers pursuant to A.R.S. § 15-158 from the chief medical officer of a county health department, a physician licensed pursuant to Title 32, Chapter 13 or 17, or a nurse practitioner pursuant to Title 32, Chapter 15.



- 2. Standing orders and prescriptions shall be requested and renewed annually.
- E. Procedures for the administration of inhalers in emergency situations:
 - 1. School districts and charter schools that elect to administer inhalers shall:
 - a. Prescribe and enforce policies and procedures for the emergency administration of inhalers by designated and trained medical and non-medical personnel.
 - b. Designate at least two ~~employees~~ personnel at each school to be trained to recognize respiratory distress and administer inhalers.
 - c. Require designated personnel ~~or agents~~ to participate in annual training and provide a certificate of successful completion to the school.
 - d. Designate ~~employees~~ personnel who have completed the required training to be responsible for the storage, maintenance, control and general oversight of the inhalers and spacers or holding chambers acquired by the school.
 - e. Acquire and stock a supply of inhalers and spacers or holding chambers pursuant to a standing order prescription.
 - f. Store medication in a secure, temperature appropriate location, unlocked and readily accessible to designated personnel.
 - 2. Pursuant to a standing order, ~~an employee or agent of a school district or charter school~~ personnel who ~~is~~ are trained in the administration of inhalers may administer or assist in the administration of an inhaler to a pupil or adult whom the ~~employee personnel~~ believes in good faith to be exhibiting symptoms of respiratory distress while at school or a school-sponsored activity.
 - 3. Procedures adopted by school districts and charter schools shall address at a minimum, the following requirements:
 - a. Determine if symptoms indicate possible respiratory distress or emergency and determine if the use of an inhaler will properly address the respiratory distress or emergency.
 - b. Administer the correct dose of inhaler medication, as directed by the prescription protocol, regardless of whether the individual who is believed to be experiencing respiratory distress has a prescription for an inhaler and spacer or holding chamber or has been previously diagnosed with a condition requiring an inhaler.
 - c. Restrict physical activity, encourage slow breaths and allow the individual to rest.
 - d. Assure that a trained ~~employee~~ personnel stay with the subject who has been administered inhaler medication until it is determined whether the medication alleviates symptoms.
 - e. If applicable, instruct office staff to notify the school nurse if the inhaler is administered by a trained but non-licensed person.
 - f. Instruct school staff to notify the parent or guardian.
 - g. Call 911 if severe respiratory distress continues. Advise that inhaler medication was administered and stay with the person until emergency medical responders arrive.
 - h. If the individual shows improvement, keep the individual under supervision until breathing returns to normal, with no more chest tightness or shortness of breath, and the individual can walk and talk easily.
 - i. Allow a student to return to class if breathing has returned to normal and all symptoms have resolved.
 - j. Notify a parent or guardian once the inhaler has been administered and the student has returned to class.
 - k. Document the incident detailing who administered the inhaler, the approximate time of the incident, notifications made to the school administration, emergency responders, and parents/guardians.
 - l. Retain the incident data on file at the school pursuant to the general records retention schedule regarding health records for school districts and charter schools established by the Arizona State Library, Archives and Public Records.
 - m. Order replacement inhalers, spacers and holding chambers as needed.
 - 4. A school district or charter school may accept monetary donations for or apply for grants for the purchase of inhalers and spacers or holding chamber or may accept donations of inhalers and spacers or holding chambers directly from the product manufacturers.
- F. ~~Immunity from Civil Liability~~ civil liability is prescribed in A.R.S. § 15-158. ~~Chief medical officers of county health departments, physicians licensed pursuant to Title 32, Chapter 13 or 17, nurse practitioners licensed pursuant to Title 32, Chapter 15, school districts, charter schools and employees of school districts and charter schools are immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of the requirements of A.R.S. § 15-158, except in cases of gross negligence, willful misconduct or intentional wrongdoing.~~



