



Arizona Administrative REGISTER

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From the Publisher

ABOUT THIS PUBLICATION

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

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

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

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

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

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

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

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

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

LEGAL CITATIONS AND FILING NUMBERS

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

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

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

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

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

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Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

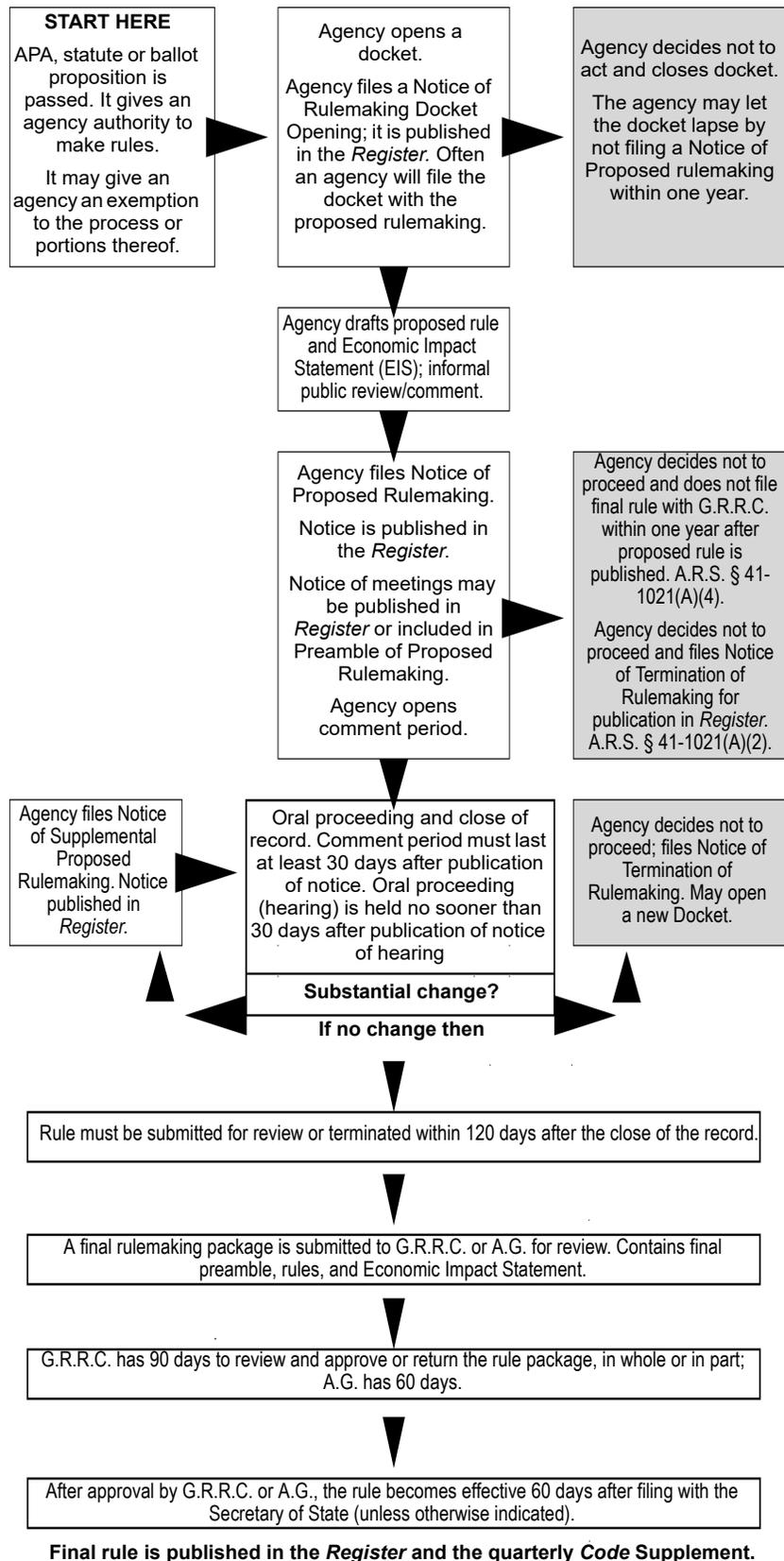
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

About Preambles

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

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

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



NOTICES OF PROPOSED RULEMAKING

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

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

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

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

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

**NOTICE OF PROPOSED RULEMAKING
TITLE 6. ECONOMIC SECURITY
CHAPTER 10. DEPARTMENT OF ECONOMIC SECURITY
THE JOBS PROGRAM**

[R19-98]

PREAMBLE

<u>1. Article, Part, or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
R6-10-101	Amend
R6-10-101.01	Amend
R6-10-102	Amend
R6-10-103	Re-number
R6-10-103	New Section
R6-10-104	Re-number
R6-10-104	Amend
R6-10-105	Re-number
R6-10-105	Amend
R6-10-106	Re-number
R6-10-106	Amend
R6-10-107	Re-number
R6-10-107	New Section
R6-10-108	Re-number
R6-10-108	Amend
R6-10-109	Re-number
R6-10-109	Amend
R6-10-110	Re-number
R6-10-110	Amend
R6-10-111	Re-number
R6-10-111	Amend
R6-10-112	Re-number
R6-10-112	Amend
R6-10-113	Re-number
R6-10-113	Amend
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R6-10-115	Re-number
R6-10-115	Amend
R6-10-116	Re-number
R6-10-116	Amend
R6-10-117	Re-number
R6-10-117	Amend
R6-10-118	Re-number
R6-10-118	Amend



R6-10-119	Renumber
R6-10-119	Amend
R6-10-120	Renumber
R6-10-120	Amend
R6-10-121	Renumber
R6-10-121	New Section
R6-10-122	Repeal
R6-10-122	Renumber
R6-10-122	Amend
R6-10-123	Renumber
R6-10-123	Amend
R6-10-124	Renumber
R6-10-124	Amend
R6-10-125	Renumber
R6-10-125	Amend
R6-10-126	New Section
R6-10-301	Amend
R6-10-302	Amend
R6-10-303	Amend

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

General Authority: A.R.S. § 41-1954 (A)(3)

Specific Authority: A.R.S. § 46-299 as amended by Laws 2017, Chapter 323, § 8; A.R.S. § 46-300 as amended by Laws 2017, Chapter 323, § 9

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

Notice of Rulemaking Docket Opening: 25 A.A.R. 1389, June 7, 2019 (*in this issue*)

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

Name: Nicole Tolton
Address: Department of Economic Security
P.O. Box 6123, Mail Drop 1292
Phoenix, AZ 85005

or

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

Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: ntolton@azdes.gov

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

This rulemaking will:

- Amend the rules to comply with 45 CFR 261, which:
 - Defines countable federal work activities;
 - Explains the federal work participation requirement and revised caseload reduction credits; and
 - Defines who is included and excluded from the federal work requirement.
- Add rules to allow unmarried custodial parents to attend educational activities as an alternative to the federal work participation requirement to comply with A.R.S. § 46-299;
- Amend the sanction process rules to comply with A.R.S. § 46-300;
- Add rules to extend case management and employment services through the Jobs Program to eligible families transitioning off of Temporary Assistance for Needy Families (TANF) Cash Assistance due to the time limit to comply with A.R.S. § 46-299;
- Add rules to grant extensions to two-parent households to comply with A.R.S. § 41-1954(F);
- Add reporting requirements to comply with A.R.S. § 46-300.07;
- Amend language regarding persons with disabilities to comply with A.R.S. § 41-5201; and
- Amend rules to reflect current practice.

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

None



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

Not applicable

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

Arizona's Jobs Program is charged with ensuring that participants receive services to help them avoid long-term welfare dependence. The Jobs Program provides work eligible individuals living in households that receive TANF Cash Assistance the opportunity to become economically independent through employment. The Jobs Program helps remove barriers to employment by providing a variety of services that make a positive difference in participants' lives. The Jobs Program also determines whether a cash assistance grant must be reduced or sanctioned if a participant does not comply with Jobs Program work requirements.

This rulemaking will amend Arizona Administrative Code Title 6, Chapter 10 to comply with A.R.S. § 46-299 (B) and A.R.S. § 46-300 (D). The Department does not anticipate that this rulemaking will have an economic impact on any person because the rulemaking will bring the rules up to date to reflect current practice in conformance with federal and state statutory requirements.

Jobs Program funding comes through the TANF Block Grant federal and state Maintenance of Effort (MOE) funds. The SFY 2018 annual cost of operating the Jobs Program was \$10,640,211.38 and cost for participant services was \$3,443,615.93. Approximately 9,005 cash assistance recipients were served by the Arizona Jobs Program in SFY 2018 with a monthly average of 4,117 clients enrolled in the Jobs Program.

