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~ Administrative Register Contents ~

May 31, 2019

Information 1326

Rulemaking Guide 1327

RULES AND RULEMAKING

Proposed Expedited Rulemaking, Notices of

 9 A.A.C. 16 Department of Health Services - Occupational Licensing. 1329

OTHER AGENCY NOTICES

Docket Opening, Notices of Rulemaking

 9 A.A.C. 4 Department of Health Services - Noncommunicable Diseases 1341

 9 A.A.C. 6 Department of Health Services - Communicable Diseases and Infestations 1342

Substantive Policy Statement, Notices of Agency

 Board of Behavioral Health Examiners 1344

GOVERNOR'S OFFICE

Governor's Executive Order 2019-01

 Moratorium on Rulemaking to Promote Job Creation and Customer-Service-Oriented Agencies; Protecting

 Consumers Against Fraudulent Activities. 1345

INDEXES

 Register Index Ledger 1347

 Rulemaking Action, Cumulative Index for 2019 1348

 Other Notices and Public Records, Cumulative Index for 2019 1353

CALENDAR/DEADLINES

 Rules Effective Dates Calendar 1354

 Register Publishing Deadlines 1356

GOVERNOR'S REGULATORY REVIEW COUNCIL

 Governor's Regulatory Review Council Deadlines. 1357

 Action Taken at the May 7, 2019 Meeting 1358

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From the Publisher

ABOUT THIS PUBLICATION

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

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

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

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

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

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

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

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

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

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

LEGAL CITATIONS AND FILING NUMBERS

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

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

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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.

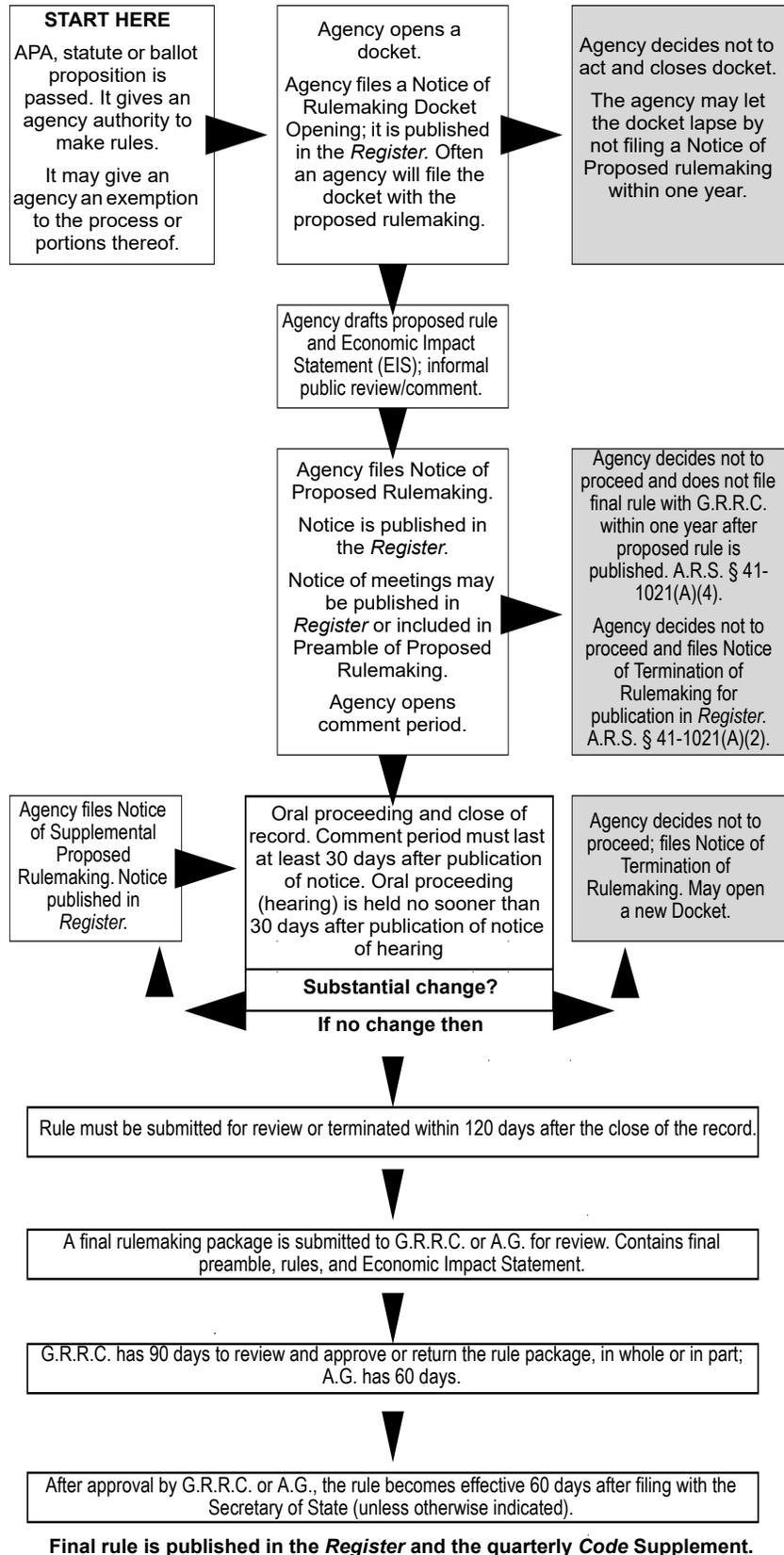
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

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 EXPEDITED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Expedited Rulemaking. The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the proposed expedited rule should be addressed to the agency proposing the rule. Refer to Item #5 to contact the person charged with the rulemaking.

**NOTICE OF PROPOSED EXPEDITED RULEMAKING
TITLE 9. HEALTH SERVICES
CHAPTER 16. DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING**

[R19-96]

PREAMBLE

- | <u>1. Article, Part, or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|---|---------------------------------|
| Article 6 | New Article |
| R9-16-601 | New Section |
| R9-16-602 | New Section |
| R9-16-603 | New Section |
| R9-16-604 | New Section |
| R9-16-605 | New Section |
| R9-16-606 | New Section |
| R9-16-607 | New Section |
| R9-16-608 | New Section |
| R9-16-609 | New Section |
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| R9-16-615 | New Section |
| R9-16-616 | New Section |
| R9-16-617 | New Section |
| R9-16-618 | New Section |
| R9-16-619 | New Section |
| R9-16-620 | New Section |
| R9-16-621 | New Section |
| R9-16-622 | New Section |
| R9-16-623 | New Section |
| R9-16-624 | New Section |
- 2. Citations to the agency's statutory authority for the rulemaking to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing Statutes: A.R.S. §§ 32-2803, 36-136(G)
 Implementing Statutes: A.R.S. §§ 32-2803, 32-2804, 32-2811 through 32-2819, 32-2821, 32-2824 and 36-2841 through 32-2843
- 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 expedited rulemaking:**
 Notice of Rulemaking Docket Opening: 25 A.A.R. 1270, May 17, 2019
- 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: Megan Whitby, Bureau Chief
 Address: Department of Health Services
 Public Health Licensing Services
 150 N. 18th Ave., Suite 400
 Phoenix, AZ 85007
 Telephone: (602) 364-3052
 Fax: (602) 364-2079
 E-mail: Megan.Whitby@azdhs.gov
 or
 Name: Robert Lane, Chief



Address: Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
E-mail: Robert.Lane@azdhs.gov

5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, under A.R.S. § 41-1027, to include an explanation about the rulemaking:

Arizona Revised Statutes (A.R.S.) Title 9, Chapter 28, Article 2 provides for the certification of different classifications of radiation technologists. Rules for certification are currently in Arizona Administrative Code (A.A.C.) Title 12, Chapter 2. Laws 2017, Ch. 313, and Laws 2018, Ch. 234, makes the Arizona Department of Health Services (Department) responsible for regulating radiation technologists, replacing the Arizona Radiation Regulatory Agency, the Radiation Regulatory Hearing Board, and the Medical Radiologic Technology Board of Examiners in these duties. The rules in 12 A.A.C. 2 do not refer to the Department as the agency responsible for regulating radiation technologists. Moreover, the rules are inconsistent with statutory requirements and formatted in a way that is difficult to understand. All of these issues may cause confusion on the part of regulated persons, unnecessarily adding to their administrative burden, as described in a five-year-review report approved by the Governor's Regulatory Review Council in December 2018. In addition, the rules do not comply with requirements in HB 2569 relating to reciprocity of professional licenses. After receiving an exception from the Governor's rulemaking moratorium established by Executive Order 2019-01, the Department is revising the rules by expedited rulemaking to make changes described in the five-year-review report and to comply with HB 2569 to reduce the regulatory burden while achieving the same regulatory objective, comply with statutory requirements, and help eliminate confusion on the part of the public. The Department believes the rulemaking meets the criteria for expedited rulemaking since the changes to be made will not increase the cost of regulatory compliance, increase a fee, or reduce procedural rights of persons regulated.

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

The Department did not review or rely on any study for this rulemaking.

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

Not applicable

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

Under A.R.S. § 41-1055(D)(2), the Department is not required to provide an economic, small business, and consumer impact statement.

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

Not applicable

10. Where, when, and how persons may provide written comment to the agency on the proposed expedited rules under A.R.S. § 41-1027(C):

Close of record: Monday, June 17, 2019, 4:00 p.m.

A person may submit written comments on the proposed expedited rules no later than the close of record to either of the individuals listed in item 4.

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

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

The Department believes the certification issued to an individual is a general permit in that certification specifies the individual and the tasks/services the individual is authorized by certification to provide, but a certified individual is not limited to providing the tasks/services in any one location.

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:

Federal laws do not apply to the certification rules. However, federal regulations may impact the scope of practice and methodologies employed by certified individuals.

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 such analysis was submitted.