**NOTICE OF FINAL EXEMPT RULEMAKING
TITLE 7. EDUCATION
CHAPTER 2. STATE BOARD OF EDUCATION**

[R18-245]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| R7-2-1003 | Amend |
| R7-2-1004 | Amend |
| R7-2-1014 | Amend |
| R7-2-1093 | Amend |
| R7-2-1112 | Amend |
- 2. Citations to the agency’s statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific), and the statute or session law authorizing the exemption:**
 Authorizing statute: A.R.S. § 15-213(A)
 Implementing statute: A.R.S. §§ 15-213 et seq.
 Exemption statute: A.R.S. § 41-1005(F)
 - 3. The effective date of the rules and the agency’s reason it selected the effective date:**
 October 22, 2018
 - 4. A list of all notices published in the Register as specified in R1-1-409(A) that pertain to the record of the exempt rulemaking:**
 Not applicable
 - 5. The agency’s contact person who can answer questions about the rulemaking:**
 Name: Alicia Williams, Executive Director
 Address: State Board of Education
 1700 W. Washington, Suite 300
 Phoenix, AZ 85007
 Telephone: (602) 542-5057
 Fax: (602) 542-3046
 E-mail: inbox@azsbe.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:**
 Changes from the 2018 Legislative Session require conforming rule changes. The Board is charged with adopting rules that prescribe procurement practices for school districts and nonexempt charter schools. HB 2663 from the 2018 Legislative Session made several changes to procurement practices that require conforming and complying changes to rule.
 - 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:**
 Not applicable
 - 8. A showing of good cause why the rule 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. The summary of the economic, small business and consumer impact, if applicable:**
 The rules are not expected to have significant, if any, economic impact on small businesses.
 - 10. A description of the changes between the proposed rules, including supplemental notices and final rules (if applicable):**
 Not applicable
 - 11. A summary of the comments made regarding the rule and the agency response to them:**
 Board Staff convened a stakeholder group on June 18, 2018 and July 23, 2018. The group consisted of representatives from the Attorney General’s Office, Auditor General’s Office and Legislature and included school district procurement and school business officials, school administrators, purchasing cooperatives officials and individuals from industry. The stakeholder group aided in the drafting of the rule that was opened and closed by the Board.
 The Board opened rulemaking procedures at the August 27, 2018 Board meeting. A public hearing was held on September 19th at noon. The Board was provided an update on the rules at the September 24th Board meeting. The Board did not receive public comment.
 Finally, the Office of the Auditor General conducted a review of the rules pursuant to A.R.S. § 15-213 and issued an approval letter dated October 18, 2018 indicating that the rules are compliant with statute.
 - 12. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**
 Not applicable



13. Incorporations by reference and their location in the rules:

Not applicable

14. Was this rule previously made as an emergency rule? If so, please indicate the Register citation:

Not applicable

15. The full text of the rule follows:

**TITLE 7. EDUCATION
CHAPTER 2. STATE BOARD OF EDUCATION
ARTICLE 10. SCHOOL DISTRICT PROCUREMENT**

Section	
R7-2-1003.	General Provisions
R7-2-1004.	Written Determinations
R7-2-1014.	Maximum Practicable Competition
R7-2-1093.	Multiterm Contracts

ARTICLE 11. SCHOOL DISTRICT PROCUREMENT (CONTINUED)

Section	
R7-2-1112.	Contractor Licenses, Contract and Performance Requirements

ARTICLE 10. SCHOOL DISTRICT PROCUREMENT

R7-2-1003. General Provisions

- A. The school district shall not award a contract or incur an obligation on behalf of the school district unless it is reasonable to believe sufficient funds will be available for the procurement. If sufficient funds are not available when a solicitation is issued, the solicitation shall include a statement that funds are not currently available and that any contract awarded will be conditioned upon the availability of funds.
- B. Any bid or proposal that is conditioned upon award to the bidder or offeror of both the particular contract being solicited and another school district contract shall be deemed nonresponsive or unacceptable.
- C. Except by mutual consent of the parties to the contract, ~~no rule rules~~ in Articles 10 and 11 ~~may~~ shall not change any commitment, right or obligation of a school district or of a contractor under a contract in existence on the effective date of the rule.
- D. Rights and duties arising from a school district contract may only be transferred, waived or assigned upon the express written consent of both parties.
- E. School district employees and public officers shall not purchase construction, materials or services for their own personal or business use from contracts entered into by the school district.
- F. If a contractor requests to change the name in which it holds a school district contract, the school district may, upon receipt of a document indicating the name change, enter into a contract modification with the contractor to effect the name change. The contract modification shall provide that no other terms and conditions of the contract are changed.
- G. The school district may allow electronic media transactions, including an electronic record or electronic signature, if consistent with state law and advantageous to the school district.
- H. A person who serves on an evaluation committee for a procurement is subject to A.R.S. § 41-2616(C).
- I. ~~No project Projects or purchase and purchases may~~ shall not be divided or sequenced into separate projects or purchases in order to avoid the limits prescribed in Articles 10 and 11.
- J. A person who contracts for or purchases materials, services, goods, construction or construction services shall be subject to the penalties prescribed in A.R.S. § 15-213 and A.R.S. § 41-2616 for violations of and attempts to avoid Articles 10 and 11.
- K. Pursuant to A.R.S. § 15-213 and A.R.S. Title 41, Chapter 23, the Attorney General shall enforce the provisions of Articles 10 and 11 and may take action prescribed therein.