The Jobs Program serves all of Arizona, except the tribal areas served by the Native Employment Works (NEW) Program, and the Tribal TANF Program.

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

Name: Nicole Tolton
Address: Department of Economic Security
P.O. Box 6123, Mail Drop 1292
Phoenix, AZ 85005
or
Department of Economic Security
1789 W. Jefferson St., Mail Drop 1292
Phoenix, AZ 85007
Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: ntolton@azdes.gov

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

The Department has scheduled the following oral proceeding for public comments:

Date: Tuesday, July 23, 2019
Time: 2:00 p.m.
Location: 515 N. 51st Ave., Suite 250
Phoenix, AZ 85043

Persons may participate in the oral proceeding via video conference using any of the following satellite offices:

Location: 5441 E. 22nd St., Suite 101
Tucson, AZ 85711
Location: 1185 Redondo Center Dr.
Yuma, AZ 85365
Location: 1704 N. Fourth St.
Flagstaff, AZ 86004
Location: 2500 E. Cooley, Suite 420
Show Low, AZ 85901
Location: 519 Beale St., Suite 130
Kingman, AZ 86401
Location: 1140 F Avenue
Douglas, AZ 85607
Location: 125 E. Elliot Rd.
Chandler, AZ 85225

Close of record for this rulemaking is 5:00 p.m. on Wednesday, July 24, 2019.

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:

No other matters are prescribed.

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

The rules do not require a permit.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal



law and if so, citation to the statutory authority to exceed the requirements of federal law:

The Social Security Act 42 U.S.C. § 604 and Social Security Act 42 U.S.C. §§ 607- 608 are applicable to the subject of this rulemaking. The proposed rules are not more stringent than the corresponding federal law.

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

No analysis was submitted.

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

None

13. The full text of the rules follows:

**TITLE 6. ECONOMIC SECURITY
CHAPTER 10. DEPARTMENT OF ECONOMIC SECURITY
THE JOBS PROGRAM**

ARTICLE 1. JOBS: GENERAL PROVISIONS

Section

- R6-10-101. Definitions
- R6-10-101.01. Applicability
- R6-10-102. Work Requirement
- R6-10-103. Preliminary Orientation
- ~~R6-10-103~~R6-10-104. Tribal Welfare to Work Program
- ~~R6-10-104~~R6-10-105. Selection for Participation in the Jobs Program
- ~~R6-10-105~~R6-10-106. Initial Case Management Appointment
- R6-10-107. Work Requirement Exclusion
- ~~R6-10-106~~R6-10-108. Temporary Deferrals
- ~~R6-10-107~~R6-10-109. Participant Assessment; Referral
- ~~R6-10-108~~R6-10-110. Employment and Career Development Plan
- ~~R6-10-109~~R6-10-111. Primary Core Activities
- ~~R6-10-110~~R6-10-112. Participation that Meets the Work Requirement
- ~~R6-10-111~~R6-10-113. Secondary Non-Core Activities
- ~~R6-10-112~~R6-10-114. Job Search and Job Readiness Assistance
- ~~R6-10-113~~R6-10-115. On-the-job Training (OJT)
- ~~R6-10-114~~R6-10-116. Work Experience
- ~~R6-10-115~~R6-10-117. Community Service Programs
- ~~R6-10-116~~R6-10-118. Vocational Educational Training
- ~~R6-10-117~~R6-10-119. High School, GED Preparation, and Education Directly Related to Employment
- ~~R6-10-118. Expired~~
- ~~R6-10-119~~R6-10-120. Support Services
- R6-10-121. Transitional Support Services
- ~~R6-10-120~~R6-10-122. Participant Complaint Resolution
- ~~R6-10-121~~R6-10-123. Failure to participate Participate; Good Cause Reasons; Verification; Establishment of Good Cause
- ~~R6-10-122. Services to Address Barriers to Participation Repealed~~
- ~~R6-10-123~~R6-10-124. All Families Assistance Units, Except TPEP Families Assistance Units: Sanction Process
- ~~R6-10-124~~R6-10-125. TPEP: Failure to Participate; Withholding
- ~~R6-10-125. Expired~~
- ~~R6-10-126. Expired~~ Jobs Program Eligibility After the TANF Cash Assistance Time Limit

ARTICLE 3. JOB DISPLACEMENT GRIEVANCE PROCEDURES

Section

- R6-10-301. Definitions
- R6-10-302. Job Displacement
- R6-10-303. Grievance Process

ARTICLE 1. JOBS: GENERAL PROVISIONS

R6-10-101. Definitions

The definitions in A.R.S. § 46-101 and the following definitions apply to this Chapter, unless the context otherwise requires:

1. “Acceptable medical source” means the same as A.A.C. R6-12-101 and includes a vocational rehabilitation specialist, licensed naturopathic doctor, licensed chiropractor, and other personnel authorized to act on a physician's behalf.
- ~~2.~~ “AHCCCS” means the Arizona Health Care Cost Containment System.
- ~~3.~~ “Assessment” means the evaluation of a participant by a case manager, with the assistance of the participant, to determine employment potential, as well as services necessary to remove barriers to employment. The case manager ~~will~~ shall use the assessment ~~to develop the participant’s employment plan~~ as a guide for employment and career development planning.



3. “At risk” means an individual who is either expecting a child or has a dependent child and is vulnerable to becoming TANF dependent based on one or more of the following factors. The individual:
- a. Has reading or math skills that are at or below ninth grade level;
 - b. Has dropped out of school;
 - e. Has a criminal record;
 - d. Is homeless or a run-away youth;
 - e. Has a mental or physical disability;
 - f. Is pregnant;
 - g. Is a victim of domestic violence;
 - h. Has received services from a domestic violence shelter;
 - i. Is income eligible for TANF;
 - j. Has a WIA service delivery area designated barrier;
 - k. Is a displaced homemaker;
 - l. Is eligible for WIA programs
 - m. Is attending school; or
 - n. Other similar factors that place the family at risk.
4. “Assistance unit” means the same as A.R.S. § 46-101.
- 4-5. “Barrier” means a circumstance that, if not addressed, may prevent or delay participation in work activities. A barrier includes one or more of the following circumstances, or any similar circumstance:
- a. A temporary physical or mental condition, including behavioral health issues of the participant or the participant’s family member for whom the participant is the primary caregiver;
 - b. A physical or mental disability of the participant or the participant’s family member for whom the participant is the primary caregiver;
 - e-b. A lack of transportation;
 - d-c. A lack of child care;
 - e-d. Limited English proficiency;
 - f-e. A threat of domestic violence toward the participant, the participant’s family member, or the caregiver for a minor child, if the threat interferes with the participant’s ability to participate in work activities;
 - g-f. Illiteracy; insufficient education; lack of vocational skills; or
 - h-g. An ongoing family crisis that interferes with the participant’s ability to participate in work activities.
 - h. Other similar circumstances that prevent or delay participation in work activities.
5. “Calendar week” means seven consecutive days beginning on Saturday.
6. “Calendar year” means a 12-month period beginning January 1 and ending December 31.
6. “Caretaker relative” means the same as A.A.C. R6-12-101(19).
7. “Case management” means the process through which the Jobs Program determines the needs of the participant requesting or receiving services through the Jobs Program. Appropriate services or benefits for participants are identified, planned, obtained, provided, recorded, monitored, and terminated, and follow-up is provided, as necessary and subject to budgetary constraints, in accordance with A.R.S. § 46-299.
- 7-8. “Case manager” means the Jobs Program employee who determines the needs of an individual requesting or receiving services through the Jobs Program.
8. “Case Management” means the process through which Jobs determines the needs of the participant requesting or receiving services through Jobs. Appropriate services or benefits for participants are identified, planned, obtained, provided, recorded, monitored, and terminated, and follow up is provided, as necessary and subject to budgetary constraints, in accordance with A.R.S. § 46-299.
9. “Cash assistance program” means the state Temporary Assistance for Needy Families program established by 42 U.S.C. § 601 et seq.
- 10-9. “Community resource” means a community, faith based, or non-profit an organization that provides services to the general public at no cost to the participant or the Jobs Program.
- 11-10. “Community service program” means an unpaid work activity that provides a service to the community or an organization the same as 45 CFR 261.2(h).
- 12-11. “Complaint” means a formal accusation or charge expressing dissatisfaction or a grievance with a service provider, an agency, or a Jobs Program action or decision.
12. “Core activity” means a work activity that counts toward the work requirement, pursuant to 45 CFR 261.33 through 261.35.
- 13-13. “Day” means a calendar day, unless otherwise specified. If, under rule or statute, a deadline falls on a weekend day or a holiday, the Jobs Program shall consider the deadline to fall on the next business day.
14. “Deferral” means the same as A.R.S. § 46-299(A).
15. “Demonstrate compliance” means attending appointments to prevent sanctions, developing an employment and career development plan, and includes beginning and continuing participation in work activities in accordance with the employment and career development plan.
- 14-16. “Department” means the Arizona Department of Economic Security.
17. “Dependent child” means the same as A.R.S. § 46-101(8).
18. “Disability means a physical or mental impairment that substantially limits one or more major life activities and includes being mentally, physically, or functionally incapable of participating in work activities.
- 15-19. “Education directly related to employment” means remedial education, classes leading to a GED or high school diploma, and English for Speakers of Other Languages (ESOL)-the same as 45 CFR 261.2(k).