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

Materials incorporated by reference in this rulemaking are:

- In R9-16-603(B)(1) - 2017 American Society of Radiologic Technologists Limited X-Ray Machine Operator Practice Standards
• In R9-16-604(B)(1) - 2017 American Society of Radiologic Technologists Limited X-Ray Machine Operator Practice Standards
• In R9-16-605(B)(1) - 2017 American Society of Radiologic Technologists Bone Densitometry Practice Standards



- In R9-16-608(B) - 2017 American Society of Radiologic Technologists Radiography Practice Standards
- In R9-16-608(C)(1) - 2017 American Society of Radiologic Technologists Nuclear Medicine Practice Standards
- In R9-16-608(D) - 2017 American Society of Radiologic Technologists Radiation Therapy Practice Standards
- In R9-16-610(B)(1) - 2017 American Society of Radiologic Technologists Mammography Practice Standards
- In R9-16-613(B)(1) - 2017 American Society of Radiologic Technologists Computed Tomography Practice Standards
- In R9-16-616(B)(1) - 2017 American Society of Radiologic Technologists Radiologist Assistant Practice Standards

13. The full text of the rules follows:

**TITLE 9. HEALTH SERVICES
CHAPTER 16. DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING**

ARTICLE 6. RADIATION TECHNOLOGISTS

Section

R9-16-601.	<u>Definitions</u>
R9-16-602.	<u>Training Programs</u>
R9-16-603.	<u>Practical Radiological Technologist - Eligibility and Scope of Practice</u>
R9-16-604.	<u>Practical Technologist in Podiatry - Eligibility and Scope of Practice</u>
R9-16-605.	<u>Practical Technologist in Bone Densitometry - Eligibility and Scope of Practice</u>
R9-16-606.	<u>Application for Examination</u>
R9-16-607.	<u>Application for Initial Certification</u>
R9-16-608.	<u>Radiological Technologist, Nuclear Medicine Technologist, and Radiation Therapy Technologist - Eligibility and Scope of Practice</u>
R9-16-609.	<u>Initial Application for a Radiological Technologist, Nuclear Medicine Technologist, and Radiation Therapy Technologist</u>
R9-16-610.	<u>Mammographic Technologist - Eligibility and Scope of Practice</u>
R9-16-611.	<u>Student Mammographic Technologist Permit</u>
R9-16-612.	<u>Initial Application for Certification for a Mammographic Technologist</u>
R9-16-613.	<u>Computed Tomography Technologist - Eligibility and Scope of Practice</u>
R9-16-614.	<u>Application for Computed Tomography Technologist Preceptorship and Temporary Permit</u>
R9-16-615.	<u>Application for Initial Certification for a Computed Tomography Technologist</u>
R9-16-616.	<u>Radiologist Assistant - Eligibility and Scope of Practice</u>
R9-16-617.	<u>Application for Initial Certification for a Radiologist Assistant</u>
R9-16-618.	<u>Special Permit</u>
R9-16-619.	<u>Application</u>
R9-16-620.	<u>Renewal of Certification</u>
R9-16-621.	<u>Review Time-frames</u>
R9-16-622.	<u>Changes Affecting a Certificate or Certificate Holder; Request for a Duplicate Certificate</u>
R9-16-623.	<u>Fees</u>
R9-16-624.	<u>Enforcement</u>

ARTICLE 6. RADIATION TECHNOLOGISTS

R9-16-601. Definitions

In addition to the definitions in A.R.S. § 32-2801, the following definitions apply in this Article unless otherwise specified:

1. “Applicant” means:
 - a. An individual who submits an application packet, or
 - b. A person who submits a request for approval of a radiation technologist training program.
2. “Application packet” means the information, documents, and fees required by the Department for a certificate or permit.
3. “ARRT” means the American Registry of Radiologic Technologists.
4. “Authorized user” means the same as in A.A.C. R9-7-102.
5. “Calendar day” means each day, not including the day of the act, event, or default, from which a designated period of time beings to run, but including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
6. “CBRPA” means the Certification Board for Radiology Practitioner Assistants.
7. “Certification” means the issuing of a certificate.
8. “Chest radiography” means radiography performed to visualize the heart and lungs only.
9. “Continuing education” means a course or learning activity that provides instruction and training designed to develop or improve the professional competence of a certificate holder related to the certificate holder’s scope of practice.
10. “Contrast media” means material intentionally administered to a human body to define a part or parts of the human body that are not normally radiographically visible.



- 11. “Department-approved educational program” means a curriculum of courses and learning activities that is accredited by a nationally recognized accreditation body or granted approval through the Department.
- 12. “Department-approved examination” means a test administered through ARRT, NMTCB, ISCD, or CBRPA.
- 13. “Extremity” means the same as in A.A.C. R9-7-102.
- 14. “Fluoroscopy” means the use of radiography to directly visualize internal structures of the human body, the motion of internal structures, and fluids in real time, or near real-time, to aid in the treatment or diagnosis of disease or the performance of other medical procedures.
- 15. “ISCD” means the International Society for Clinical Densitometry.
- 16. “Nationally recognized accreditation body” means ARRT, NMTCB, ISCD, or CBRPA.
- 17. “NMTCB” means the Nuclear Medicine Technology Certification Board.
- 18. “Radiograph” means the record of an image, representing anatomical details of a part of a human body examined through the use of ionizing radiation, formed by the differential absorption of ionizing radiation within the part of the human body.
- 19. “Radiography” means the use of ionizing radiation in making radiographs.
- 20. “Radiopharmaceutical agent” means a radionuclide or radionuclide compound designed and prepared for administration to human beings.

R9-16-602. Training Programs

- A.** The Department shall maintain a list of Department-approved educational programs according to A.R.S. § 32-2804 on the Department’s website at <https://www.azdhs.gov/licensing/special/index.php#mrt-provider-info>.
- B.** An applicant may request Department approval of a curriculum of courses and learning activities as a training program by submitting an application packet that contains:
 - 1. An application, in a Department-provided format, that includes:
 - a. The name and address of the school providing the training program;
 - b. The name, title, telephone number, and e-mail address of the administrator or designee of the school; and
 - c. A list of each training program for which approval is being requested, including the number of hours of instruction provided for each;
 - 2. A copy of the curriculum that includes course titles and course descriptions; and
 - 3. A list of instructors providing the instruction and the credentials of each.
- C.** The Department shall:
 - 1. Review each application packet according to R9-16-621; and
 - 2. If approved, add the applicant’s school to the list of Department-approved educational programs in subsection (A).
- D.** If an applicant for certification or permit did not complete a Department-approved educational program, the applicant may submit to the Department a copy of the curriculum for the training program completed by the applicant with the applicant’s application packet in R9-16-606(B), R9-16-607(A), or R9-16-609(A).

R9-16-603. Practical Technologist in Radiology - Eligibility and Scope of Practice

- A.** An individual is eligible for certification as a practical technologist in radiology if the individual:
 - 1. Is at least 18 years of age; and
 - 2. Either:
 - a. Has completed a training program in radiologic technology through a Department-approved educational program and achieved a score of at least 67% on a Department-approved examination; or
 - b. Meets the criteria in A.R.S. § 32-4302(A).
- B.** An individual certified as a practical technologist in radiology shall:
 - 1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Limited X-Ray Machine Operator Practice Standards available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_lxmo.pdf?sfvrsn=29e176d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments;
 - 2. Perform only:
 - a. Chest radiography, and
 - b. Radiography of the extremities; and
 - 3. Not use fluoroscopy or contrast media.

R9-16-604. Practical Technologist in Podiatry - Eligibility and Scope of Practice

- A.** An individual is eligible for certification as a practical technologist in podiatry if the individual:
 - 1. Is at least 18 years of age; and
 - 2. Either:
 - a. Has:
 - i. Completed a training program in podiatry radiology through a Department-approved educational program;
 - ii. Received a signed and dated attestation from a podiatrist licensed according to A.R.S. Title 32, Chapter 7, verifying that the applicant:
 - (1) Completed training under the direction of the licensed podiatrist, and
 - (2) Is proficient in independently taking radiographs; and
 - iii. Achieved a score of at least 70% on a Department-approved examination; or
 - b. Meets the criteria in A.R.S. § 32-4302(A).
- B.** An individual certified as a practical technologist in podiatry shall:



1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Limited X-Ray Machine Operator Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_lxmo.pdf?sfvrsn=29e176d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments; and
2. Only perform radiographic examinations of the lower leg, ankle, and foot, without the use of fluoroscopy or contrast media.

R9-16-605. Practical Technologist in Bone Densitometry - Eligibility and Scope of Practice

- A.** An individual is eligible for certification as a practical technologist in bone densitometry if the individual:
1. Is at least 18 years of age; and
 2. Either:
 - a. Has completed a training program in bone densitometry through a Department-approved educational program and achieved a score of at least 70% on a Department-approved examination, or
 - b. Meets the criteria in A.R.S. § 32-4302(A).
- B.** An individual certified as a practical technologist in bone densitometry shall:
1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Bone Densitometry Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_bd.pdf?sfvrsn=11e176d0_22, incorporated by reference, on file with the Department, and including no future editions or amendments; and
 2. Apply ionizing radiation only to a person's hips, spine, and extremities through the use of a bone density machine without the use of fluoroscopy or contrast media.

R9-16-606. Application for Examination

- A.** An individual may apply for examination if the individual meets eligibility criteria for a:
1. Practical technologist in radiology listed in R9-16-603(A);
 2. Practical technologist in podiatry listed in R9-16-604(A); or
 3. Practical technologist in bone densitometry listed in R9-16-605(A).
- B.** An applicant for examination shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. Except as provided in R9-16-602(D), documentation of completion of a Department-approved educational program; and
 3. For an applicant for examination as a practical technologist in podiatry, the attestation specified in R9-16-604(A)(2)(a)(ii).
- C.** The Department shall approve or deny an individual's application for examination according to R9-16-621.
- D.** If the Department determines that the application packet submitted under subsection (B) is complete and in compliance, the Department shall notify the applicant that the applicant is approved to test.
- E.** Upon notification by the Department according to subsection (D), and applicant:
1. Shall arrange testing through AART, and
 2. Has six months to complete testing before the applicant is required to re-apply for examination.

R9-16-607. Application for Initial Certification as a Practical Technologist in Radiology, Practical Technologist in Podiatry, or Practical Technologist in Bone Densitometry

- A.** Except as provided in subsection (B), an applicant for initial certification as a practical technologist in radiology, practical technologist in podiatry, or practical technologist in bone densitometry shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. Except as provided in R9-16-602(D), documentation of completion of a Department-approved educational program;
 3. Documentation of achieving the applicable minimum score on a Department-approved examination;
 4. For an application for a practical technologist in podiatry, the signed attestation in R9-16-604(A)(2)(a)(ii) containing:
 - a. The name and date of birth of the applicant,
 - b. The name and license number of the licensed podiatrist,
 - c. A statement by the licensed podiatrist verifying completion of the applicant's clinical training and approval of radiographic images taken by the applicant, and
 - d. The licensed podiatrist's signature and date; and
 5. The applicable fee in R9-16-623.
- B.** If an applicant for initial certification as a practical technologist in radiology, practical technologist in podiatry, or practical technologist in bone densitometry may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
1. The information and documentation required in R9-16-619;
 2. Documentation of the professional license or certification issued to the applicant by each state in which the applicant holds a professional license or certification;
 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified in another state for at least one year, with a scope of practice consistent with the scope of practice for which certification is being requested;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
 4. The applicable fee in R9-16-623.



C. The Department shall approve or deny an individual’s application for initial certification according to R9-16-621.

R9-16-608. Radiologic Technologist, Nuclear Medicine Technologist, and Radiation Therapy Technologist - Eligibility and Scope of Practice

A. An individual is eligible to apply for initial certification as a radiologic technologist, nuclear medicine technologist, or radiation therapy technologist if the individual:

1. Is at least 18 years of age; and
2. Satisfies one of the following:
 - a. Holds current applicable ARRT or NMTCB certification.
 - b. Has completed a Department-approved educational program in radiation technology and has a passing score on a Department-approved examination, or
 - c. Meets the criteria in A.R.S. § 32-4302(A).

B. An individual certified as a radiologic technologist shall follow the standards specified in the 2017 American Society of Radiologic Technologists Radiography Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_rad.pdf?sfvrsn=13e176d0_18, incorporated by reference, on file with the Department, and including no future editions or amendments.

C. An individual certified as a nuclear medicine technologist shall:

1. Follow the standards specified in the 2017 American Society of Radiologic Technologists Nuclear Medicine Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_nm.pdf?sfvrsn=1ee176d0_14, incorporated by reference, on file with the Department, and including no future editions or amendments; and
2. Use radiopharmaceutical agents on humans for diagnostic or therapeutic purposes only.