R7-2-1004. Written Determinations

- A. Written determinations required by Articles 10 and 11, including for any specified professional services, construction, construction services or materials to an entity selected from a qualified select bidders list or through a school purchasing cooperative, shall specify the reasons for the determination, including how the determination was made.
- B. The school district is authorized to prescribe methods and operational procedures to be used in preparing written determinations.
- C. The school district shall place the written determination into the school district's procurement file.

R7-2-1014. Maximum Practicable Competition

- A. Procurement of any materials, services, goods, construction or construction services pursuant to Article 10 or Article 11, shall seek to achieve maximum practicable competition.
- ~~A.B.~~ All specifications, including those prepared by architects, engineers, consultants and others for public contracts, shall seek to promote overall economy for the purposes intended and encourage competition in satisfying the school district's needs and shall not be unduly restrictive.
- ~~B.C.~~ Unless otherwise permitted by R7-2-1010 through R7-2-1016, all specifications shall describe the school district's requirements in a manner that does not unreasonably exclude a material, service, or construction item. Proprietary specifications shall be used only as provided in R7-2-1012.



- CD.** To the extent practicable, the school district shall use accepted commercial specifications and shall procure standard commercial materials.
- DE.** Contracts for the preparation of specifications by persons other than the school district shall require the specification writer to adhere to R7-2-1010 through R7-2-1016.

R7-2-1093. Multiterm Contracts

- A.** Unless otherwise provided by law, multiterm contracts for materials or services and contracts for job-order-contracting construction services may be entered into if the duration of the contract and the conditions of renewal or extension, if any, are included in the invitation for bids or the request for proposals and if monies are available for the first fiscal period at the time the contract is executed. The duration of contracts for materials or services and contracts for job-order-contracting construction services shall be limited to no more than five years unless the governing board determines in writing before the procurement solicitation is issued that a contract of longer duration would be advantageous to the school district. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies.
- B.** Before the use of a multiterm contract, it shall be determined in writing by the governing board that:
1. Estimated requirements cover the period of the contract and are reasonable and continuing.
 2. Such a contract will be advantageous to the school district by encouraging effective competition or otherwise promoting economies in school district procurement.
- C.** The school district shall include in all multiterm contracts a clause specifying that the contract shall be canceled if monies are not appropriated or otherwise made available to support the continuation of performance in a subsequent fiscal year.
- D.** If monies are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be canceled and the contractor may only be reimbursed for the reasonable value of any nonrecurring costs incurred but not amortized in the price of the materials or services delivered under the contract or which are otherwise not recoverable. The cost of cancellation may be paid from any appropriations available for such purposes.
- E.** A contract for specified professional services shall have a term not ~~exceeding to exceed~~ five years after the date of contract award by the school district of the first contract under the procurement, except that the contract may continue in effect after the five year term for projects on which the rendering of specified professional services commences within the five year term.
- F.** Notwithstanding this section, contracts for auditors and auditing firms shall have a term as prescribed in A.R.S. § 15-213.

ARTICLE 11. SCHOOL DISTRICT PROCUREMENT (CONTINUED)