- 16-20. “Employment and career development plan” means the document described in R6-10-108 R6-10-110, prepared by the participant and the Jobs Program case manager, which and lists the steps activities required of the participant a participant is required to complete, the services to be provided by the Jobs Program, and the referrals made to address barriers to participation to transition the participant to economic independence to employment.
- 17. “Employment services” means vocational educational training, education directly related to employment, job skills training, and other similar training or education provided by a service provider or community resource to assist a participant in obtaining employment.
- 18-21. “FAA” means the Family Assistance Administration, an administrative unit within the Department’s Division of Benefits and Medical Eligibility responsible for providing cash assistance TANF Cash Assistance to eligible persons.
- 19-22. “Fails to participate,” or “failure to participate,” means that a participant has not done one or more of the following, absent good cause:
 - a. Participated in job readiness activities;
 - b. Complied with the requirements in the participant’s employment plan, or
 - e. Participated in work activities, the same as R6-10-123(A).
- 20. “Full-time employment” means employment that is 40 hours per week or, if less, is regarded as full-time for a specific industry.
- 21. “Functionally incapable” means a person who suffers a continuing inability to function in daily life activities due to life circumstances, including past physical or sexual abuse, insufficient education, nonexistent vocational skills, episodic depression, or emotional dysfunction.
- 23. “Family member” means any person who lives in a home with a participant and is related to the participant by blood, marriage, or adoption.
- 22-24. “GED” means general equivalency degree education development, which is a certificate awarded upon completion of includes a series of five tests that, when passed, demonstrate high school skills equivalency.
- 23-25. “Good cause” means one or more of the circumstances listed in R6-10-121(B) at R6-10-123(F).
- 24. “Health care professional” means a licensed physician, registered nurse, or a licensed physician’s assistant.
- 25. “Immediate threat of domestic violence” means a domestic violence situation that, in the perception of the participant, is physically, mentally, or emotionally dangerous or harmful to the participant or any child living with the participant.
- 26. “High school equivalency” or “HSE” means equivalent to high school.
- 26-27. “Job search readiness assistance” means all activities, involving the Department and the participant, that prepare a participant for work. These activities include: completion of an assessment, any additional assessments under R6-10-107(E), and an employment plan; attendance at the Jobs Introduction Meeting; participation in an employment preparation program, which includes life skills, employment, and job retention skills training; and any other Program requirement under this Article or a statute pertaining to assisting a participant in preparing for and obtaining employment. means the same as 45 CFR 261.2(g).
- 28. Job skills training directly related to employment” means the same as 45 CFR 261.2(j).
- 27-29. “Jobs Program” means the administrative unit within the Department’s Division of Employment and Rehabilitation Services that is responsible for administration of the Jobs Program, including providers under contract with the Department that provide Jobs case management and employment services, employment and training program for work-eligible individuals in an assistance unit receiving TANF Cash Assistance authorized by A.R.S. § 46-299. The Jobs Program is also available to program participants who lose eligibility for TANF Cash Assistance and meet the conditions of R6-10-121 or R6-10-126.
- 28. “Job search” means a structured activity in which participants are required to actively seek employment by identifying employment opportunities, applying for employment, and participating in employment interviews.
- 29. “Job skills training means training that enables a participant to become proficient in an occupation or skill necessary to meet the participant’s employment goal.
- 30. “Jobs Program services” means ongoing case management services offered to participants by Jobs.
- 31. “JOBSTART” means the Department’s subsidized employment work activity in the public and private sectors.
- 32. “JOBSTART employment” means the subsidized employment work activity for which participants are hired.
- 33. “Licensed physician” means:
 - a. Medical doctors;
 - b. Doctors of osteopathy;
 - e. Doctors of naturopathic medicine;
 - d. Chiropractors;
 - e. Psychiatrists;
 - f. Board-certified psychologists, or
 - g. Other personnel authorized to act on the physician’s behalf.
- 34. “Mailing date” means one day after the date printed on the notice.
- 30. “Non-core activity” means a work activity that counts toward the work requirement only after the participant completes the required number of hours in core activities at 45 CFR 261.31 through 261.35.
- 35-31. “On-the-job training” or “OJT” means on-the-job training, which is a paid training opportunity generally provided at a worksite for a specified period. the same as 45 CFR 261.2(f).
- 36-32. “Participant” has the meaning in A.R.S. § 46-101(15), and includes any recipient means a work-eligible individual selected to participate in the Jobs Program.
- 37. Primary activity” means a work activity that counts toward the work requirement.
- 38. “Program” means the Jobs Program, as authorized by A.R.S. § 46-299.
- 33. “Permanent disability” means a physical or mental impairment that substantially limits one or more major life activities and includes being mentally, physically, or functionally incapable of participating in work activities that is expected to last for the life of the individual.



- 39-34. "Program Administrator" means the ~~Program Administrator~~ Department employee of the Employment Administration who administers the Jobs Program.
40. "Recipient" has the meaning in A.R.S. § 46-101(17), and includes an individual who received assistance or services but is no longer eligible for cash assistance because of statutory time limits.
41. "Regular employee" means an unsubsidized individual currently employed by an employer.
- 42-35. "Sanction" means a reduction or termination of ~~cash assistance~~ TANF Cash Assistance consistent with A.R.S. § 46-300, for all families, except TPEP families, who fail to participate in the Jobs Program without good cause or demonstrate compliance.
- 43-36. "Satisfactory attendance in high school or GED activities ~~equivalent~~" means ~~that a participant who has not completed high school or received a GED is attending high school or participating in GED activities and meeting attendance requirements established by the school or GED program. the same as 45 CFR 261.2(l) and A.R.S. § 46-299(C)(1).~~
44. "Satisfactorily participates in education directly related to employment" or "satisfactory progress" means that a participant is ~~meeting, on a periodic basis, a consistent level of progress, based upon standards established by the educational institution or program and approved by Jobs, in which the participant is enrolled for educational or training activities.~~
45. "Secondary activity" means a work activity that counts toward the work requirement only after the participant obtains the required number of hours of primary activity.
- 46-37. "Services" means ~~Jobs Program services, community resources, employment services, support services, or any other available service, subject to budgetary constraints. the same as A.R.S. § 46-101(21).~~
- 47-38. "Service provider" means an entity that is responsible for providing services to ~~clients~~ participants. This includes Jobs Program staff, an agency or organization, public or nonprofit, or a person awarded a grant or contract by the Jobs Program to provide services to ~~clients~~ participants.
39. "Single custodial parent" means an unmarried custodial parent.
40. "Specialized assessments" means a medical assessment or a psycho-social assessment to determine a participant's functioning level and ability to participate in work activities.
- 48-41. "Subsidized employment" means ~~employment in a public or private sector organization that receives a JOBSTART subsidy to offset the cost of wages (and possibly other employer paid benefits) of an employee. paid employment in the public or private sector or any other organization the receives a subsidy from TANF Cash Assistance or other public funds to offset the cost of wages and benefits paid by the employer. as described at 45 CFR 261.2(c) and (d).~~
- 49-42. "Supplemental payment" means an amount paid by the Department to a participant whose net wages are less than the combined benefit amount of cash assistance and food stamps for which the participant is eligible. when the individual engages in work activities, subject to the Fair Labor Standards Act (FLSA), for more hours than the monthly TANF Cash Assistance benefit amount, plus the monthly Nutrition Assistance allotment, divided by the federal or state minimum wage, whichever is higher. Work experience and community service activities are generally subject to the FLSA.
- 50-43. "Support services" means ~~services provided to a Jobs participant that facilitate the participant's ability to participate in work activities, accept and maintain employment, and successfully make the transition to employment. Examples of support services include child care and transportation. specific services and goods paid with TANF-funded program dollars to help the Jobs Program engage participants in work activities, accept and maintain employment, and successfully make the transition from welfare dependence to financial independence through working.~~
44. "TANF Cash Assistance" means the state Temporary Assistance for Needy Families program established by 42 U.S.C. § 601 et. seq.
51. "Temporary Assistance for Needy Families" or "TANF" has the meaning in A.R.S. § 46-101(22).
- 52-45. "Teen custodial parent" means a parent age 13 through 19 years, who is caring for that parent's own child.
46. "Temporary disability" means a physical or mental impairment that substantially limits one or more major life activities and includes being mentally, physically, or functionally incapable of participating in work activities that is not expected to last for the life of the individual.
- 53-47. "TPEP" means the Two-Parent Employment Program as defined at A.A.C. R6-12-101(93), ~~that provides cash assistance for a two parent family if:~~
- The parents have at least one child in common;
 - Neither parent is permanently disabled; and
 - The primary wage earning parent is unemployed or underemployed.
54. "Transportation related expenses" means travel costs that a participant will incur because of participation in the Jobs Program.
55. "Unaffordable child care" means that child care is not affordable to a family because the cost of care is more than the ~~Department will pay.~~
- 56-48. "Unavailable child care" means that:
- The location of a child care provider is at a distance that requires a one-way travel time by vehicular transportation equal to or greater than one hour, measured from the participant's residence to the child care provider and then to work, or if walking, a distance that requires a one-way travel time equal to or greater than 1/2 hour, measured in the same manner;
 - Child care providers do not have available slots or vacancies;
 - Child care providers cannot provide services to a child with a disability who has special needs;
 - Child care providers related to the child are unavailable or unwilling to provide care;
 - Child care is available through a non-relative provider, but the provider is unwilling to apply for DES certification; or
 - A child age 13 or older requires adult supervision:
 - Due to a disability, which includes mental health or other health-related issues;
 - Because the child would be harmful to himself, herself, or others if left alone; or
 - Because the child is on court-ordered probation that requires the child to remain in the home or under house arrest.
- 57-49. "Unsubsidized employment" means ~~all paid employment in the public or private sector except JOBSTART or OJT, full- or part-time employment with wages that meet FLSA requirements and meet or exceed the state minimum wage requirements, with~~