D. An individual certified as a radiation therapy technologist shall follow the standards specified in the 2017 American Society of Radiologic Technologists Radiation Therapy Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_rt.pdf?sfvrsn=18e076d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments.

R9-16-609. Application for Initial Certification as a Radiation Technologist, Nuclear Medicine Technologist, or Radiation Therapy Technologist

A. Except as provided in subsection (B), an applicant for initial certification as a radiation technologist, nuclear medicine technologist, or radiation therapy technologist shall submit an application packet to the Department that includes:

1. The information and documents required in R9-16-619;
2. Either:
 - a. A copy of the applicant’s current ARRT or NMTCB certification; or
 - b. Documentation of:
 - i. Completing a Department-approved educational program, except as provided in R9-16-602(D); and
 - ii. Having a passing score on a Department-approved examination; and
3. The applicable fee in R9-16-623.

B. If an applicant for initial certification as a radiation technologist, nuclear medicine technologist, or radiation therapy technologist may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:

1. The information and documentation required in R9-16-619;
2. Documentation of the professional license or certification issued to the applicant by each state in which the applicant holds a professional license or certification;
3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified in another state for at least one year, with a scope of practice consistent with the scope of practice for which certification is being requested;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
4. The applicable fee in R9-16-623.

C. The Department shall approve or deny an individual’s application for initial certification according to R9-16-621.

R9-16-610. Mammographic Technologist - Eligibility and Scope of Practice

A. An individual is eligible to apply for initial certification as a mammographic technologist if the individual:

1. Is at least 18 years of age;
2. Possesses a current Department-issued certification in radiologic technology; and
3. Satisfies one of the following:
 - a. Holds a current ARRT certification in mammography;
 - b. Meets the initial training and education requirements in 21 CFR 900.12 and has a passing score on a Department-approved examination in mammography, or
 - c. Meets the criteria in A.R.S. § 32-4302(A).

B. An individual certified as a mammographic technologist:



1. Shall follow the standards specified in the 2017 American Society of Radiologic Technologists Mammography Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_mamm.pdf?sfvrsn=10e076d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments; and
2. May perform diagnostic mammography or screening mammography, as defined in A.R.S. § 30-651.

R9-16-611. Student Mammography Permits

- A.** Before beginning the initial training in 21 CFR 900.12 under R9-16-610(A)(3)(b), an individual shall obtain a student mammography permit from the Department.
- B.** An applicant for a student mammography permit shall submit an application packet to the Department that includes:
1. The information and documents required under R9-16-619; and
 2. A Department-provided agreement form that includes the following:
 - a. The name and date of birth of the applicant;
 - b. The name, license number, e-mail address, and telephone number of a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology;
 - c. A statement that the licensed radiologist is accepting responsibility for the applicant's supervision and training; and
 - d. The licensed radiologist's signature and date of signing.
- C.** The Department shall approve or deny an individual's application for a student mammography permit according to R9-16-621.
- D.** A student mammography permit is valid for one year from the date issued and may not be renewed.

R9-16-612. Application for Initial Certification as a Mammographic Technologist

- A.** Except as provided in subsection (B), an applicant for initial certification as a mammographic technologist shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. The applicant's current radiology technologist certificate number;
 3. The applicant's current student mammography permit number, if applicable;
 4. Either:
 - a. A copy of current ARRT certification in mammography; or
 - b. Documentation of:
 - i. Completing of initial education and training that meets the requirements specified in 21 CFR 900.12, and
 - ii. Having a passing score on a Department-approved examination in mammography; and
 5. The applicable fee in R9-16-623.
- B.** If an applicant for initial certification as a mammographic technologist may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
1. The information and documentation required in R9-16-619;
 2. Documentation of the license or certification as a mammographic technologist issued to the applicant by each state in which the applicant holds the license or certification;
 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified as a mammographic technologist in another state for at least one year;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
 4. The applicable fee in R9-16-623.
- C.** The Department shall approve or deny an individual's application for initial certification as a mammographic technologist according to R9-16-621.

R9-16-613. Computed Tomography Technologist - Eligibility and Scope of Practice

- A.** An individual is eligible to apply for initial certification as a computed tomography technologist if the individual:
1. Is at least 18 years of age;
 2. Possesses a current Department-issued certification as a radiologic technologist or nuclear medicine technologist; and
 3. Satisfies one of the following:
 - a. Holds a current ARRT or NMTCB certification in computed tomography.
 - b. Has completed two years of training in computed tomography and twelve hours of computed tomography-specific education, or
 - c. Meets the criteria in A.R.S. § 32-4302(A).
- B.** An individual certified as a computed tomography technologist:
1. Shall follow the standards specified in the 2017 American Society of Radiologic Technologists Computed Tomography Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_ct.pdf?sfvrsn=9e076d0_16, incorporated by reference, on file with the Department, and including no future editions or amendments; and
 2. May apply ionizing radiation to a human using a computed tomography machine for diagnostic purposes.

R9-16-614. Application for Computed Tomography Preceptorship and Temporary Certification

- A.** Before beginning training under R9-16-613(A)(3)(b), an individual shall obtain a computed tomography preceptorship certificate from the Department.
- B.** An applicant for a computed tomography preceptorship certificate shall submit an application packet to the Department that includes:
1. The information and documents required under R9-16-619; and



- 2. A Department-provided agreement form from a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology, that includes the following:
 - a. The name and date of birth of the applicant;
 - b. The name, license number, e-mail address, and telephone number of the licensed radiologist;
 - c. A statement that the licensed radiologist is accepting responsibility for the applicant’s supervision and training; and
 - d. The licensed radiologist’s signature and date of signing.
- C. The Department shall approve or deny an individual’s application for a computed tomography preceptorship certificate according to R9-16-621.
- D. A computed tomography preceptorship certificate is valid for one year from the date issued and may not be renewed.
- E. At least 30 days before the expiration of an individual’s computed tomography preceptorship certificate, the individual may apply for a computed tomography temporary certificate by submitting an application packet to the Department that includes:
 - 1. The information and documents required under R9-16-619; and
 - 2. A Department-provided agreement form from a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology, that includes the following:
 - a. The name and date of birth of the applicant;
 - b. The name, license number, e-mail address, and telephone number of the licensed radiologist;
 - c. A statement that the licensed radiologist is accepting responsibility for the applicant’s supervision and training; and
 - d. The licensed radiologist’s signature and date of signing.
- F. The Department shall approve or deny an individual’s application for a computed tomography temporary certificate according to R9-16-621.
- G. A computed tomography temporary certificate is valid for one year and may not be renewed.

R9-16-615. Application for Initial Certification for a Computed Tomography Technologist

- A. Except as provided in subsection (B), an applicant for initial certification as a computed tomography technologist shall submit an application packet to the Department that includes:
 - 1. The information and documents required in R9-16-619;
 - 2. The applicant’s current radiation technologist or nuclear medicine technologist certificate number;
 - 3. The applicant’s computed tomography preceptorship number or temporary certificate number, if applicable;
 - 4. Either:
 - a. A copy of the applicant’s current ARRT or NMTCB certification in computed tomography; or
 - b. Documentation of completion of:
 - i. Two years of training in computed tomography, and
 - ii. Twelve hours of computed tomography-specific education; and
 - 5. The applicable fee in R9-16-623.
- B. If an applicant for initial certification as a computed tomography technologist may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
 - 1. The information and documentation required in R9-16-619;
 - 2. Documentation of the license or certification as a computed tomography technologist issued to the applicant by each state in which the applicant holds the license or certification;
 - 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified as a computed tomography technologist in another state for at least one year;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
 - 4. The applicable fee in R9-16-623.
- C. The Department shall approve or deny an individual’s application for initial certification as a computed tomography technologist according to R9-16-621.

R9-16-616. Radiologist Assistant - Eligibility and Scope of Practice

- A. An individual is eligible to apply for initial certification as a radiologist assistant if the individual:
 - 1. Is at least 18 years of age; and
 - 2. Satisfies one of the following:
 - a. Holds a current ARRT or CBRPA certification as a radiologist assistant;
 - b. Has:
 - i. Completed a baccalaureate degree or post-baccalaureate certificate from an accredited educational institution that encompasses a radiologist assistant curriculum that includes a radiologist-directed clinical preceptorship, and
 - ii. Achieved a passing score on an ARRT or a CBRPA examination for radiologist assistants; or
 - c. Meets the criteria in A.R.S. § 32-4302(A).
- B. An individual certified as a radiologist assistant:
 - 1. Shall follow the standards specified the 2017 American Society of Radiologic Technologists Radiologist Assistant Practice Standards, available at https://www.asrt.org/docs/default-source/practice-standards-published/ps_ raa.pdf?sfvrsn=1ae076d0_16, incorporated by reference on file with the Department, and including no future editions or amendments; and
 - 2. May perform the following procedures under the direction of a radiologist, licensed under A.R.S. Title 32, Chapter 13 or 17 and certified in radiology by the American Board of Radiology:



- a. Fluoroscopy;
 - b. Assessment and evaluation of the physiological and psychological responsiveness of individuals undergoing radiologic procedures;
 - c. Evaluation of image quality, making initial image observations and communicating observations to the supervising radiologist; and
 - d. Administration of contrast media or other medications prescribed by the supervising radiologist.
- C. A radiologist assistant shall not interpret images, make diagnoses, or prescribe medications or therapies.

R9-16-617. Application for Initial Certification as a Radiologist Assistant

- A. Except as provided in subsection (B), an applicant for initial certification as a radiologist assistant shall submit an application packet to the Department that includes:
1. The information and documents required in R9-16-619;
 2. Either:
 - a. The applicant's current ARRT or CBRPA certification as a radiologist assistant; or
 - b. Documentation of:
 - i. Completing a baccalaureate degree or post-baccalaureate certificate from an accredited educational institution that encompasses a radiologist assistant curriculum that includes a radiologist-directed clinical preceptorship, and
 - ii. Having a passing score an ARRT or a CBRPA examination for radiologist assistants; and
 3. The applicable fee in R9-16-623.
- B. If an applicant for initial certification as a radiologist assistant may be eligible for certification under A.R.S. § 32-4302(A), the applicant shall submit an application packet to the Department that includes:
1. The information and documentation required in R9-16-619;
 2. Documentation of the license or certification as a radiologist assistant issued to the applicant by each state in which the applicant holds the license or certification;
 3. A statement, signed and dated by the applicant, attesting that the applicant:
 - a. Has been licensed or certified as a radiologist assistant in another state for at least one year;
 - b. Has met minimum education requirements and, if applicable, work experience and clinical supervision requirements, according to A.R.S. § 32-4302(A)(3);
 - c. Has not voluntarily surrendered a license or certification in any other state or country while under investigation for unprofessional conduct; and
 - d. Does not have an complaint, allegation, or investigation pending before another regulatory entity in another state or country related to unprofessional conduct; and
 4. The applicable fee in R9-16-623.
- C. The Department shall approve or deny an individual's application for initial certification as a radiologist assistant according to R9-16-621.