R7-2-1112. Contractor Licenses, Contract and Performance Requirements

- A.** Notwithstanding any other rule:
1. The contractor for design-build or job-order-contracting construction services is not required to be registered to perform design services pursuant to A.R.S. Title 32, Chapter 1 if the person actually performing the design services on behalf of the contractor is appropriately registered.
 2. The contractor for construction-manager-at-risk, design-build or job-order-contracting construction services shall be licensed to perform construction pursuant to A.R.S. Title 32, Chapter 10.
 3. The school district shall obtain and maintain a record of proof in the procurement file that a construction or construction services provider that has been awarded a contract with the school district, or through a cooperative purchasing agreement, has a license in good standing to perform construction work pursuant to A.R.S. Title 32, Chapter 10. The license shall be active on the day the contract is awarded. This paragraph does not require licensure for professions that are not licensed pursuant to A.R.S. Title 32, Chapter 10.
- B.** In a procurement for construction-manager-at-risk construction services or design-build construction services, except for design-build contracts awarded pursuant to R7-2-1111, the school district shall enter into a written contract with the contractor for preconstruction services under which the school district shall pay the contractor a fee for preconstruction services in an amount agreed by the school district and the contractor, and the school district shall not request or obtain a fixed price or a guaranteed maximum price for the construction from the contractor or enter into a construction contract with the contractor until after the school district has entered into the written contract for preconstruction services and a preconstruction services fee.
- C.** Construction shall not commence under a construction services contract until the school district and contractor agree in writing on either a fixed price that the school district will pay or a guaranteed maximum price for the construction to be commenced. The construction to be commenced may be the entire project or may be one or more phased parts of the project.
- D.** For negotiated construction-manager-at-risk and design-build contracts, preconstruction services, general conditions, schedules, construction contingency, and construction fees shall be part of the contract. For design-build contracts awarded pursuant to a request for proposals, the fees shall be included in the vendor's proposal and shall become part of the awarded contract.
- E.** For job-order-contracting construction services only:
1. The maximum dollar amount of an individual job order for job-order-contracting construction services shall be one million dollars or a higher or lower amount prescribed by the governing board in a policy adopted in a public meeting held pursuant to A.R.S. Title 38, Chapter 3, Article 3.1. Requirements shall not be artificially divided or fragmented in order to constitute a job order that satisfies the requirements of this subsection.
 2. If the contractor subcontracts or intends to subcontract part or all of the work under a job order and if the job-order-contracting construction services contract includes descriptions of standard individual tasks, standard unit prices for standard individual tasks and pricing of job orders based on the number of units of standard individual tasks in the job order:
 - a. The contractor has a duty to deliver promptly to each subcontractor invited to bid a coefficient to the contractor to do all or part of the work under one or more job orders a copy of the descriptions of all standard individual tasks on which the subcontractor is invited to bid and a copy of the standard unit prices for the individual tasks on which the subcontractor is invited to bid.
 - b. If not previously delivered to the subcontractor, the contractor has a duty to promptly deliver to each subcontractor invited to or that has agreed to do any of the work included in any job order a copy of the description of each standard individual



task that is included in the job order and that the subcontractor is invited to perform, the number of units of each standard individual task that is included in the job order and that the subcontractor is invited to perform, and the standard unit price for each standard individual task that is included in the job order and that the subcontractor is invited to perform.

- F. For all construction services contracts, the contractor performing the construction services is permitted to self-perform part of the construction work, if and to the extent agreed in writing by the school district and the contractor. The school district may use methods other than competitive bidding to assure itself that the price the school district pays to the contractor for self-performed work is fair and reasonable. Permitted methods to evaluate fairness and reasonableness of the price of self-performed work include evaluation of the contractor's proposed scope of work and price for self-performed work by an estimator who is hired and paid by the school district, who is independent of the contractor and who may be an employee of the school district. Although the school district may elect to so require, nothing in Articles 10 and 11 shall be construed or interpreted to require the school district to require a contractor desiring to self-perform part of the construction work to competitively bid that part of the construction work against other contractors in a bid competition.
- G. For all construction services contracts, the following requirements apply to the construction work to be performed by subcontractors and do not apply to construction work that the school district and the contractor agree in writing will be self-performed by the contractor:
 - 1. The person selected to perform the construction services shall select subcontractors based on qualifications alone or on a combination of qualifications and price and shall not select subcontractors based on price alone. A qualifications and price selection may be a single-step selection based on a combination of qualifications and price or a two-step selection. In a two-step selection, the first step shall be based on qualifications alone and the second step may be based on a combination of qualifications and price or on price alone.
 - 2. The school district shall include in each contract:
 - a. If the school district included its subcontractor selection plan in the request for qualifications, the school district's subcontractor selection plan and the procedures to implement the school district's subcontractor selection plan proposed by the awarded contractor in submitting its qualifications with those modifications to the procedures as the school district and the contractor agree.
 - b. If the school district did not include its subcontractor selection plan in the request for qualifications, the subcontractor selection plan proposed by the awarded contractor in submitting its qualifications with those modifications as the school district and the contractor agree.
 - 3. In making the selection of subcontractors, the contractor shall use the subcontractor selection plan and any procedures included in its contract.
- H. The school district shall include in each contract for construction services the full street or physical address of each separate location at which the construction will be performed and a requirement that the contractor and each subcontractor at any level include in each of its subcontracts the same address information. The contractor and each subcontractor at any level shall include in each subcontract the full street or physical address of each separate location at which construction work will be performed.