- the exception of self-employment, in the public or private sector that is not subsidized by TANF Cash Assistance or other public programs, as described at 45 CFR 261.2(b).
- 58-50. "Unsuitable child care" means that child care is available through a provider, but the participant declares in writing that the provider is unsuitable based on factors, such as the following. The provider:
- Has a history of child neglect or abuse;
 - Is experiencing domestic violence;
 - Has a history of serious crime;
 - ~~Is a drug abuser; Has a history of substance abuse;~~
 - Has an emotional, mental, or physical condition that prevents the provider from providing safe care;
 - Resides in a home that is unsafe for children; or
 - Possesses similar attributes that render the provider unsuitable to furnish child care services.
- 59-51. "Verification" means any documentation that substantiates an individual's claim.
- 60-52. "Vocational educational training" means ~~training that is intended to result in a degree, certificate, or license. Vocational educational training includes hours spent studying for vocational coursework, as provided in R6-10-116(E). Examples of vocational educational training include postsecondary education, as limited by A.R.S. § 46-299(B), and training in such professions as carpentry, auto mechanics, nursing, or certified public accountancy, the same as 45 CFR 261.2(i).~~
53. "Volunteer" means an individual who is excluded from work requirements under R6-10-107 or temporarily deferred from work requirements under R6-10-108 and chooses to participate in the Jobs Program.
61. "WIA" means the federal Workforce Investment Act of 1998.
62. "WIA local workforce investment area designated barrier" means that a participant has a barrier to employment as determined by a WIA service provider.
54. "Wages" means hourly pay for employment, including tips, and meets or exceeds the state minimum wage.
- 63-55. "Withholding" means retention of semi-monthly TPEP ~~cash assistance~~ Cash Assistance payments for TPEP parents who participate in TPEP and who fail to participate or comply with Jobs Program requirements without good cause.
56. "Work-eligible individual" means an adult or minor child head of household receiving TANF Cash Assistance, or a non-recipient parent living with a child who receives TANF Cash Assistance, unless the individual is:
- A minor parent and not the head of household or spouse of the head of household;
 - An individual who is ineligible to receive assistance due to the individual's immigration status;
 - A recipient of Supplemental Security Income, unless the recipient is employed and meeting the federal work participation rate; or
 - A parent otherwise mandated to participate in work activities who is providing care for a family member with a disability living in the home if the need for such care is supported by medical documentation.
- 64-57. "Work activities" means ~~activities that are countable toward the federal work participation rate as prescribed in 42 U.S.C. 607:~~
- ~~Unsubsidized employment;~~
 - ~~Subsidized private or public sector employment;~~
 - ~~Work experience;~~
 - ~~On the job training;~~
 - ~~Job search and job readiness assistance;~~
 - ~~Community service programs;~~
 - ~~Vocational educational training;~~
 - ~~Job skills training directly related to employment;~~
 - ~~Education directly related to employment, in the case of a recipient who has not received a high school diploma or a certificate of high school equivalency;~~
 - ~~Satisfactory attendance at secondary school or in a course of study leading to a certificate of general equivalence, in the case of a recipient who has not completed secondary school or received such a certificate, as described in A.R.S. § 46-101(24)(j)-the same as A.R.S. § 46-101(27).~~
65. "Workday" means Monday through Friday, excluding Arizona state holidays.
- 66-58. "Work experience" means ~~unpaid work in the public or private sector that helps a participant establish a good work record and develop good work habits and skills, and provides opportunities for the participant to transition into paid employment, the same as 45 CFR 261.2(e).~~
- 67-59. "Work requirement" means the minimum number of hours required for a Jobs Program participant to participate in work activities as a condition of eligibility for ~~cash assistance.~~ TANF Cash Assistance pursuant to 45 CFR 261.31 through 261.35.

R6-10-101.01. Applicability

The rules in this Chapter apply to all Jobs ~~service~~ Program providers and participants.

R6-10-102. Work Requirement

- A. ~~To remain eligible for cash assistance, a recipient shall participate in work activities unless the recipient is governed by subsection (B).~~ A Jobs Program participant shall participate in work activities in order for an assistance unit to remain eligible for TANF Cash Assistance.
- B. ~~Jobs shall not require a recipient of cash assistance or a participant in the Jobs Program to participate in work activities if either is:~~
- ~~Already complying with the work requirement;~~
 - ~~A dependent child less than age 16 or is age 16 through 18 and attending school;~~
 - ~~Temporarily deferred from the work requirement, as prescribed in R6-10-106; or~~
 - ~~Temporarily excused from participating in a work activity, under R6-10-121(B).~~
- C. Jobs shall assign all participants, other than those listed in subsection (B), to work activities for 35 hours per week or more as required to meet the federal work rate.



- D.** Jobs may require a participant who has not been temporarily deferred to participate in work activities for up to five hours more per week than the minimum number of hours required to meet the work requirement, if required by an employer.
- E.** The Department shall impose a sanction, as provided in R6-10-123, or a withholding, as provided in R6-10-124, if a participant who is required to participate in work activities fails to do so without good cause, as defined in R6-10-121.
- F.** Jobs shall permit a recipient who is already complying with the work requirement to voluntarily participate in the Jobs Program, under the following conditions:
 1. Jobs shall provide Jobs Program services on a first come, first served basis, to the extent that resources permit, except that Jobs shall give priority to volunteers who are nearest to reaching the 60-month lifetime limit for cash assistance.
 2. Jobs shall not sanction a volunteer who fails to participate in work activities without good cause. However, the volunteer shall lose Jobs Program priority status for participation in the Program. For the purpose of this subsection, "good cause" means one of the circumstances described in R6-10-121(B).
- B.** The Jobs Program shall assign a participant to work activities that meet the federal work participation requirement, unless a participant is:
 1. Excluded under R6-10-107;
 2. Temporarily deferred under R6-10-108; or
 3. Has unresolved barriers.
- C.** A single custodial parent may participate in educational activities on a full-time basis as an alternative to the federal work participation requirements if the state is meeting the federal work participation rate pursuant to 45 CFR 261.21 and 45 CFR 231.23. Allowable education activities include high school equivalency programs, career and technical education programs, and postsecondary education programs. Full-time status, as defined by the educational program, shall be verified by the Jobs Program. Verification sources include:
 1. A statement from the provider;
 2. A documented phone call with the provider;
 3. Information from the provider's website; or
 4. Any other information from the educational activity provider that substantiates the participant's full-time status.
- D.** The Jobs Program shall assign all participants, other than those listed at R6-10-102(B), to no more than 40 hours of work activities per week, as required to meet the federal work participation rate, as described at 42 U.S.C. 607(a).
- E.** The Department shall impose a sanction under R6-10-124, or a withholding under R6-10-125, if a participant who is required to participate in work activities fails to do so without good cause, pursuant to R6-10-123(F).
- F.** The Jobs Program shall permit an individual who is excluded or temporarily deferred to voluntarily participate in the Jobs Program.
- G.** The Jobs Program shall not sanction a volunteer who fails to participate in work activities if the volunteer meets the requirements for an exclusion or temporary deferral.
- H.** TPEP participants shall participate with the Jobs Program for a minimum of three consecutive business days before the Department authorizes issuance of the initial TANF Cash Assistance payment.