R9-16-618. Special Permits

- A. An applicant for a special permit under A.R.S. § 32-2814(B) shall submit an application packet to the Department containing:
1. The information and documents required in R9-16-619;
 2. An attestation, in a Department-provided format, from the health care institution in which the applicant proposes to practice:
 - a. Stating that the requesting health care institution is located in an Arizona medically underserved area, as defined in A.A.C. R9-15-101(4), or a health professional shortage area, as defined in A.A.C. R9-15-101(25);
 - b. Verifying that the health care institution developed and is implementing a program of continuing education for the applicant to protect the health and safety of individuals undergoing radiologic procedures; and
 - c. Signed and dated by the health care institution's administrator or designee; and
 3. A letter signed by the health care institution's administrator or designee that provides justification for the issuance of a special permit.
- B. The Department shall approve or deny an application for a special permit according to R9-16-621.
- C. A special permit is valid for no more than one year, but may be renewed as provided in subsection (A) if the circumstances justifying the issuance of a special permit have not changed.

R9-16-619. Application Information

An applicant for certification shall submit to the Department:

1. The following information in a Department-provided format:
 - a. The applicant's name;
 - b. The applicant's residential address and, if different, mailing address;
 - c. The applicant's telephone number;
 - d. The applicant's e-mail address;
 - e. The applicant's Social Security number, as required under A.R.S. §§ 25-320 and 25-502;
 - f. The applicant's date of birth;
 - g. The applicant's current employment in the radiation technology field, if applicable, including:
 - i. The employer's name,
 - ii. The applicant's position,
 - iii. Dates of employment,
 - iv. The address of the employer,
 - v. The supervisor's name,
 - vi. The supervisor's email address, and



- vii. The supervisor’s telephone number;
- h. The applicant’s educational history related to radiation technology, including:
 - i. The name and address of each educational institution,
 - ii. The degree or certification received, and
 - iii. The applicant’s date of graduation;
- i. The type of certificate being applied for;
- j. Whether the applicant has ever been convicted of a felony or a misdemeanor in this or another state;
- k. If the applicant has been convicted of a felony or a misdemeanor:
 - i. The date of the conviction,
 - ii. The state or jurisdiction of the conviction,
 - iii. An explanation of the crime of which the applicant was convicted, and
 - iv. The disposition of the case;
- l. Whether the applicant holds other professional licenses or certifications and, if so:
 - i. The professional license or certification, and
 - ii. The state in which the professional license or certification was issued;
- m. Whether the applicant has had a professional license or certificate suspended, revoked, or had disciplinary action taken against the professional license or certificate;
- n. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-621;
- o. An attestation that the information submitted as part of an application packet is true and accurate; and
- p. The applicant’s signature and date of signing;
- 2. If the applicant has had a professional license or certificate suspended, revoked, or had disciplinary action taken against the professional license or certificate within the previous five years, documentation that includes:
 - a. The date of the disciplinary action, revocation, or suspension;
 - b. The state or nationally accredited certifying body that issued the disciplinary action, revocation, or suspension; and
 - c. An explanation of the disciplinary action, revocation, or suspension;
- 3. If the applicant is currently ineligible for licensing or certification in any state because of a license revocation or suspension, documentation that includes:
 - a. The date of the ineligibility for licensing or certification,
 - b. The state or jurisdiction of the ineligibility for licensing or certification, and
 - c. An explanation of the ineligibility for licensing or certification; and
- 4. Documentation for the applicant that complies with A.R.S. § 41-1080.

R9-16-620. Renewal of Certification

- A. Certifications issued under R9-16-607, R9-16-609, R9-16-612, R9-16-615, and R9-16-617 are valid for two years after issuance, unless revoked.
- B. A certificate holder may apply to renew a certification:
 - 1. Within 90 days before the expiration date of the certificate holder’s current certification;
 - 2. Within the 30-day period after the expiration date of the certificate holder’s certification, if the certificate holder pays the late renewal penalty fee in R9-16-623; or
 - 3. Within the extension time period granted under A.R.S. § 32-4301.
- C. An applicant for renewal of a certification shall submit to the Department an application packet, including:
 - 1. The following in a Department-provided format:
 - a. The applicant’s name, address, telephone number, email address, date of birth, and Social Security number;
 - b. The applicant’s current certification number and type;
 - c. The applicant’s current employment in the radiation technology field, if applicable, including:
 - i. The employer’s name,
 - ii. The applicant’s position,
 - iii. Dates of employment,
 - iv. The address of the employer,
 - v. The supervisor’s name,
 - vi. The supervisor’s email address, and
 - vii. The supervisor’s telephone number;
 - d. Whether the applicant has, within the two years before the date of the application, had:
 - i. A certificate issued under this Article suspended or revoked; or
 - ii. A professional license or certificate revoked by another state, jurisdiction, or nationally recognized accreditation body;
 - e. Whether the applicant agrees to allow the Department to submit supplemental requests for information under R9-16-621;
 - f. Attestation that all the information submitted as part of the application packet is true and accurate; and
 - g. The applicant’s signature and date of signature;
 - 2. Either:
 - a. An attestation that the applicant completed continuing education required under A.R.S. § 32-2815(D) and that documentation of completion is available upon request, signed and dated by the applicant; or
 - b. A copy of the applicant’s current certification from a nationally recognized accreditation body; and
 - 3. The applicable renewal fee and, if applicable, the late renewal penalty fee required in R9-16-623.
- D. The Department shall approve or deny an application for recertification according to R9-16-621.



R9-16-621. Review Time-frames

- A.** For each type of certificate or permit issued by the Department under this Article, Table 6.1 specifies the overall time-frame described in A.R.S. § 41-1072(2).
 - 1. An applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame.
 - 2. The extension of the substantive review time-frame and overall time-frame may not exceed 25% of the overall time-frame.
- B.** For each type of certificate or permit issued by the Department under this Article, Table 6.1 specifies the administrative completeness review time-frame described in A.R.S. § 41-1072(1).
 - 1. The administrative completeness review time-frame begins on the date the Department receives an application packet required in this Article.
 - 2. Except as provided in subsection (B)(3), the Department shall provide written notice of administrative completeness or a notice of deficiencies to an applicant within the administrative completeness review time-frame.
 - a. If an application packet is not complete, the notice of deficiencies shall list each deficiency and the information or documentation needed to complete the application packet.
 - b. A notice of deficiencies suspends the administrative completeness review time-frame and the overall time-frame from the date of the notice until the date the Department receives the missing information or documentation.
 - c. If the applicant does not submit to the Department all the information or documentation listed in the notice of deficiencies within 30 calendar days after the date of the notice of deficiencies, the Department shall consider the application packet withdrawn.
 - 3. If the Department issues a certificate during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C.** For each type of certificate or permit issued by the Department under this Article, Table 6.1 specifies the substantive review time-frame described in A.R.S. § 41-1072(3), which begins on the date the Department sends a written notice of administrative completeness.
 - 1. Within the substantive review time-frame, the Department shall provide written notice to the applicant that the Department approved or denied the application.
 - 2. During the substantive review time-frame:
 - a. The Department may make one comprehensive written request for additional information or documentation; and
 - b. If the Department and the applicant agree in writing, the Department may make supplemental requests for additional information or documentation.
 - 3. A comprehensive written request or a supplemental request for additional information or documentation suspends the substantive review time-frame and the overall time-frame from the date of the request until the date the Department receives all the information or documentation requested.
 - 4. If the applicant does not submit to the Department all the information or documentation listed in a comprehensive written request or supplemental request for additional information or documentation within 30 calendar days after the date of the request, the Department shall deny the certificate or permit.
- D.** An applicant who is denied a certificate or permit may appeal the denial according to A.R.S. Title 41, Chapter 6, Article 10.

Table 6.1. Time-frames

<u>Type of Application</u>	<u>Administrative Completeness Review Time-frame (in Calendar Days)</u>	<u>Substantive Review Time-frame (in Calendar Days)</u>	<u>Overall Time-frame (in Calendar Days)</u>
Application for Examination	30	30	60
Initial Certificate	30	30	60
Renewal Certificate	30	30	60
Student Mammography Permit	30	30	60
Computed Tomography Preceptorship Certificate or Computed Tomography Temporary Certificate	30	30	60
Special Permit	30	30	60
School Approval	60	60	120

R9-16-622. Changes Affecting a Certificate or Certificate Holder: Request for a Duplicate Certificate

- A.** A certificate holder shall notify the Department in writing, within 30 calendar days after the effective date of a change in:
 - 1. The certificate holder’s residential address, mailing address, or e-mail address, including the new residential address, mailing address, or e-mail address;
 - 2. The certificate holder’s name, including a copy of the legal document establishing the certificate holder’s new name; or
 - 3. The certificate holder’s employer, including the name and address of the new employer.
- B.** A certificate holder may obtain a duplicate certificate by submitting to the Department:
 - 1. A written request for a duplicate certificate, in a Department-provided format, that includes:
 - a. The certificate holder’s name and address,
 - b. The certificate holder’s certificate number and expiration date, and
 - c. The certificate holder’s signature and date of signature; and
 - 2. The duplicate certificate fee in R9-16-623.
- C.** A certificate holder may submit to the Department, either as a separate written document or as part of the renewal application, a signed and dated request to transfer to inactive status or retirement status under A.R.S. § 32-2816(F).



R9-16-623. Fees

- A.** An applicant shall submit to the Department the following nonrefundable fees for:
 - 1. An initial application or renewal application for certification as a practical technologist in radiology, practical technologist in podiatry, or practical technologist in bone densitometry, \$60;
 - 2. An initial application or renewal application for certification as a radiation technologist, nuclear medicine technologist, or radiation therapy technologist, \$60;
 - 3. An initial application or renewal application for certification as a mammographic technologist, \$20;
 - 4. An initial application or renewal application for certification as a computed tomography technologist, \$20;
 - 5. An initial application or renewal application for certification as a radiologist assistant, \$60; and
 - 6. A late renewal penalty fee according to A.R.S. § 32-2816(C), \$50.
- B.** The fee for a duplicate certificate is \$10.

R9-16-624. Enforcement

- A.** The Department may, as applicable:
 - 1. Deny, revoke, or suspend a certificate or permit under A.R.S. § 36-2821;
 - 2. Request an injunction under A.R.S. § 36-2825; or
 - 3. Assess a civil money penalty under A.R.S. § 36-2821.
- B.** In determining which disciplinary action specified in subsection (A) is appropriate, the Department shall consider:
 - 1. The type of violation.
 - 2. The severity of the violation.
 - 3. The danger to public health and safety.
 - 4. The number of violations.
 - 5. The number of individuals affected by the violations.
 - 6. The degree of harm to an individual.
 - 7. A pattern of noncompliance, and
 - 8. Any mitigating or aggravating circumstances.
- C.** A certificate holder or permittee may appeal a disciplinary action taken by the Department according to A.R.S. Title 41, Chapter 6, Article 10.