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
ARIZONA DEPARTMENT OF ADMINISTRATION
PUBLIC BUILDINGS MAINTENANCE**

[R18-252]

1. **Title and its heading:** 2, Administration
- Chapter and its heading:** 11, Department of Administration - Public Buildings Maintenance
- Article and its heading:** 3, Solicitation
4, Special Events
5, Severability
- Section numbers:** R2-11-301 through R2-11-312; R2-11-401 through R2-11-409;
R2-11-501 (*Sections may be made, repealed, or amended as needed*)
2. **The subject matter of the proposed rule:**

The subject matter of Article 3 is about regulating the use of state property for solicitation of material.
 The subject matter of R2-11-301 is about the definitions of terms and phrases used in Article 3.

The subject matter of R2-11-302 is about preventing a solicitation on state property without express written permission from the Director.

The subject matter of R2-11-303 is about the application requirements to conduct a solicitation on state property.
 R2-11-304 is about the processing procedure for applications of solicitations.

The subject matter of R2-11-305 is about the permit issuance and denial process for applications of solicitations.

The subject matter of R2-11-306 is about authorizing the Director to designate one bulletin board in every state building where the solicitor shall post solicitation material.

The subject matter of R2-11-307 is about preventing a person from using state materials, supplies, equipment or other resources, such as payroll stuffing or interoffice mail, to conduct a solicitation.

The subject matter of R2-11-308 is about preventing a person from conducting a solicitation at a work site except for posting material on a bulletin board designated by the Director.

The subject matter of R2-11-309 is about exempting certain state programs from the solicitation requirements.

The subject matter of R2-11-310 is about authorizing the Director to suspend or revoke a permit for failure to comply with this Article.

The subject matter of R2-11-312 is about explaining the process that a solicitor may obtain a hearing on a denial or summary suspension of a permit and outlines the timelines for both the Department and the applicant on process.

The subject matter of Article 4 is about regulating the use of state property for special events. The objective of R2-11-401 is about the definitions of terms and phrases used in Article 4.

The subject matter of R2-11-402 is about the prevention of unauthorized use of state buildings or grounds without written permission from the Director.

The subject matter of R2-11-403 is about the application requirements for special events.

The subject matter R2-11-404 is about the processing procedure for applications for special events.

The subject matter of R2-11-405 is about the permit issuance and denial process for applications of special events.

The subject matter of R2-11-406 is about the requirement for all sponsors of special events must designate one monitor for every 50 persons expected to attend an event.

The subject matter of R2-11-407 is about Director's requirements for the sponsor to abide by all conditions set forth in ensuring the public health and safety at an event.

The subject matter of R2-11-408 is about authorizing the Director to suspend or revoke a permit for failure to comply with this Article.

The subject matter of R2-11-409 is about the stipulation that a sponsor may obtain a hearing on a denial or summary suspension of



a permit and outlines the timelines for both the Department and the applicant on the process.

The subject matter of Article 5 is about severability of this chapter of rules. The subject matter of R2-11-501 is about ensuring that if a rule or portion of a rule in this Chapter is held unconstitutional or invalid, the holding does not affect the validity of the remaining rules.

The Department may add, delete, or modify other Sections, as necessary. An exemption from Executive Order 2017-02 was obtained for this rulemaking by Mara Mellstrom, Policy Advisor in the Governor’s Office, in an e-mail dated April 27, 2017.

3. A citation to all published notices relating to the proceeding:

Notice of Proposed Rulemaking: 24 A.A.R. 3269, November 23, 2018 (*in this issue*)

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

Name: Nola Barnes, Assistant Director
Address: Department of Administration, General Services Division
1110 W. Washington, Suite 155
Phoenix, AZ 85007

Telephone: (602) 542-1954
E-mail: nola.barnes@azdoa.gov

or

Name: Jobalena Yates, GSD Rules
Address: Department of Administration, General Services Division
1110 W. Washington, Suite 155
Phoenix, AZ 85007

Telephone: (602) 542-6252
E-mail: Jobalena.Yates@azdoa.gov
Web site: www.gsd.az.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Written comments may be submitted at any time prior to the close of the public record. The schedule for oral proceedings is to be determined and will be published in a future issue of the *Register*.