R6-10-103. Preliminary Orientation

- A.** A work eligible applicant shall receive a preliminary orientation as part of the TANF Cash Assistance eligibility requirement. This requirement does not apply to a TPEP assistance unit.
- B.** The preliminary orientation information shall be provided to a work eligible applicant prior to the approval of TANF Cash Assistance by the FAA.
- C.** The preliminary orientation shall provide a work eligible applicant with a general overview of the Jobs Program, its purpose, and its relationship to the receipt of TANF Cash Assistance and continued eligibility for the Jobs Program under R6-10-126 regarding TANF Cash Assistance case closure due to the time limit.

R6-10-103R6-10-104. Tribal Welfare to Work Program

The Jobs Program shall not serve an individual who is eligible to receive assistance through a tribal cash assistance program or services through a Tribal tribal program similar to the Jobs Program.

R6-10-104R6-10-105. Selection for Participation in the Jobs Program

- A.** In selecting recipients to participate in the Jobs Program, Jobs shall give priority to recipients who are:
 1. At risk of losing cash assistance due to time limits, or
 2. At risk of becoming long term welfare dependents.
- B.** Jobs shall consider the following factors when determining selection priorities:
 1. The number of months a recipient has received cash assistance;
 2. Whether the recipient is a teen custodial parent, and
 3. Sanction status.
- C.** Jobs shall begin Jobs Program services for a TPEP individual at the time the parent individual reports to a Jobs local office.
- A.** The FAA approves an assistance unit for TANF Cash Assistance and shall refer a work eligible individual to the Jobs Program.
- B.** The Jobs Program shall begin Jobs Program services for a TPEP individual at the time the individual reports to a Jobs Program local office.

R6-10-105R6-10-106. Initial Case Management Appointment

- A.** Jobs shall notify in writing a recipient selected to participate in Jobs of the requirement to attend a Jobs Introduction Meeting. The notice shall include:
 1. The date and time of the Jobs Introduction Meeting and the address of the Jobs local office where the Jobs Introduction Meeting will be held;
 2. Information regarding transportation, translation, and child care assistance that may be available for the Jobs Introduction Meeting if requested, and the contact information necessary to obtain available services;



- 3. A provision explaining that if the recipient needs transportation, translation, or child care services to attend the Jobs Introduction Meeting, and the services are not available, the recipient has good cause for not attending the Jobs Introduction Meeting under R6-10-121(B);
 - 4. The procedure for rescheduling the Jobs Introduction Meeting, under R6-10-105(C); and
 - 5. A statement that the consequence of failing, without good cause, to attend the Jobs Introduction Meeting is progressive sanctioning under A.R.S. § 46-300.
- B.** A recipient selected under subsection (A) becomes a participant in the Jobs Program and shall attend a Jobs Introduction Meeting provided by Jobs. Upon request, the Department shall provide the participant with transportation, translation, and child care assistance, if services are available, to enable the participant to attend the Jobs Introduction Meeting. If a participant is unable to attend the Jobs Introduction Meeting because requested services are not available, the participant shall be granted good cause under R6-10-121(B).
- C.** At the Jobs Introduction Meeting, Jobs shall:
- 1. Register the participant in the Program;
 - 2. Explain to the participant the rights and responsibilities of the participant, Jobs, and the Department's child care program, including:
 - a. A statement that the consequence of non-compliance with the Program requirements, without good cause, is progressive sanctioning under A.R.S. § 46-300;
 - b. The contents and meaning of the Program sanction or withholding notices; and
 - c. The deferral and good cause procedures;
 - 3. Complete privately, with the participant's assistance, an assessment of the participant;
 - 4. Complete privately, with the participant, an employment plan that takes into account the participant's background and skills, any barriers to employment, and any available services that will assist in the removal of barriers to employment.
- D.** Jobs shall explain the procedures for rescheduling the Jobs Introduction Meeting, and the consequences of failure to complete the Jobs Introduction meeting:
- 1. If a participant does not attend a Jobs Introduction Meeting as required by the Jobs Program, the case manager shall send the participant a Jobs Introduction Meeting Rescheduled Notice to allow the participant to reschedule attendance at the meeting. The Jobs case manager shall also attempt to contact the participant by telephone, inquire as to whether other administrations have had contact with the participant, or use any other reasonable method of making contact with the participant.
 - 2. If the participant fails to attend the rescheduled meeting or contact the case manager by the close of business 10 calendar days after the date of the original meeting, the case manager shall initiate the good cause process described in R6-10-121. The case manager shall count the day following the date of the original meeting as day 1.
- A.** The Jobs Program shall notify a work-eligible individual of the initial Jobs Program case management appointment in writing when the work-eligible individual is selected to participate in the Jobs Program. The notice shall include:
- 1. The date and time of the initial Jobs Program case management appointment and the address of the Jobs Program local office where the initial Jobs Program case management appointment shall be held;
 - 2. Information regarding transportation, translation, and child care assistance that may be available for the initial Jobs Program case management appointment and the contact information necessary to obtain available services;
 - 3. A provision explaining that if the participant needs transportation, translation, or child care services to attend the appointment, and the services are not available, the recipient has good cause for not attending the initial Jobs Program case management appointment under R6-10-123(F).
 - 4. The Jobs Program contact information to reschedule the initial Jobs Program case management appointment; and
 - 5. A statement that the consequence of failing, without good cause or a demonstration of compliance, to attend the initial Jobs Program case management appointment is subject to:
 - a. Progressive sanctioning pursuant to A.R.S. § 46-300; and
 - b. Ineligibility for TANF Cash Assistance beyond the lifetime limit, pursuant to A.R.S. § 46-294(G)(1).
- B.** The work-eligible individual shall contact the Jobs Program before the appointment date if the participant is unable to attend the scheduled appointment. The Jobs Program shall reschedule the appointment.
- C.** The work-eligible individual shall contact the Jobs Program before the appointment date if the work-eligible individual needs transportation, translation, or child care services to attend the appointment. The Jobs Program shall arrange such services. If services are not available, the provisions under R6-10-106(D) apply.
- D.** A work-eligible individual selected under R6-10-106(A) shall become a participant in the Jobs Program and shall attend an initial Jobs Program case management appointment provided by the Jobs Program. The Jobs Program shall provide the participant with transportation, translation, and child care assistance, if services are available, to enable the participant to attend the initial Jobs Program case management appointment. If a participant is unable to attend the initial Jobs Program case management appointment because services are not available, the participant shall be granted good cause under R6-10-123(F).
- E.** The Jobs Program, during the initial Jobs Program case management appointment, shall:
- 1. Explain the rights and responsibilities of the participant, the Jobs Program, and the Department's child care program to the participant, including:
 - a. A statement that the consequence of non-compliance with the Jobs Program requirements, without good cause or a demonstration of compliance, is that the participant may be subject to progressive sanctioning, pursuant to A.R.S. § 46-300; and
 - b. The deferral and exclusion procedures, as well as good cause reasons;
 - 2. Complete an assessment with the participant; and
 - 3. Complete an employment and career development plan with the participant that takes into account the participant's background and skills, any barriers to employment, and any available services that may assist in the removal of barriers to employment.

**R6-10-107. Work Requirement Exclusion**

- A.** A participant who is providing care for a family member with a disability, may request an exclusion from the work requirement. If the request for an exclusion from the work requirement is approved, the participant shall be considered non-work eligible and shall not be required to participate in work activities.
- B.** A participant who requests an exclusion from the work requirement shall provide medical documentation to substantiate the need to provide care for a family member with a disability. Medical documentation shall:
1. Be obtained from an acceptable medical source;
 2. State that the participant is required to provide care for the family member; and
 3. Include all of the following information:
 - a. The name of the person for whom care is to be provided;
 - b. The time period of the disability;
 - c. A statement that the participant is needed to provide full-time care for the family member; and
 - d. A prognosis of the family member's recovery or the date of the reexamination.