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
DEPARTMENT OF HEALTH SERVICES
NONCOMMUNICABLE DISEASES**

[R19-94]

- 1. Title and its heading:** 9, Health Services
- Chapter and its heading:** 4, Department of Health Services - Noncommunicable Diseases
- Articles and their headings:**
 - 1, Definitions
 - 2, Pesticide Illness
 - 3, Blood Lead Levels
 - 4, Cancer Registry
 - 5, Birth Defects Monitoring Program
- Section numbers:** R9-4-101, R9-4-201, R9-4-202, R9-4-301, R9-4-302, R9-4-401 through R9-4-405, and R9-4-501 through R9-4-504

2. The subject matter of the proposed expedited rules:
 Arizona Revised Statutes (A.R.S.) § 36-133 requires the Arizona Department of Health Services (Department) to develop a chronic disease surveillance system for the collection, management, and analysis of information on the incidence of chronic diseases in Arizona. A.R.S. § 36-606 states that the Department “shall develop and implement ... a system for reporting and preventing pesticide provoked illnesses.” A.R.S. §§ 36-1673 and 36-1675 require the Department to adopt rules for reporting blood test results showing significant levels of lead and other rules “necessary and feasible to implement the purposes” of A.R.S. Title 36, Chapter 13, Article 6. The Department has implemented these statutes in Arizona Administrative Code (A.A.C.) Title 9, Chapter 4, Articles 1 through 5. The Department has identified several issues with the current rules that cause the rules to impose an undue burden on some regulated entities and reduce their effectiveness. After receiving an exception from the Governor’s rulemaking moratorium established by Executive Order 2019-01, the Department plans to revise the rules in 9 A.A.C. 4, to address these issues, including moving definitions used throughout Chapter 4 to Article 1; updating and clarifying definitions, cross-references and formatting; making revisions to comply with statutory changes; and updating and clarifying reporting requirements and time-frames. The proposed amendments will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

3. A citation to all published notices relating to the proceeding:
 None

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

Name: Georgia Yee, Office Chief
 Address: Department of Health Services
 Bureau of Public Health Statistics
 150 N. 18th Ave., Suite 550
 Phoenix, AZ 85007-3248
 Telephone: (602) 542-7321
 Fax: (602) 364-0296
 E-mail: Georgia.Yee@azdhs.gov
 or
 Name: Eric Thomas, Office Chief
 Address: Department of Health Services
 Office of Environmental Health
 150 N. 18th Ave., Suite 140
 Phoenix, AZ 85007-3248
 Telephone: (602) 364-3142
 Fax: (602) 364-3146
 E-mail: Eric.Thomas@azdhs.gov



or
 Name: Robert Lane, Office Chief
 Address: Department of Health Services
 Office of Administrative Counsel and Rules
 150 N. 18th Ave., Suite 200
 Phoenix, AZ 85007
 Telephone: (602) 542-1020
 Fax: (602) 364-1150
 E-mail: Robert.Lane@azdhs.gov

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

To be announced in the Notice of Proposed Rulemaking

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

To be announced in the Notice of Proposed Rulemaking

**NOTICE OF RULEMAKING DOCKET OPENING
 DEPARTMENT OF HEALTH SERVICES
 COMMUNICABLE DISEASES AND INFESTATIONS**

[R19-95]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 6, Department of Health Services - Communicable Diseases and Infestations
Articles and their headings: 4, AIDS Drug Assistance Program
Section numbers: R9-6-401, R9-6-403 through R9-6-409 (*The Department may add, delete, or modify other Sections, as necessary.*)

2. The subject matter of the proposed rules:

Arizona Revised Statutes (A.R.S.) § 36-136(I)(1) requires the Department to make rules defining and prescribing “reasonably necessary measures for detecting, reporting, preventing, and controlling communicable and preventable diseases.” The AIDS Drug Assistance Program (ADAP) helps individuals with HIV infection to obtain necessary prescription drugs to prevent the occurrence of, or to alleviate, disability from HIV-related diseases, including AIDS, and to reduce the spread of the disease. The Department has adopted rules for ADAP in 9 A.A.C. 6, Article 4. The rules in 9 A.A.C. 6, Article 4, were last revised in 2007, are very outdated, and do not reflect the manner in which ADAP is now carried out. Changes required by the Ryan White CARE Act, through which ADAP is primarily funded, are not currently included in the rules. The rules also do not contain provisions related to individuals obtaining prescription drug coverage through health insurance plans under the federal Affordable Care Act. After receiving an exception from the Governor’s rulemaking moratorium established by Executive Order 2019-01, the Department plans to revise the rules in 9 A.A.C. 6, Article 4, to address these issues and other issues identified by stakeholders as part of the rulemaking process and increase effectiveness. Changes to be made to the rules in 9 A.A.C. 6, Article 4, include adding requirements related to the Department’s ability to leverage federal funds, health insurance plan drug coverage, and drug manufacturers’ rebates to help ensure that individuals have access to HIV-related drugs that may reduce infectivity or disability from HIV-related diseases. The rulemaking will also clarify what information applicants must provide; when ADAP will accept prescription orders from medical providers licensed in other states; update, clarify, and eliminate redundancies in definitions; and amend rules that are not being enforced as written. The proposed amendments will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify other Sections, as necessary.

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

None

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

Name: Ricardo Fernandez, Ryan White Part B/ADAP Program Director
 Address: Department of Health Services
 Public Health Preparedness
 150 N. 18th Ave., Suite 110
 Phoenix, AZ 85007
 Telephone: (602) 364-3854
 Fax: (602) 542-1155
 E-mail: Ricardo.Fernandez @azdhs.gov

or
 Name: Robert Lane, Chief
 Address: Department of Health Services
 Office of Administrative Counsel and Rules
 150 N. 18th Ave., Suite 200
 Phoenix, AZ 85007



Telephone: (602) 542-1020
Fax: (602) 364-1150
E-mail: Robert.Lane@azdhs.gov

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

To be announced in the Notice of Proposed Expedited Rulemaking

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

To be announced in the Notice of Proposed Expedited Rulemaking



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
BOARD OF BEHAVIORAL HEALTH EXAMINERS

[M19-54]

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

2017-01 Supervision Acquired in Another State by an Applicant for Arizona Licensure

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

December 1, 2017

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

A.A.C. R4-6-403, R4-6-503, R4-6-603, R4-6-705 and R4-6-211 establish the requirements for acquiring supervised work experience for applicants for independent licensure. The substantive policy clarifies eligibility for supervision acquired outside the state of Arizona.

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

Not applicable

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

Revision – Rescind Substantive Policy Statement

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

Name: Donna Dalton
Address: Board of Behavioral Health Examiners
1740 W. Adams St., Suite 3600
Phoenix, AZ 85007
Telephone: (602) 542-1811
Fax: (602) 364-0890
E-mail: donna.dalton@azbbhe.us
Web site: www.azbbhe.us

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

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



GOVERNOR EXECUTIVE ORDER

Executive Order 2019-01 is being reproduced in each issue of the *Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2019-01**Moratorium on Rulemaking to Promote Job Creation and Customer-Service-Oriented Agencies; Protecting Consumers Against Fraudulent Activities**

[M19-04]

WHEREAS, government regulations should be as limited as possible; and

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

WHEREAS, protecting the public health, peace and safety of the residents of Arizona is a top priority of state government; 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, 2017 and 2018; and

WHEREAS, the State of Arizona eliminated or repealed 422 needless regulations in 2018 and 676 in 2017 for a total of 1,098 needless regulations eliminated or repealed over two years; and

WHEREAS, estimates show these eliminations saved job creators more than \$31 million in operating costs in 2018 and \$48 million in 2017 for a total of over \$79 million in savings over two years; and

WHEREAS, approximately 283,300 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 to conduct 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 while protecting the health, peace and safety of residents; and

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

1. 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 justifications 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 which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. 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.
3. A State agency subject to this Order and which issues occupational or professional licenses shall review the agency's rules and practices related to receiving and acting on substantive complaints about unlicensed individuals who are allegedly holding them-



selves out as licensed professionals for financial gain and are knowingly or recklessly providing or attempting to provide regulated services which the State agency director believes could cause immediate and/or significant harm to either the financial or physical health of unknowing consumers within the state. Agencies shall identify and execute on opportunities to improve its complaint intake process, documentation, tracking, enforcement actions and coordination with proper law enforcement channels to ensure those allegedly trying to defraud unsuspecting consumers and putting them at risk for immediate and/or significant harm to their financial or physical health are stopped and effectively diverted by the State agency to the proper law-enforcement agency for review. A written plan on the agency's process shall be submitted to the Governor's Office no later than May 31, 2019.

4. For the purposes of this Order, the term "State agencies" includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
5. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, "person," "rule," and "rulemaking" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS THEREOF, 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 ninth day of January in the Year Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Third.

ATTEST:
Katie Hobbs
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

FINAL EXEMPT RULEMAKING

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

EMERGENCY RULEMAKING

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

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

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

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

CORRECTIONS

C = Corrections to Published Rules

2019 Arizona Administrative Register Volume 25 Page Guide

Issue 1, Jan. 4, 2019.....1-87	Issue 2, Jan. 11, 2019.....88-116	Issue 3, Jan. 18, 2019.....117-140
Issue 4, Jan. 25, 2019.....141-172	Issue 5, Feb. 1, 2018.....173-284	Issue 6, Feb. 8, 2019.....285-344
Issue 7, Feb. 15, 2019.....345-396	Issue 8, Feb. 22, 2019.....397-426	Issue 9, March 1, 2019.....427-480
Issue 10, March 8, 2019.....481-544	Issue 11, March 15, 2019.....545-692	Issue 12, March 22, 2019.....693-740
Issue 13, March 29, 2019.....741-790	Issue 14, April 5, 2019.....791-866	Issue 15, April 12, 2019.....867-914
Issue 16, April 19, 2019.....915-988	Issue 17, April 26, 2019.....989-1128	Issue 18, May 3, 2019.....1129-1178
Issue 19, May 10, 2019.....1179-1212	Issue 20, May 17, 2019.....1213-1288	Issue 21, May 24, 2019.....1289-1324

RULEMAKING ACTIVITY INDEX

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

THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 21 OF VOLUME 25.