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

To be determined.



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)(9)).

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 INDUSTRIAL COMMISSION OF ARIZONA

[M18-77]

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

Title: Life Table to be Used in Calculating *Roth* Credits

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

The revised Substantive Policy Statement was issued and published on the Industrial Commission of Arizona (ICA) website on November 8, 2018, and will be effective November 8, 2018.

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

Identifies the source document (life table) for ascertaining the life expectancy of a workers' compensation claimant and specifies that the source document be used in calculating the amount of credit or credits resulting from prior disability awards using the method described in *R.G. Roth v. Indus. Comm'n.*, 126 Ariz. 147, 613 P.2d 307 (App. 1980).

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

R.G. Roth v. Indus. Comm'n., 126 Ariz. 147, 613 P.2d 307 (App. 1980); *see also* A.R.S. § 23-1044(E).

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

This is a revision of a prior substantive policy statement.

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

Name: Gaetano Testini
 Address: Industrial Commission of Arizona
 800 W. Washington St., Suite 303
 Phoenix, AZ 85007
 Telephone: (602) 542-5905
 Fax: (602) 542-6783
 E-mail: Gaetano.Testini@azica.gov
 Website: <http://www.azica.gov>

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

The substantive policy statement is available at no cost at <https://www.azica.gov/substantive-policies-directory-other-adosh>. A copy may be obtained from the Industrial Commission of Arizona, 800 West Washington Street, Phoenix, Arizona 85007, either by mail or telephone: (602) 542-4412. The Commission charges \$.25 per page for copying. Payment may be paid with check or money order, made payable to the Industrial Commission of Arizona.

NOTICE OF SUBSTANTIVE POLICY STATEMENT INDUSTRIAL COMMISSION OF ARIZONA

[M18-78]

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

Title: Notification of Parties in Workers' Compensation Matters

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

The statement was issued and published on the Industrial Commission of Arizona website on November 8, 2018, and will be effective February 19, 2019.



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

Clarifies the Industrial Commission of Arizona’s legal obligation to notify interested parties in workers’ compensation matters. “Interested parties” includes employers, employees, and carriers (or their authorized representatives).

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

A.R.S. §§ 23-901(10); 23-941(D); 23-942(C); 23-943(D); 23-4047(C); 23-1061(A), (F), (I); A.R.S. § 23-1062(D); 23-1071.01; A.A.C. R20-5-102; A.A.C. R20-5-133(C); A.A.C. R20-5-158 (A); A.A.C. R20-5-163(F); General Tire Co. v. Indus. Comm'n of Ariz., 750 P.2d 1377, 1381, 156 Ariz. 174, 178 (App. 1988).

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

This is a new substantive policy statement.

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

Name: Gaetano Testini
Address: Industrial Commission of Arizona
800 W. Washington St., Suite 303
Phoenix, AZ 85007
Telephone: (602) 542-5905
Fax: (602) 542-6783
E-mail: Gaetano.Testini@azica.gov
Website: <http://www.azica.gov>

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

The substantive policy statement is available at no cost at <https://www.azica.gov/substantive-policies-directory-other-adosh>. A copy may be obtained from the Industrial Commission of Arizona, 800 West Washington Street, Phoenix, Arizona 85007, either by mail or telephone: (602) 542-4412. The Commission charges \$.25 per page for copying. Payment may be paid with check or money order, made payable to the Industrial Commission of Arizona.