~~R6-10-106~~R6-10-108. Temporary Deferrals

- A.** ~~Jobs shall determine whether to temporarily defer a participant from engaging in work activities under A.R.S. § 46-299(A) and this Section.~~
- B.** ~~Jobs shall defer a participant with a temporary or permanent disability. A participant with a temporary or permanent disability may opt to participate and receive reasonable accommodation to facilitate participation, and Jobs shall not impose a sanction if the participant is then subsequently unable to participate due to the disability.~~
- C.** ~~For the purposes of this Section:~~
1. ~~“Disability” means a physical or mental impairment that substantially limits one or more major life activities, and includes being mentally, physically, or functionally incapable of participating in work activities.~~
 2. ~~“Permanent disability” means a disability under subsection (1) that is expected to last for the life of the individual.~~
 3. ~~“Temporary disability” means a disability under subsection (1) that is not expected to last for the life of the individual.~~
- D.** ~~Jobs shall obtain verification of a temporary or permanent disability from a participant according to the terms of subsection (J) from any of the following:~~
1. ~~A health care professional;~~
 2. ~~A vocational rehabilitation specialist; or~~
 3. ~~The district medical consultant.~~
- E.** ~~Jobs shall temporarily defer a participant from work activities if the participant or the participant's child is a victim of domestic violence.~~
1. ~~Jobs shall grant a temporary deferral for domestic violence if:~~
 - a. ~~Participation in Jobs threatens the safety of or, in the perception of the participant, causes an immediate threat of physical, mental, or emotional harm to the participant, the participant's child, or any child living with the participant; or~~
 - b. ~~Due to domestic violence, the participant has been physically or emotionally harmed to such an extent that the participant is incapable of participation in Jobs.~~
 2. ~~Jobs shall provide a participant who is a victim of domestic violence with:~~
 - a. ~~A deferral from Program requirements, under A.R.S. § 46-244 and R6-10-121, for a period of time that will enable the participant to safely participate in work activities. The maximum deferral period is 6 months. Jobs may grant additional deferrals consistent with A.R.S. § 46-299; and~~
 - b. ~~A referral to appropriate and available services.~~
- F.** ~~Jobs shall temporarily defer a participant who needs to be present to care for a dependent who has a disability if no other member of the household is available or suitable to provide the care. The participant shall provide a statement, obtained from an individual listed in subsection (D), regarding the dependent's disability within 15 days of the date on the deferral request. The Department may grant an extension if the participant has requested a statement from a health care professional and is unable to obtain the statement within 15 days.~~
- G.** ~~Jobs shall temporarily defer a participant who is an unmarried custodial parent less than age 18 and personally caring for a child less than 12 weeks of age.~~
- H.** ~~Jobs shall temporarily defer a participant who is a parent, relative, or caretaker personally caring for a child less than one year of age, for no more than 12 months in the participant's lifetime, unless the participant is a teenaged custodial parent who does not have a high school diploma or GED.~~
- I.** ~~Jobs shall temporarily defer only one parent at a time in a TPEP family. Jobs shall temporarily defer a TPEP parent, if the TPEP parent:~~
1. ~~Is personally caring for the TPEP parent's child who is less than one year of age, unless the TPEP parent is a teenaged custodial parent who does not have a high school diploma or GED;~~
 2. ~~Is an unmarried teen custodial parent less than 18 years of age who is personally caring for a child less than 12 weeks of age;~~
 3. ~~Is personally caring for a member of the family, who is not the other TPEP parent, who has a disability, as verified by a health care professional, and no other member of the household is available or suitable to provide the care; or~~
 4. ~~Has an illness that is expected to last less than 30 days, as verified by a health care professional.~~
- J.** ~~Jobs shall request that a participant substantiate the participant's claim of inability to participate in work activities due to a circumstance established under this Section, and shall assist the participant as necessary to obtain the verification. Unless otherwise stated, the following are examples of acceptable verification:~~
1. ~~Physician or other health care professional statement;~~
 2. ~~Vocational Rehabilitation (VR) consultation report, if a physician or health care professional statement does not contain conclusive information and the participant claims a disability;~~
 3. ~~Police report;~~



- 4. Court or medical records;
 - 5. Newspaper article, or similar evidence of public knowledge;
 - 6. Statement from crisis shelter staff or witness to domestic violence;
 - 7. Statement from DES Child Protective Services;
 - 8. Statement from a third party; or
 - 9. Statement signed by the participant if no other verification is available.
- K.** Jobs shall determine the length of time that a participant is temporarily deferred based on the information provided under this Section.
- A.** The Jobs Program shall determine whether to temporarily defer a participant from engaging in work activities under A.R.S. § 46-299(A) and this Section.
- 1. The Jobs Program shall determine the length of time that a participant is temporarily deferred based on the information in this Section.
 - 2. The Jobs Program shall obtain verification that certifies that the participant is mentally or physically incapable of engaging in work activities or employment due to a circumstance established under this Section.
- B.** The Jobs Program shall defer a participant with a temporary or permanent disability. A participant with a temporary or permanent disability may opt to participate and receive a reasonable accommodation to facilitate participation. The Jobs Program shall not request a sanction under R6-10-124 if the participant is then subsequently unable to participate due to the disability.
- C.** The Jobs Program shall accept verification of a temporary or permanent disability from a participant that has been provided by an acceptable medical source. The Jobs Program shall assist the participant in obtaining verification of a temporary or permanent disability when a participant is experiencing difficulty with obtaining such verification. A medical statement shall include:
- 1. Employment limitations, including the extent and duration of any limitation;
 - 2. A specified period of disability;
 - 3. A prognosis of disability;
 - 4. A statement of any reasonable accommodation that may enable a participant to work or participate; and
 - 5. The date by which reexamination or reevaluation is recommended.
- D.** The Jobs Program shall temporarily defer a participant from work activities if the participant or the participant’s child is a victim of domestic violence.
- 1. The Jobs Program shall grant a temporary deferral for domestic violence if:
 - a. Participation in the Jobs Program threatens the safety of or, in the perception of the participant, causes an immediate threat of physical, mental, or emotional harm to the participant, the participant’s child, or any child living with the participant; or
 - b. Due to domestic violence, the participant has been physically or emotionally harmed to such an extent that the participant is incapable of participation in the Jobs Program.
 - 2. The Jobs Program shall provide a participant who is a victim of domestic violence with:
 - a. A deferral from Program requirements, under A.R.S. § 46-244 and this rule, for a period of time that will enable the participant to safely participate in work activities. The maximum deferral period is six months. The Jobs Program may grant additional deferrals consistent with A.R.S. § 46-299; and
 - b. A referral to appropriate and available services.
 - 3. A participant who requests a deferral due to domestic violence shall provide the Jobs Program with verification of domestic violence. The Jobs Program shall accept the following as verification of domestic violence:
 - a. A written statement from the participant;
 - b. Police reports;
 - c. Court records;
 - d. Medical records indicating the presence of domestic violence;
 - e. Physical evidence of domestic violence;
 - f. Documentation from a domestic violence shelter staff, an attorney, clergy, medical or other professional from whom the participant has sought assistance regarding domestic violence;
 - g. A statement from the Arizona Department of Child Safety that substantiates domestic violence exists within the participant’s home;
 - h. Other documentation, such as news stories from television, newspaper, or radio; or
 - i. Other corroborating evidence, such as a statement from another individual with knowledge of the circumstances that provide the basis for the claim.
- E.** The Jobs Program shall temporarily defer a participant who is a single custodial parent less than age 18 and personally caring for a child less than 12 weeks of age.
- F.** The Jobs Program shall temporarily defer a participant who is a single custodial parent or a caretaker relative personally caring for a child less than one year of age, for no more than 12 months in the participant’s lifetime, unless the participant is a teenaged custodial parent who does not have a high school diploma or HSE diploma.
- G.** The Jobs Program shall temporarily defer a TPEP parent if the parent has a temporary disability or illness that is expected to last less than 30 days, as verified by an acceptable medical source. If the disability is expected to last more than 30 days, the family is not a TPEP family and shall have eligibility for TANF Cash Assistance determined as an assistance unit with deprivation due to the parent having a disability.