**Administration, Department of -
Benefit Services Division**

R2-6-105. SPM-1186

**Agriculture, Department of - Pest
Management Division**

R3-8-103. FEM-720

**Agriculture, Department of - Plant
Services Division**

R3-4-101. PM-795
Table 1. PM-795
R3-4-201. PM-795
R3-4-202. PM-795
R3-4-203. PN-795
Table 2. PN-795
Table 3. PN-795
R3-4-204. PM-795
R3-4-218. PM-795
R3-4-219. PR-795
R3-4-220. PM-795
R3-4-226. PR-795
R3-4-228. PR-795
R3-4-229. PM-795
R3-4-231. PM-795
R3-4-234. PR-795
R3-4-238. PR-795
R3-4-239. PM-795
R3-4-240. PR-795
R3-4-241. PM-795
R3-4-242. PR-795
R3-4-244. PR-795
R3-4-245. PM-795
Table 4. PN-795
Table 5. PN-795
Table 6. PN-795
R3-4-246. PR-795
R3-4-248. PM-795
R3-4-501. PM-795
R3-4-901. PM-795

Arizona Regulatory

R4-17-203. FM-401

**Child Safety, Department of - Per-
manency and Support Services**

R21-5-201. EM-771
R21-5-205. EM-771

Contractors, Registrar of

R4-9-116. EXP-373
R4-9-121. EXP-373

**Corporation Commission, Arizona -
Fixed Utilities**

R14-2-2601. PN-355
R14-2-2602. PN-355
R14-2-2603. PN-355
R14-2-2604. PN-355
R14-2-2605. PN-355
R14-2-2606. PN-355
R14-2-2607. PN-355
R14-2-2608. PN-355
R14-2-2609. PN-355
R14-2-2610. PN-355
R14-2-2611. PN-355
R14-2-2612. PN-355
R14-2-2613. PN-355
R14-2-2614. PN-355
R14-2-2615. PN-355
R14-2-2616. PN-355
R14-2-2617. PN-355
R14-2-2618. PN-355
R14-2-2619. PN-355
R14-2-2620. PN-355
R14-2-2621. PN-355
R14-2-2622. PN-355
R14-2-2623. PN-355
R14-2-2624. PN-355
R14-2-2625. PN-355
R14-2-2626. PN-355
R14-2-2627. PN-355
R14-2-2628. PN-355

**Corporation Commission, Arizona -
Transportation**

R14-5-201. FM-151
R14-5-202. FM-151
R14-5-204. FM-151

**Economic Security, Department of -
Food Stamps Program**

R6-14-301. TN-413
R6-14-302. TN-413
R6-14-303. TN-413
R6-14-304. TN-413
R6-14-305. TN-413
R6-14-306. TN-413
R6-14-307. TN-413
R6-14-308. TN-413
R6-14-309. TN-413
R6-14-310. TN-413
R6-14-311. TN-413
R6-14-401. TN-413
R6-14-402. TN-413
R6-14-403. TN-413
R6-14-404. TN-413
R6-14-405. TN-413
R6-14-406. TN-413
R6-14-407. TN-413
R6-14-408. TN-413
R6-14-409. TN-413
R6-14-410. TN-413
R6-14-411. TN-413
R6-14-412. TN-413
R6-14-413. TN-413
R6-14-414. TN-413
R6-14-415. TN-413
R6-14-416. TN-413
R6-14-417. TN-413
R6-14-501. TN-413
R6-14-502. TN-413
R6-14-503. TN-413
R6-14-504. TN-413
R6-14-505. TN-413
R6-14-506. TN-413

Board of Physician Assistants, Ari-



R6-14-507. TN-413
Economic Security, Department of - Social Services

R6-5-3301. FN-885
 R6-5-3302. FN-885
 R6-5-3303. FN-885
 R6-5-3304. FN-885
 R6-5-3305. FN-885
 R6-5-3306. FN-885
 R6-5-3307. FN-885

Education, State Board of

R7-2-201. FXM-98
 R7-2-206. FXM-98
 R7-2-319. FXN-962
 R7-2-320. FXN-962
 R7-2-604.03. FXM-965
 R7-2-1301. FXM-967
 R7-2-1302. FXM-967
 R7-2-1303. FXM-967
 R7-2-1304. FXM-967
 R7-2-1305. FXM-967
 R7-2-1306. FXR-967
 R7-2-1307. FXM-967

Environmental Quality, Department of - Air Pollution Control

R18-2-101. PM-993
 R18-2-220. FM-888
 R18-2-1001. FM-485
 R18-2-1002. FN-485
 R18-2-1003. FM-485
 R18-2-1005. FM-485
 R18-2-1006. FM-485
 R18-2-1007. FM-485
 R18-2-1008. FM-485
 R18-2-1009. FM-485
 R18-2-1010. FM-485
 R18-2-1011. FM-485
 R18-2-1012. FM-485
 R18-2-1013. FR-485
 R18-2-1016. FM-485
 R18-2-1017. FM-485
 R18-2-1018. FM-485
 R18-2-1019. FM-485
 R18-2-1020. FM-485
 R18-2-1023. FM-485
 R18-2-1025. FM-485
 R18-2-1026. FM-485
 R18-2-1027. FR-485
 R18-2-1028. FR-485
 R18-2-1031. FR-485
 Table 5. FM-485
 R18-2-1201. PM-8
 R18-2-1202. PM-8
 R18-2-1203. PM-8
 R18-2-1204. PM-8
 R18-2-1205. PM-8
 R18-2-1206. PM-8
 R18-2-1207. PM-8
 R18-2-1208. P#-8;
 PN-8
 R18-2-1209. PN-8
 R18-2-1210. P#-8;
 PM-8

Environmental Quality, Department of - Hazardous Waste Management

R18-8-101. FM-435
 R18-8-260. FM-435
 R18-8-261. FM-435
 R18-8-262. FM-435
 R18-8-263. FM-435
 R18-8-264. FM-435
 R18-8-265. FM-435
 R18-8-266. FM-435
 R18-8-268. FM-435
 R18-8-270. FM-435
 R18-8-271. FM-435
 R18-8-273. FM-435
 R18-8-280. FM-435

Environmental Quality, Department of - Water Pollution Control

R18-9-101. PEM-1293
 R18-9-103. PEM-1293

Environmental Quality, Department of - Water Quality Standards

R18-11-101. PM-177
 R18-11-107.1. PM-177
 R18-11-109. PM-177
 R18-11-114. PM-177
 R18-11-115. PM-177
 R18-11-120. PM-177
 R18-11-122. PM-177
 Appendix A. PM-177
 Table 1. PM-177
 Table 2. PM-177
 Table 3. PM-177
 Table 4. PM-177
 Table 5. PM-177
 Table 6. PM-177
 Table 11. PR-177; PN-177
 Table 12. PR-177; PN-177
 Table 13. PN-177
 Table 14. PN-177
 Table 15. PN-177
 Table 16. PN-177
 Table 17. PN-177
 Appendix B. PM-177
 Appendix C. PM-177

Financial Institutions, Department of - Real Estate Appraisal Division

R4-46-101. FM-1139
 R4-46-103. FR-1139
 R4-46-106. FM-1139
 R4-46-107. FM-1139
 R4-46-201. FM-1139
 R4-46-201.01. FM-1139
 R4-46-202. FR-1139
 R4-46-202.01. FM-1139
 R4-46-203. FM-1139
 R4-46-204. FM-1139
 R4-46-205. PR-1139
 R4-46-207. PR-1139
 R4-46-209. FM-1139
 R4-46-301. FM-1139
 R4-46-302. FR-1139
 R4-46-303. FR-1139
 R4-46-304. FR-1139

R4-46-305. FR-1139
 R4-46-306. FR-1139
 R4-46-301.01. FN-1139
 R4-46-302.01. FN-1139
 R4-46-303.01. FN-1139
 R4-46-304.01. FN-1139
 R4-46-305.01. FN-1139
 R4-46-306.01. FN-1139
 R4-46-307.01. FN-1139
 R4-46-401. FM-1139
 R4-46-402. FM-1139
 R4-46-403. FM-1139
 R4-46-404. FM-1139
 R4-46-405. FM-1139
 R4-46-406. FM-1139
 R4-46-407. FM-1139
 R4-46-408. FM-1139
 R4-46-501. FM-1139
 R4-46-503. FM-1139
 R4-46-504. FM-1139
 R4-46-505. FM-1139
 R4-46-506. FM-1139
 R4-46-508. FM-1139
 R4-46-509. FM-1139
 R4-46-510. FM-1139
 R4-46-511. FM-1139

Game and Fish Commission

R12-4-101. FM-1047
 R12-4-102. PM-349
 R12-4-106. PM-349
 R12-4-204. PN-349
 R12-4-216. FM-1047
 R12-4-301. FM-1047
 R12-4-302. FM-1047
 R12-4-303. PM-875;
 FM-1047
 R12-4-304. FM-1047
 R12-4-305. FM-1047
 R12-4-306. FM-1047
 R12-4-307. FM-1047
 R12-4-308. FM-1047
 R12-4-309. FM-1047
 R12-4-310. FM-1047
 R12-4-311. FM-1047
 R12-4-313. FM-1047
 R12-4-314. FN-1047
 R12-4-315. FR-1047
 R12-4-316. FR-1047
 R12-4-317. FR-1047
 R12-4-318. FM-1047
 R12-4-319. FM-1047
 R12-4-320. FM-1047
 R12-4-321. FM-1047
 R12-4-322. FM-1047
 R12-4-401. FM-1047
 R12-4-1001. PN-124
 R12-4-1002. PN-124
 R12-4-1003. PN-124
 R12-4-1004. PN-124
 R12-4-1005. PN-124