GOVERNOR EXECUTIVE ORDER

Executive Order 2018-02 is being reproduced in each issue of the *Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order will appear in the *Register* until its expiration on December 31, 2018, and has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2018-02**Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Service-Oriented Agencies**

[M18-46]

WHEREAS, burdensome regulations inhibit job growth and economic development; and

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

WHEREAS, in 2015 the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order, and renewed the moratorium in 2016 and 2017; and

WHEREAS, in 2017 the State of Arizona eliminated or repealed 676 needless regulations; and

WHEREAS, estimates show these eliminations saved job creators more than \$48 million in operating costs; and

WHEREAS, 161,000 private sector jobs have been added to Arizona since January 2015; and

WHEREAS, all government agencies of the State of Arizona should continue to promote customer-service-oriented principles for the people that it serves; and

WHEREAS, each State agency shall continue 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; and

WHEREAS, each State agency should evaluate its administrative rules using any available and reliable data and performance metrics; and

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

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:

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 federal court 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. A State agency subject to this Order, shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by Arizona Revised Statutes or Arizona Administrative Code.
4. A State agency subject to this Order, shall coordinate with the Office of Economic Opportunity to prepare a statement of estimated regulatory costs analyzing the economic impact of agency rules, including an analysis of the effort of such rules on the creation and retention of jobs within the State of Arizona.
5. A State agency subject to this Order, shall review the agency's rules related to license reciprocity and identify opportunities to decrease burdens for qualified professionals who relocate to Arizona, whether administrative or legislative, and report these opportunities to the office of the Governor no later than July 1, 2018.



- 6. A State agency subject to this Order, shall review the agency’s rules to identify opportunities for veterans by recognizing the skills, credentials, and training received during military service in place of some or all of the training requirements for a specific license, and include additional opportunities in the report to the office of the Governor no later than July 1, 2018.
- 7. 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.
- 8. 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.
- 9. This Executive Order expires on December 31, 2018.

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 Twelfth day of February in the Year Two Thousand and Eighteen and of the Independence of the United States of America the Two Hundred and Thirty-Sixth.

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

- XN = Exempt new Section
- XM = Exempt amended Section
- XR = Exempt repealed Section
- X# = Exempt renumbered Section

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

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- 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

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- EXP = Rules have expired
- See also “emergency expired” under emergency rulemaking*

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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.

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



July		August		September		October		November		December	
Date Filed	Effective Date										
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7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
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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
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16	12/17	2/15
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.

Deadline Date (paper only) Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
August 3, 2018	August 24, 2018	September 24, 2018
August 10, 2018	August 31, 2018	October 1, 2018
August 17, 2018	September 7, 2018	October 9, 2018
August 24, 2018	September 14, 2018	October 15, 2018
August 31, 2018	September 21, 2018	October 22, 2018
September 7, 2018	September 28, 2018	October 29, 2018
September 14, 2018	October 5, 2018	November 5, 2018
September 21, 2018	October 12, 2018	November 13, 2018
September 28, 2018	October 19, 2018	November 19, 2018
October 5, 2018	October 26, 2018	November 26, 2018
October 12, 2018	November 2, 2018	December 3, 2018
October 19, 2018	November 9, 2018	December 10, 2018
October 26, 2018	November 16, 2018	December 17, 2018
November 2, 2018	November 23, 2018	December 24, 2018
November 9, 2018	November 30, 2018	December 31, 2018
November 16, 2018	December 7, 2018	January 7, 2019
November 23, 2018	December 14, 2018	January 14, 2019
November 30, 2018	December 21, 2018	January 22, 2019
December 7, 2018	December 28, 2018	January 28, 2019
December 14, 2018	January 4, 2019	February 4, 2019
December 21, 2018	January 11, 2019	February 11, 2019
December 28, 2018	January 18, 2019	February 19, 2019
January 4, 2019	January 25, 2019	February 25, 2019
January 11, 2019	February 1, 2019	March 4, 2019
January 18, 2019	February 8, 2019	March 11, 2019
January 25, 2019	February 15, 2019	March 18, 2019
February 1, 2019	February 22, 2019	March 25, 2019
February 8, 2019	March 1, 2019	April 1, 2019
February 15, 2019	March 8, 2019	April 8, 2019
February 22, 2019	March 15, 2019	April 15, 2019



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 <http://grrc.az.gov>.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2018