R6-10-107R6-10-109. Participant Assessment; Referral

- A.** At or following the Jobs Introduction Meeting, the case manager shall, with the assistance of the participant, complete an assessment, using a standard form, to identify any possible barriers to employability or participation in the Jobs Program. The participant shall provide, either verbally or in writing, all personal information necessary to accurately complete the assessment form. The assessment form shall include questions to determine whether the participant needs services to address:
- 1. Past or ongoing domestic violence;
 - 2. Chemical dependency;



3. Psychological or psychiatric needs;
 4. Education or training insufficient to obtain or sustain employment;
 5. Mental, physical, or functional incapacity or disability;
 6. Issues regarding retaining or maintaining employment;
 7. Inadequate housing;
 8. Inadequate child care, or
 9. Inadequate transportation;
 10. Other family issues that affect the individual's ability to participate in work activities.
- B.** Using the information from the assessment, Jobs shall refer a participant who is identified as in need of services to available Jobs Program services or community resources. Jobs shall give priority to any service provider that furnishes services at no cost to the participant. Jobs shall refer the participant to any available community resource that provides the service, or a contracted provider, if available to address the needed service. If, after researching available options, the case manager determines that a needed service is not available through Jobs Program services or community resources, Jobs shall not make a referral and shall grant the participant good cause for not engaging in work activities under R6-10-121.
- C.** If a participant does not cooperate with the assessment process, Jobs is not required to provide the participant with referrals to service providers.
- D.** Jobs shall use the information provided by the participant during the assessment to develop the employment plan described in R6-10-108.
- E.** Based on the initial assessment and available resources, Jobs may determine that a participant may benefit from a more in-depth employment focused assessment. The case manager shall determine whether such an assessment can be provided by an outside provider.
- A.** The Jobs Program case manager and the participant shall complete assessments during the initial Jobs Program case management appointment, and as needed thereafter, to identify any possible barriers to employability or participation in the Jobs Program. The participant shall provide, either orally or in writing, all personal information necessary to accurately complete the assessments. In-depth barrier assessments shall include questions to determine whether the participant needs services to address:
1. Past or ongoing domestic violence;
 2. Substance abuse or chemical dependency;
 3. Psychological or psychiatric needs;
 4. Education or training insufficient to obtain or sustain employment;
 5. Mental, physical, or functional incapacity or disability, including a learning disability;
 6. Issues regarding retaining or maintaining employment;
 7. Inadequate housing;
 8. Inadequate child care;
 9. Inadequate transportation;
 10. Criminal background and involvement with the criminal justice system; or
 11. Other issues that affect an individual's ability to participate in work activities.
- B.** The Jobs Program shall provide appropriate services or community resources to a participant who is identified as in need of services using the information from the assessments. When the Jobs Program is unable to provide services, the Jobs Program shall refer a participant to appropriate services or community resources. If the Jobs Program case manager determines that a needed service is not available through the Jobs Program services or community resources after researching available options, the Jobs Program shall not make a referral and shall grant the participant good cause for not engaging in work activities under R6-10-123.
- C.** If a participant does not provide all personal information necessary to complete the assessments, either orally or in writing, the Jobs Program is not required to provide the participant with support services or referrals to service providers.
- D.** The Jobs Program shall use the information provided by the participant during the assessments to develop the employment and career development plan described in R6-10-110. Additional information from previous employers, educational providers, medical providers, and others may be gathered to help determine planned activities and services.
- E.** Based on the initial assessments or if a participant experiences difficulty implementing the employment and career development plan, the Jobs Program may determine that a participant may benefit from further specialized assessments. A licensed professional or licensed agency shall administer all specialized assessments.
- R6-10-108R6-10-110. Employment and Career Development Plan**
- A.** ~~Jobs and the participant shall complete an employment plan for the participant that takes into consideration barriers to employment and incorporates work activities and agreed upon services offered, so that the participant can meet work requirements and move into unsubsidized employment at the earliest opportunity. Jobs shall include the following in the employment plan:~~
1. ~~Employment goals;~~
 2. ~~Work activities;~~
 3. ~~Dates for beginning and ending activities;~~
 4. ~~Available services offered by Jobs Program or community resources;~~
 5. ~~A list of referrals made as a result of the participant assessment;~~
 6. ~~Signatures of the participant and the case manager assigned to oversee provision of services to the participant. Jobs shall not sanction a participant solely for refusing to sign the employment plan.~~
- B.** ~~The case manager, in consultation with the participant, may revise the employment plan as necessary to ensure the participant continues to advance toward the employment goal. The case manager shall revise an employment plan:~~
1. ~~To address any barriers to participation identified by the case manager or the participant;~~
 2. ~~To reflect any change in services needed by the participant, if the participant has expressed an intent to participate with the Jobs Program, as provided at R6-10-123, and~~
 3. ~~At any time a participant's circumstances require a change in work activities or services.~~



- A. The Jobs Program and the participant shall complete an employment and career development plan for the participant that takes into consideration barriers to employment and incorporates work activities and agreed upon services. The employment and career development plan shall include:
 1. Employment goals;
 2. Work activities;
 3. Locations for each assigned activity;
 4. Dates for beginning and ending activities;
 5. Available services offered by the Jobs Program or community resources;
 6. A list of referrals made as a result of the participant's assessments; and
 7. Signatures of the participant and the case manager assigned to oversee provision of services to the participant. The Jobs Program shall not sanction a participant solely for refusing to sign the employment and career development plan.
- B. The Jobs Program case manager, in consultation with the participant, may revise the employment and career development plan as necessary to ensure the participant continues to advance toward the employment goal. The case manager shall revise an employment plan when:
 1. A change in services needs to address newly identified barriers to participation by the Jobs Program case manager or the participant; or
 2. When a participant's circumstances require a change in work activities or services.

~~R6-10-109~~R6-10-111. Primary Core Activities

- A. ~~Jobs shall assign a participant, unless temporarily deferred under R6-10-106, to no less than 30 hours per week of primary activities, based on the participant's employment plan described in R6-10-108. For the 10 remaining required work activity hours, Jobs shall assign the participant to any primary activity or any secondary activity as described in R6-10-111.~~
- B. ~~Unsubsidized employment is the first priority for a participant. Whenever possible, Jobs shall assign a participant to unsubsidized employment as the participant's primary activity.~~
- C. ~~The following are primary activities:~~
 1. ~~Unsubsidized employment;~~
 2. ~~Job search and job readiness assistance, described in R6-10-112, for up to six weeks per federal fiscal year;~~
 3. ~~Subsidized employment such as JOBSTART, described in R6-10-125;~~
 4. ~~OJT, described in R6-10-113;~~
 5. ~~Work experience, described in R6-10-114;~~
 6. ~~Community service programs, described in R6-10-115;~~
 7. ~~Vocational educational training, described in R6-10-116:~~
 - a. ~~If the participant is an unmarried custodial parent, provided that the state continues to meet the federally required work participation rates referenced in A.R.S. § 46-299(B);~~
 - b. ~~For up to 12 months, for all other participants;~~
 8. ~~Satisfactory attendance in high school or GED preparation classes, described in R6-10-117, for any single teen custodial parent who is a head of household and has not obtained a high school diploma or GED;~~
 9. ~~Education directly related to employment, described in R6-10-117, for any teen custodial parent who is a head of household and has not obtained a high school diploma or GED.~~
- D. ~~TPEP parents shall participate for a minimum of three consecutive work days in work activities before the Department authorizes issuance of the initial TPEP cash assistance payment.~~

The following are core activities:

1. Unsubsidized employment;
2. Job search and job readiness assistance, as described in R6-10-114;
3. Subsidized employment, as described in R6-10-115;
4. OJT, as described in R6-10-115;
5. Work experience, as described in R6-10-116;
6. Community service programs, as described in R6-10-117;
7. Vocational educational training, as described in R6-10-118; and
8. Satisfactory attendance in high school or GED preparation classes or education directly related to employment, as described in R6-10-119, for a participant who is a head of household and has not obtained a high school diploma or HSE diploma for any parent under 20 years of age who is
 - a. A single teen custodial parent; or
 - b. A married teen parent.

~~R6-10-110~~R6-10-112. Participation that Meets the Work Requirement

- A. ~~The following participants meet the work requirement:~~
 1. ~~A parent who is participating in work activities for at least the minimum average number of hours per week under R6-10-102(C).~~
 2. ~~A parent with a child less than age 6, who participates for at least 20 hours per week in primary activities, except that only one parent in a TPEP family can meet the federal work requirement in this manner.~~
 3. ~~A single, teen custodial parent less than age 20 who:~~
 - a. ~~Is a head of household;~~
 - b. ~~Has not obtained a high school diploma or GED; and either~~
 - i. ~~Maintains satisfactory attendance in high school or GED activities; or~~
 - ii. ~~Satisfactorily participates in education directly related to employment for at least an average of 20 hours per week during the month.~~



- B.** A participant who falls in one of the categories listed in subsection (A), who is deemed to be meeting the work requirement, may participate in additional work activities beyond those that meet the work requirement.
- A.** The following participants meet the work requirement:
1. A participant who is participating in work activities for at least the minimum average number of hours per week under 45 CFR 261.31 and 45 CFR 261.32.
 2. A single custodial parent or caretaker relative with a child less than age six, who participates for the minimum hours required per week under 45 CFR 261.35.
 3. A single or married head of household less than age 20 who participates under 45 CFR 261.33(b).
 4. A single custodial parent who is participating in educational activities, as described at R6-10-119 and R6-10-102(C).
- B.** A participant who falls into one of the categories listed in R6-10-112(A), who is meeting the work requirement, may participate in additional work activities beyond those that meet the work requirement.