Information Technology, Government

R2-18-101. FM-1133
 R2-18-201. FM-1133

R2-18-301.	FM-1133	R9-8-1302.	FN-763	R9-10-316.	PM-549
R2-18-401.	FM-1133	R9-8-1303.	FN-763	R9-10-321.	PM-549
R2-18-501.	FN-1133	Table 13.1.	FN-763	R9-10-323.	FEM-259
R2-18-502.	FN-1133	R9-8-1304.	FN-763	R9-10-324.	PM-549
R2-18-503.	FN-1133	R9-8-1305.	FN-763	R9-10-401.	PM-549
Health Services, Department of - Communicable Diseases and Infections					
R9-6-1201.	FEM-255	R9-8-1306.	FN-763	R9-10-402.	PM-549
R9-6-1202.	FEM-255	R9-8-1307.	FN-763	R9-10-403.	PM-549
R9-6-1203.	FEM-255	R9-8-1308.	FN-763	R9-10-408.	PM-549
R9-6-1204.	FEM-255	R9-8-1312.	FR-763	R9-10-409.	PM-549
Health Services, Department of - Emergency Medical Services					
R9-25-201.	FM-953	R9-8-1314.	FR-763	R9-10-412.	PM-549
R9-25-202.	FM-953	R9-8-1321.	FR-763	R9-10-414.	PM-549
R9-25-203.	FM-953	R9-8-1322.	FR-763	R9-10-415.	PM-549
R9-25-204.	FM-953	R9-8-1331.	FR-763	R9-10-418.	PM-549
R9-25-205.	FM-953	R9-8-1332.	FR-763	R9-10-425.	PM-549
R9-25-206.	FM-953	R9-8-1333.	FR-763	R9-10-427.	PM-549
R9-25-207.	FM-953	R9-8-1334.	FR-763	R9-10-501.	X#-1222;
Health Services, Department of - Food, Recreational, and Institutional Sanitation					
R9-8-102.	PEM-675	R9-8-1335.	FR-763		XN-1222
R9-8-501.	FN-748	R9-8-1336.	FR-763	R9-10-502.	X#-1222;
R9-8-502.	FN-748	R9-8-1337.	FR-763		XN-1222
R9-8-503.	FN-748	R9-8-1338.	FR-763	R9-10-503.	X#-1222;
Table 5.1.	FN-748	Health Services, Department of - Health Care Institutions: Licensing			
Table 5.2.	FN-748	R9-10-101.	PM-549;		XN-1222
R9-8-504.	FN-748		XM-1222	R9-10-504.	X#-1222;
R9-8-505.	FN-748	R9-10-102.	PM-549;		XN-1222
R9-8-506.	FN-748		XM-1222	R9-10-505.	X#-1222;
R9-8-507.	FN-748	R9-10-104.	PM-549		XN-1222
R9-8-512.	FR-748	R9-10-105.	PM-549	R9-10-506.	X#-1222;
R9-8-521.	FR-748	R9-10-106.	PM-549;		XN-1222
R9-8-522.	FR-748		XM-1222	R9-10-507.	X#-1222;
R9-8-523.	FR-748	R9-10-107.	PR-549;		XN-1222
R9-8-531.	FR-748		PN-549	R9-10-508.	X#-1222;
R9-8-533.	FR-748	R9-10-108.	PM-549		XN-1222
R9-8-541.	FR-748	Table 1.1.	PM-549	R9-10-509.	X#-1222;
R9-8-542.	FR-748	R9-10-109.	PM-549		XN-1222
R9-8-543.	FR-748	R9-10-110.	PM-549	R9-10-510.	X#-1222;
R9-8-544.	FR-748	R9-10-111.	PM-549		XN-1222
R9-8-551.	FR-748	R9-10-112.	PM-549	R9-10-511.	X#-1222;
R9-8-601.	FN-756	R9-10-113.	PM-549		XN-1222
R9-8-602.	FN-756	R9-10-114.	PM-549	R9-10-512.	X#-1222;
R9-8-603.	FN-756	R9-10-115.	PM-549		XN-1222
Table 6.1.	FN-756	R9-10-116.	PM-549	R9-10-513.	X#-1222;
Table 6.2.	FN-756	R9-10-118.	PM-549		XN-1222
R9-8-604.	FN-756	R9-10-119.	PEM-1159	R9-10-514.	X#-1222;
R9-8-605.	FN-756	R9-10-120.	PM-549		XN-1222
R9-8-606.	FN-756	R9-10-201.	PM-549	R9-10-515.	X#-1222;
R9-8-607.	FN-756	R9-10-202.	PM-549		XN-1222
R9-8-608.	FN-756	R9-10-203.	PM-549	R9-10-516.	X#-1222;
R9-8-611.	FR-756	R9-10-206.	PM-549		XN-1222
R9-8-612.	FR-756	R9-10-207.	PM-549	R9-10-517.	FEM-259;
R9-8-613.	FR-756	R9-10-210.	PM-549		X#-1222;
R9-8-614.	FR-756	R9-10-215.	PM-549		XN-1222
R9-8-615.	FR-756	R9-10-217.	PM-549	R9-10-518.	X#-1222;
R9-8-616.	FR-756	R9-10-219.	PM-549		XN-1222
R9-8-617.	FR-756	R9-10-220.	PM-549	R9-10-519.	X#-1222;
R9-8-1301.	FN-763	R9-10-224.	PM-549		XN-1222
		R9-10-225.	PM-549	R9-10-520.	X#-1222;
		R9-10-226.	PM-549		XN-1222
		R9-10-233.	PM-549	R9-10-521.	X#-1222;
		R9-10-302.	PM-549		XN-1222
		R9-10-303.	PM-549	R9-10-522.	X#-1222;
		R9-10-306.	PM-549		XN-1222
		R9-10-307.	PM-549	R9-10-523.	X#-1222;
		R9-10-308.	PM-549		XN-1222
		R9-10-314.	PM-549	R9-10-524.	X#-1222;
		R9-10-315.	PM-549		XN-1222
				R9-10-525.	X#-1222;
					XN-1222
				R9-10-602.	PM-549
				R9-10-607.	PM-549
				R9-10-617.	FEM-259
				R9-10-702.	PM-549
				R9-10-703.	PM-549
				R9-10-706.	PM-549
				R9-10-707.	PM-549

R9-10-708. PM-549
 R9-10-711. PM-549
 R9-10-712. PM-549
 R9-10-713. PM-549
 R9-10-714. PM-549
 R9-10-715. PM-549
 R9-10-716. PM-549
 R9-10-717. PM-549
 R9-10-717.01. PN-549
 R9-10-718. PM-549
 R9-10-719. PM-549
 R9-10-720. PM-549
 R9-10-721. FEM-259
 R9-10-801. PM-549
 R9-10-802. PM-549
 R9-10-803. PM-549
 R9-10-806. PM-549
 R9-10-807. PM-549
 R9-10-808. PM-549
 R9-10-810. PM-549
 R9-10-814. PM-549
 R9-10-815. PM-549
 R9-10-817. PM-549
 R9-10-818. PM-549
 R9-10-819. FEM-259
 R9-10-820. PM-549
 R9-10-917. FEM-259
 R9-10-1002. PM-549
 R9-10-1003. PM-549
 R9-10-1013. PM-549
 R9-10-1014. PM-549
 R9-10-1017. PM-549
 R9-10-1018. PM-549
 R9-10-1019. PM-549
 R9-10-1025. PM-549
 R9-10-1030. FEM-259
 R9-10-1031. PM-549
 R9-10-1102. PM-549
 R9-10-1116. FEM-259
 R9-10-1316. FEM-259
 R9-10-1414. PM-549
 R9-10-1415. FEM-259
 R9-10-1505. PEM-1159
 R9-10-1509. PEM-1159
 R9-10-1610. FEM-259
 R9-10-1712. FEM-259
 R9-10-1810. FEM-259
 R9-10-1901. PR-549
 R9-10-1902. PM-549
 R9-10-2101. X#-1222
 R9-10-2102. X#-1222;
 XM-1222
 R9-10-2103. X#-1222
 R9-10-2104. X#-1222
 R9-10-2105. X#-1222
 R9-10-2106. X#-1222
 R9-10-2107. X#-1222
 R9-10-2108. X#-1222
 R9-10-2109. X#-1222
 R9-10-2110. X#-1222
 R9-10-2111. X#-1222;
 XM-1222
 R9-10-2112. X#-1222
 R9-10-2113. X#-1222
 R9-10-2114. X#-1222
 R9-10-2115. X#-1222

R9-10-2116. X#-1222
 R9-10-2117. X#-1222
 R9-10-2118. X#-1222

**Health Services, Department of -
 Health Programs Services**

R9-13-101. PM-697
 R9-13-102. PM-697
 Table 13.1. PN-697
 R9-13-103. PM-697
 R9-13-104. PM-697
 R9-13-105. PM-697
 R9-13-106. PN-697
 R9-13-107. PR-697; PN-697
 R9-13-108. PR-697; PN-697
 R9-13-109. PR-697; PN-697
 R9-13-110. PN-697
 R9-13-111. PN-697
 R9-13-112. PN-697
 R9-13-113. PN-697
 R9-13-114. PN-697
 R9-13-115. PN-697

**Health Services, Department of -
 Sober Living Homes**

R9-12-101. PN-289
 R9-12-102. PN-289
 R9-12-103. PN-289
 R9-12-104. PN-289
 R9-12-105. PN-289
 R9-12-106. PN-289
 R9-12-107. PN-289
 Table 1.1. PN-289
 R9-12-201. PN-289
 R9-12-202. PN-289
 R9-12-203. PN-289
 R9-12-204. PN-289
 R9-12-205. PN-289
 R9-12-206. PN-289
 R9-12-207. PN-289

**Information Technology Agency,
 Government**

R2-18-101. PM-93
 R2-18-201. PM-93
 R2-18-301. PM-93
 R2-18-401. PM-93
 R2-18-501. PN-93
 R2-18-502. PN-93
 R2-18-503. PN-93

Industrial Commission of Arizona

R20-5-507. PM-878

Insurance, Department of

R20-6-401. PEM-1220
 R20-6-1101. PM-880
 R20-6-2401. XN-155
 R20-6-2402. XN-155
 R20-6-2403. XN-155
 R20-6-2404. XN-155
 R20-6-2405. XN-155
 R20-6-2406. XN-155

Medical Board, Arizona

R4-16-101. FM-145

R4-16-102. FM-145
 R4-16-103. FM-145
 R4-16-401. FM-145
 R4-16-402. FM-145

**Mine Inspector, State - Aggregate
 Mined Land Reclamation**

R11-3-101. FN-828
 R11-3-102. FN-828
 R11-3-103. FN-828
 R11-3-201. FN-828
 R11-3-202. FN-828
 R11-3-203. FN-828
 R11-3-204. FN-828
 R11-3-205. FN-828
 R11-3-206. FN-828
 R11-3-207. FN-828
 R11-3-208. FN-828
 R11-3-209. FN-828
 R11-3-210. FN-828
 R11-3-211. FN-828
 R11-3-212. FN-828
 R11-3-301. FN-828
 R11-3-302. FN-828
 R11-3-401. FN-828
 R11-3-402. FN-828
 R11-3-501. FN-828
 R11-3-502. FN-828
 R11-3-503. FN-828
 R11-3-504. FN-828
 R11-3-505. FN-828
 R11-3-601. FN-828
 R11-3-602. FN-828
 R11-3-603. FN-828
 R11-3-701. FN-828
 R11-3-702. FN-828
 R11-3-703. FN-828
 R11-3-704. FN-828
 R11-3-705. FN-828
 R11-3-801. FN-828
 R11-3-802. FN-828
 R11-3-803. FN-828
 R11-3-804. FN-828
 R11-3-805. FN-828
 R11-3-806. FN-828
 R11-3-807. FN-828
 R11-3-808. FN-828
 R11-3-809. FN-828
 R11-3-810. FN-828
 R11-3-811. FN-828
 R11-3-812. FN-828
 R11-3-813. FN-828
 R11-3-814. FN-828
 R11-3-815. FN-828
 R11-3-816. FN-828
 R11-3-817. FN-828
 R11-3-818. FN-828
 R11-3-819. FN-828
 R11-3-820. FN-828
 R11-3-821. FN-828

Nursing, Board of

R4-19-101. FM-919
 R4-19-201. FM-919
 R4-19-202. FR-919
 R4-19-203. FM-919

R17-4-351. PN-745 R17-4-407. PR-670;
 R17-4-352. PN-745 R17-4-409. PN-670
 PM-670

OTHER NOTICES AND PUBLIC RECORDS INDEX

Other notices related to rulemakings are listed in the Index by notice type, agency/county and by volume page number. Agency policy statements and proposed delegation agreements are included in this section of the Index by volume page number. Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index and published by volume page number.

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 21 OF VOLUME 25.