[M18-01]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
Tuesday November 21, 2017	Tuesday December 19, 2017	Wednesday January 3, 2018	Tuesday January 9, 2018
Tuesday December 19, 2017	Tuesday January 23, 2018	Tuesday January 30, 2018	Tuesday February 6, 2018
Tuesday January 23, 2018	Tuesday February 20, 2018	Tuesday February 27, 2018	Tuesday March 6, 2018
Tuesday February 20, 2018	Tuesday March 20, 2018	Tuesday March 27, 2018	Tuesday April 3, 2018
Tuesday March 20, 2018	Tuesday April 17, 2018	Tuesday April 24, 2018	Tuesday May 1, 2018
Tuesday April 17, 2018	Tuesday May 22, 2018	Wednesday May 30, 2018	Tuesday June 5, 2018
Tuesday May 22, 2018	Tuesday June 19, 2018	Tuesday June 26, 2018	Tuesday July 10, 2018
Tuesday June 19, 2018	Tuesday July 24, 2018	Tuesday July 31, 2018	Tuesday August 7, 2018
Tuesday July 24, 2018	Tuesday August 21, 2018	Tuesday August 28, 2018	Wednesday September 5, 2018
Tuesday August 21, 2018	Tuesday September 18, 2018	Tuesday September 25, 2018	Tuesday October 2, 2018
Tuesday September 18, 2018	Tuesday October 23, 2018	Tuesday October 30, 2018	Tuesday November 6, 2018
Tuesday October 23, 2018	Tuesday November 20, 2018	Tuesday November 27, 2018	Tuesday December 4, 2018
Tuesday November 20, 2018	Tuesday December 18, 2018	Thursday January 3, 2019	Tuesday January 8, 2019
Tuesday December 18, 2018	Tuesday January 22, 2019	Tuesday January 29, 2019	Tuesday February 5, 2019

* Materials must be submitted by 5 PM on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.



GOVERNOR'S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE NOVEMBER 6, 2018 MEETING

[M18-79]

Rules:

DEPARTMENT OF CHILD SAFETY (R-18-1101)

Title 21, Chapter 9, Article 2, Adoption Agency Licensing Requirements

Amend: R21-9-202; R21-9-207

COUNCIL ACTION: APPROVED

BOARD OF BEHAVIORAL HEALTH EXAMINERS (R-18-1102)

Title 4, Chapter 6, Article 1, Definitions; Article 2, General Provisions; Article 3, Licensure; Article 4, Social Work; Article 5, Counseling; Article 6, Marriage and Family Therapy; Article 7, Substance Abuse Counseling; Article 11, Standards of Practice

Amend: R4-6-101; R4-6-211; R4-6-212; R4-6-212.01; R4-6-215; R4-6-301; R4-6-304; R4-6-306; R4-6-402; R4-6-502; R4-6-602; R4-6-704; R4-6-1101

COUNCIL ACTION: APPROVED

AHCCCS (R-18-1103)

Title 9, Chapter 22, Article 7, Standard for Payments

Amend: R9-22-712.05

COUNCIL ACTION: APPROVED

Five-Year Review Reports:

DEPARTMENT OF AGRICULTURE (F-10-1001)

Title 3, Chapter 3, Article 7, Pesticide; Article 8, Fertilizer Materials; Article 9, Commercial Feed; Article 10, Agricultural Safety; Article 11, Arizona Native Plants

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES (F-18-1004)

Title 9, Chapter 20, Article 1, DUI Services; Article 2, Misdemeanor Domestic Violence Offender Treatment

COUNCIL ACTION: APPROVED

DEPARTMENT OF ENVIRONMENTAL QUALITY (F-18-1010)

Title 8, Chapter 4, Article 1, Arizona Emergency Response Commission

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES (F-18-1011)

Title 9, Chapter 7, Article 11, Industrial Uses of X-Rays, Not Including Analytical X-Ray Systems

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES (F-18-1101)

Title 9, Chapter 10, Article 6, Hospices

COUNCIL ACTION: APPROVED

LAND DEPARTMENT (F-18-1102)

Title 12, Chapter 5, Article 1, General Provisions; Article 2, Practice and Procedure in Administrative Hearings for Protesting Auctions Before the Arizona State Land Commissioner; Article 4, Sales



COUNCIL ACTION: APPROVED

DEPARTMENT OF CHILD SAFETY (F-18-1103)

Title 21, Chapter 3, Article 1, Definitions; Article 2, Receipt and Screening of Communications

COUNCIL ACTION: APPROVED

DEPARTMENT OF CHILD SAFETY (F-18-1104)

Title 21, Chapter 4, Article 1, Investigations

COUNCIL ACTION: APPROVED

BOARD OF OPTOMETRY (F-18-1105)

Title 4, Chapter 21, Article 1, General Provisions; Article 2, Licensing Provisions; Article 3, Standards, Recordkeeping, Rehearing or Review of Board Decision

COUNCIL ACTION: APPROVED