Agency Ombudsman, Notices of

First Things First, Early Childhood Development and Health Board; p. 385
 Game and Fish Commission; p. 385
 Public Safety, Department of; p. 854

Docket Opening, Notices of

Agriculture, Department of - Plant Services Division; 3 A.A.C. 4; p. 849
 Corporation Commission, Arizona - Fixed Utilities; 14 A.A.C. 2; pp. 376
 Dispensing Opticians, Board of; 4 A.A.C. 20; p. 1163
 Environmental Quality, Department of - Air Pollution Control; 18 A.A.C. 2; pp. 51-52, 1113, 1163-1164
 Environmental Quality, Department of - Water Pollution Control; 18 A.A.C. 9; p. 1308
 Environmental Quality, Department of - Water Quality Standards; 18 A.A.C. 11; p. 273
 Game and Fish Commission; 12 A.A.C. 4; pp. 128, 375-376, 894
 Health Services, Department of - Emergency Medical Services; 9 A.A.C. 25; p. 1271
 Health Services, Department of - Food, Recreational, and Institutional Sanitation; 9 A.A.C. 8; pp. 374-375, 466, 724
 Health Services, Department of - Health Care Institutions: Licensing; 9 A.A.C. 10; p. 678
 Health Services, Department of - Occupational Licensing; 9 A.A.C. 16; p. 1270
 Industrial Commission of Arizona; 20 A.A.C. 5; p. 895
 Information Technology Agency, Government; 2 A.A.C. 18; pp. 107-108
 Insurance, Department of; 20 A.A.C. 6; pp. 161, 896
 Osteopathic Examiners in Medicine and Surgery, Board of; 4 A.A.C. 22; p. 723

Pharmacy, Board of; 4 A.A.C. 23; p. 51
 Podiatry, Board of; 4 A.A.C. 25; p. 465
 Public Safety, Department of - Criminal Identification Section; 13 A.A.C. 1; p. 331
 Public Safety, Department of - School Buses; 13 A.A.C. 13; p. 894
 Retirement System Board, State; 2 A.A.C. 8; p. 1270
 Revenue, Department of - General Administration; 15 A.A.C. 10; 1189
 Secretary of State, Office of; 2 A.A.C. 12; p. 1189
 Tax Deferred Annuity and Deferred Compensation Plans, Governing Committee for; 2 A.A.C. 9; p. 107
 Transportation, Department of - Oversize and Overweight Special Permits; 17 A.A.C. 6; p. 680
 Transportation, Department of - Title, Registration, and Driver Licenses; 17 A.A.C. 4; p. 679

Governor's Office

Executive Order 2019-01: pp. 131-132
Governor's Regulatory Review Council
 Notices of Action Taken at Monthly Meetings: pp. 342, 424, 787-788, 984-986

Guidance Document, Notices of

Health Services, Department of; p. 109
 Revenue, Department of; pp. 1191-1192

Proposed Delegation Agreement, Notices of

Health Services, Department of; p. 681

Public Information, Notices of

Accountancy, Board of; p. 468
 Environmental Quality, Department of; pp. 57-63

Environmental Quality, Department of - Water Pollution Control; pp. 162, 1114
 Game and Fish Commission; pp. 53-57
 Gaming, Department of - Racing Division - Boxing and Mixed Martial Arts Commission; p. 850
 Technical Registration, Board of; p. 725

Substantive Policy Statement, Notices of

Accountancy, Board of; p. 469
 Contractors, Registrar of; p. 1197
 Finance Authority, Water Infrastructure; pp. 380-383
 Gaming, Department of - Racing Division - Boxing and Mixed Martial Arts Commission; pp. 851-853
 Health Services, Department; pp. 1115, 1309
 Insurance, Department; p. 532
 Lottery Commission, State; p. 726
 Nursing, Board of; p. 726
 Real Estate Department, State; pp. 129-130
 Revenue, Department of; pp. 1193-1196
 State Land Department, Arizona; pp. 378-380
 Technical Registration, Board of; p. 1273
 Water Resources, Department of; pp. 332, 378



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
1/2	3/3	2/2	4/3	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
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
1/5	3/6	2/5	4/6	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/7	2/6	4/7	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/8	2/7	4/8	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
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
1/10	3/11	2/10	4/11	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/12	2/11	4/12	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
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
1/23	3/24	2/23	4/24	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
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										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1	12/2	1/31
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2	12/3	2/1
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3	12/4	2/2
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4	12/5	2/3
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5	12/6	2/4
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6	12/7	2/5
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7	12/8	2/6
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8	12/9	2/7
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9	12/10	2/8
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10	12/11	2/9
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11	12/12	2/10
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12	12/13	2/11
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13	12/14	2/12
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14	12/15	2/13
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15	12/16	2/14
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
April 12, 2019	May 3, 2019	June 3, 2019
April 19, 2019	May 10, 2019	June 10, 2019
April 26, 2019	May 17, 2019	June 17, 2019
May 3, 2019	May 24, 2019	June 24, 2019
May 10, 2019	May 31, 2019	July 1, 2019
May 17, 2019	June 7, 2019	July 8, 2019
May 24, 2019	June 14, 2019	July 15, 2019
May 31, 2019	June 21, 2019	July 22, 2019
June 7, 2019	June 28, 2019	July 29, 2019
June 14, 2019	July 5, 2019	August 5, 2019
June 21, 2019	July 12, 2019	August 12, 2019
June 28, 2019	July 19, 2019	August 19, 2019
July 5, 2019	July 26, 2019	August 26, 2019
July 12, 2019	August 2, 2019	September 3, 2019
July 19, 2019	August 9, 2019	September 9, 2019
July 26, 2019	August 16, 2019	September 16, 2019
August 2, 2019	August 23, 2019	September 23, 2019
August 9, 2019	August 30, 2019	September 30, 2019
August 16, 2019	September 6, 2019	October 7, 2019
August 23, 2019	September 13, 2019	October 15, 2019
August 30, 2019	September 20, 2019	October 21, 2019
September 6, 2019	September 27, 2019	October 28, 2019
September 13, 2019	October 4, 2019	November 4, 2019
September 20, 2019	October 11, 2019	November 12, 2019
September 27, 2019	October 18, 2019	November 18, 2019
October 4, 2019	October 25, 2019	November 25, 2019
October 11, 2019	November 1, 2019	December 2, 2019
October 18, 2019	November 8, 2019	December 9, 2019
October 25, 2019	November 15, 2019	December 16, 2019
November 1, 2019	November 22, 2019	December 23, 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 2019

[M19-05]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> January 22, 2019	<i>Tuesday</i> February 19, 2019	<i>Tuesday</i> February 26, 2019	<i>Tuesday</i> March 5, 2019
<i>Tuesday</i> February 19, 2019	<i>Tuesday</i> March 19, 2019	<i>Tuesday</i> March 26, 2019	<i>Tuesday</i> April 2, 2019
<i>Tuesday</i> March 19, 2019	<i>Tuesday</i> April 23, 2019	<i>Tuesday</i> April 30, 2019	<i>Tuesday</i> May 7, 2019
<i>Tuesday</i> April 23, 2019	<i>Tuesday</i> May 21, 2019	Wednesday May 29, 2019	<i>Tuesday</i> June 4, 2019
<i>Tuesday</i> May 21, 2019	<i>Tuesday</i> June 18, 2019	<i>Tuesday</i> June 25, 2019	<i>Tuesday</i> July 2, 2019
<i>Tuesday</i> June 18, 2019	<i>Tuesday</i> July 23, 2019	<i>Tuesday</i> July 30, 2019	<i>Tuesday</i> August 6, 2019
<i>Tuesday</i> July 23, 2019	<i>Tuesday</i> August 20, 2019	<i>Tuesday</i> August 27, 2019	Wednesday September 4, 2019
<i>Tuesday</i> August 20, 2019	<i>Tuesday</i> September 17, 2019	<i>Tuesday</i> September 24, 2019	<i>Tuesday</i> October 1, 2019
<i>Tuesday</i> September 17, 2019	<i>Tuesday</i> October 22, 2019	<i>Tuesday</i> October 29, 2019	<i>Tuesday</i> November 5, 2019
<i>Tuesday</i> October 22, 2019	<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> November 26, 2019	<i>Tuesday</i> December 3, 2019
<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 7, 2020	<i>Tuesday</i> January 14, 2020
<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> January 28, 2020	<i>Tuesday</i> February 4, 2020

* 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 MAY 7, 2019 MEETING**

[M19-53]

RULEMAKINGS

DEPARTMENT OF PUBLIC SAFETY (R19-0502)

Title 13, Chapter 1, Article 5, Criminal Identification Section, Department Records

Repeal: Article 5, R13-1-501, R13-1-502, R13-1-503, R13-1-504

COUNCIL ACTION: APPROVED

DEPARTMENT OF HEALTH SERVICES (R19-0503)

Title 9, Chapter 12, Article 1, Licensure Requirements; Article 2, Sober Living Home Requirements

New Article: Article 1

New Section: R9-12-101, R9-12-102, R9-12-103, R9-12-104, R9-12-105, R9-12-106, R9-12-107

New Table: Table 1.1

New Article: Article 2

New Section: R9-12-201, R9-12-202, R9-12-203, R9-12-204, R9-12-205, R9-12-206, R9-12-207

COUNCIL ACTION: APPROVED

DEPARTMENT OF ENVIRONMENTAL QUALITY (R19-0504)

Title 18, Chapter 2, Article 12, Emissions Bank

Amend: R18-2-1201, R18-2-1202, R18-2-1203, R18-2-1204, R18-2-1205, R18-2-1206, R18-2-1207, R18-2-1210

Renumber: R18-2-1208, R18-2-1210

New Section: R18-2-1208, R18-2-1209

COUNCIL ACTION: APPROVED

FIVE-YEAR REVIEW REPORTS

DEPARTMENT OF REVENUE (F19-0503)

Title 15, Chapter 4, Articles 1-5, Property Tax Section

COUNCIL ACTION: APPROVED

DEPARTMENT OF AGRICULTURE (F19-0504)

Title 3, Chapter 4, Articles 1-5, 7-9, Plant Services Division

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F19-0505)

Title 9, Chapter 28, Article 8, R9-28-804 and R9-28-805, TEFRA Liens and Recoveries

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F19-0509)

Title 9, Chapter 22, Article 17, Enrollment

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F19-0510)

Title 9, Chapter 28, Article 4, Eligibility and Enrollment

COUNCIL ACTION: APPROVED



ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F19-0501)

Title 9, Chapter 22, Article 14, AHCCCS Medical Coverage for Households

COUNCIL ACTION: APPROVED

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS) (F19-0502)

Title 9, Chapter 22, Article 15, AHCCCS Medical Coverage for People Who Are Aged, Blind, or Disabled

COUNCIL ACTION: APPROVED

DEPARTMENT OF TRANSPORTATION (F19-0507)

Title 17, Chapter 8, Article 4, Electronic Funds Transfers; Article 5, Electronic Fuel Tax Reporting

COUNCIL ACTION: APPROVED

DEPARTMENT OF TRANSPORTATION (F19-0513)

Title 17, Chapter 2, Article 1, General Provisions; Article 2, Grand Canyon National Park Airport - Operation and Management

COUNCIL ACTION: APPROVED

ARIZONA STATE BOARD OF PHARMACY (F19-0511)

Title 4, Chapter 23, Article 11, Pharmacy Technicians

COUNCIL ACTION: APPROVED

BOARD OF TECHNICAL REGISTRATION (F19-0506)

Title 4, Chapter 30, Articles 1, 2, and 3, Appendix A

COUNCIL ACTION: APPROVED

DEPARTMENT OF REAL ESTATE (F19-0512)

Title 4, Chapter 28, Articles 1, 3, 5, 11, and 13

COUNCIL ACTION: APPROVED

STATE BOARD OF DENTAL EXAMINERS (F18-0805)

Title 4, Chapter 11, Articles 13 and 17

COUNCIL ACTION: APPROVED

ARIZONA STATE LAND DEPARTMENT (F19-0508)

Title 12, Chapter 5, Article 22, Geothermal Resources; Article 25, Classifying Trust Lands As Suitable for Conservation Purposes

COUNCIL ACTION: APPROVED

OTHER

STATUS OF ARIZONA ADVOCACY NETWORK ET AL. V. STATE OF ARIZONA ET AL. AND POSSIBLE EXECUTIVE SESSION PURSUANT TO A.R.S 38-431.03(A)(4)

COUNCIL ACTION: AUTHORIZED ATTORNEY TO PROCEED AS INSTRUCTED IN EXECUTIVE SESSION