~~R6-10-111~~R6-10-113. Secondary Non-Core Activities

- A.** ~~Jobs may assign a participant to secondary activities based on information obtained through the assessment or contained in the participant's employment plan only after the participant meets required participation in primary activity hours under R6-10-109.~~
- B.** ~~The following are secondary activities:~~
1. ~~Job search and job readiness assistance that exceeds the maximum of six weeks per federal fiscal year allowable as a primary activity;~~
 2. ~~Job skills training directly related to employment;~~
 3. ~~High school or GED preparation for a participant (other than a single, teen custodial parent who is a head of household) who has not attained a high school diploma or GED certificate; and~~
 4. ~~Education directly related to employment for a participant (other than a single, teen custodial parent who is a head of household) who has not attained a high school diploma or GED certificate.~~
- A.** The Jobs Program may assign a participant to non-core activities based on information obtained through assessments or contained in the participant's employment and career development plan only after the participant meets required participation in primary core activity hours under R6-10-111.
- B.** The following are non-core activities:
1. Job skills training directly related to employment;
 2. High school or GED preparation for a participant, other than a single, teen custodial parent who is a head of household, who has not obtained a high school diploma or HSE diploma; and
 3. Education directly related to employment for a participant, other than a single, teen custodial parent who is a head of household, who has not obtained a high school diploma or HSE diploma.

~~R6-10-112~~R6-10-114. Job Search and Job Readiness Assistance

- A.** ~~Based on information obtained through assessment or contained in a participant's employment plan, Jobs may assign a participant to job search and job readiness assistance as a primary activity in accordance with 42 U.S.C. § 607.~~
- B.** ~~A participant assigned to job search and job readiness assistance as a primary activity shall participate in job search and job readiness assistance for at least the minimum number of hours required under R6-10-102.~~
- C.** ~~On not more than one occasion per participant, Jobs shall permit three or four days of job search and job readiness assistance, and Jobs shall count this as a full week of participation.~~
- A.** Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to job search and job readiness assistance as a core activity, according to 45 CFR 261.34.
- B.** A participant assigned to job search and job readiness assistance as a core activity shall participate in job search and job readiness assistance for at least the minimum number of hours identified in the participant's employment and career development plan.

~~R6-10-113~~R6-10-115. On-the-job Training (OJT)

- A.** ~~Based on information obtained through the assessment assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to OJT, if other work activities have not resulted in employment and OJT is consistent with the participant's employment plan.~~
- B.** The Jobs Program shall approve OJT worksites and assignments that:
1. Are designed to improve the participant's chances for employment, and
 2. Provide compensation in accordance with applicable wage laws.
- C.** OJT activities shall include a written training plan that contains:
1. A job description that lists the skills to be learned;
 2. General employment competencies and occupation-specific skills;
 3. An evaluation of the participant's progress; and
 4. A schedule that indicates the estimated date of acquisition of each skill.

~~R6-10-114~~R6-10-116. Work Experience

- A.** ~~Based on information obtained through the assessment or contained in a participant's employment plan, Jobs may assign a participant to work experience to improve the participant's employability, or meet work participation requirements.~~
- B.** ~~When assigning work experience, Jobs shall select work experience that is consistent with the participant's employment plan and consider the participant's prior training and experience.~~
- A.** Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a participant to work experience to improve the participant's employability, or meet work participation requirements. The Jobs Program staff shall evaluate a participant's entitlement to a supplemental payment each month following the conclusion of participation in work experience.



B. When assigning work experience, the Jobs Program shall select work experience that is consistent with the participant’s employment and career development plan and consider the participant’s prior training and experience.

~~R6-10-115~~R6-10-117. Community Service Programs

Based on information obtained through ~~the assessment~~ assessments or contained in a participant’s employment and career development plan, the Jobs may assign a participant to community service programs program activities to establish good work habits if the participant is unlikely to meet work participation requirements by participating in other primary activities. The Jobs Program staff shall evaluate a participant’s entitlement to supplemental payment each month following the conclusion of participation in community service activities and process payments, if owed, by the seventh day of the following month after participation concludes.

~~R6-10-116~~R6-10-118. Vocational Educational Training

A. ~~Based on information obtained through the assessment or contained in a participant’s employment plan, Jobs may assign a participant to vocational educational training, for any period of time up to the maximum of 12 months, if other work activities have not resulted in employment and vocational educational training is consistent with the participant’s employment plan.~~

B. ~~In addition to criteria in subsection (A), Jobs shall use the following criteria to determine whether a participant should be assigned to, or remain in, vocational educational training:~~

- ~~1. The participant:

 - ~~a. Lacks a self-supporting skill for available jobs in the participant’s geographical area;~~
 - ~~b. Will attend at least half time, as defined by the institution, an educational or training facility that is legally authorized, accredited, or recognized in Arizona as providing a program to prepare students for gainful employment; and~~
 - ~~c. Remains in good standing with the educational or training institution and makes satisfactory progress as defined by the institution.~~~~
- ~~2. The participant seeks the education or training activities to attain skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have high turnover due to substandard wages or working conditions.~~

~~**C.** Jobs may approve, as vocational educational training, the educational or training activities of an individual who is already enrolled in educational, vocational, or technical training at the time the individual is selected for the Program.~~

~~**D.** Jobs shall use the following criteria to determine whether the educational or training activities of an individual already enrolled in education or training is approved:~~

- ~~1. The individual is:

 - ~~a. Attending at least half time, as defined by the institution, an educational or training facility that is legally authorized, accredited, or recognized in Arizona as providing a program to prepare students for gainful employment; and~~
 - ~~b. In good standing with the educational or training institution and is making satisfactory progress, as defined by the institution;~~~~
- ~~2. The individual seeks the education or training activities to attain skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have high turnover due to substandard wages or working conditions.~~

~~**E.** Jobs shall allow time spent studying for vocational education training coursework to count toward the work participation requirement at a rate of one hour of study time for every two hours of scheduled classroom time.~~

A. Based on information obtained through the assessment or contained in a participant’s employment and career development plan, the Jobs Program may assign a participant to vocational educational training as a core activity, for any period of time up to the maximum of 12 months if other work activities have not resulted in employment and vocational educational training that is consistent with the participant’s employment plan, according to 45 CFR 261.33(a).

B. In addition to criteria in R6-10-118(A), the Jobs Program shall use the following criteria to determine whether a participant should shall be assigned to, or remain in, vocational educational training:

- 1. The participant:

 - a. Lacks a self-supporting skill for available jobs in the participant’s geographical area; and
 - b. Remains in good standing with the educational or training institution and maintains satisfactory attendance, as defined by the institution.
- 2. The participant seeks the education or training activities to attain skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have high turnover due to substandard wages or working conditions.

C. The Jobs Program may approve, as vocational educational training, the educational or training activities of an individual who is already enrolled in educational, vocational, or technical training at the time the individual is selected for the Jobs Program.

D. The Jobs Program shall use the following criteria to determine whether the educational or training activities of an individual already enrolled in education or training is approved:

- 1. The individual is:

 - a. Attending an educational or training facility that is legally authorized, accredited, or recognized in the United States as providing a program to prepare students for gainful employment; and
 - b. In good standing with the educational or training institution and is maintaining satisfactory attendance, as defined by the institution.
- 2. The individual seeks the education or training activities to attain skills directly related to job opportunities for self-supporting employment in a recognized occupation that does not have high turnover due to substandard wages or working conditions.

E. The Jobs Program shall allow homework time under 45 CFR 261.60(e).

~~R6-10-117~~R6-10-119. High School, GED Preparation, and Education Directly Related to Employment

A. ~~Based on information obtained through the assessment or contained in a participant’s employment plan, Jobs may assign a teen custodial parent who has not obtained a high school diploma or GED to education directly related to employment.~~

B. ~~Jobs may assign a single, teen custodial parent, who is head of household and has not obtained a high school diploma or GED, to education directly related to employment.~~



- ~~C.~~ Jobs may only assign an adult participant, who does not have a high school diploma or GED, to education directly related to employment as a secondary activity.
- ~~A.~~ Based on information obtained through assessments or contained in a participant's employment and career development plan, the Jobs Program may assign a teen custodial parent who has not obtained a high school diploma or HSE diploma to education directly related to employment.
- ~~B.~~ The Jobs Program may assign a single, teen custodial parent, who is head of household and has not obtained a high school diploma or HSE diploma to education directly related to employment.
- ~~C.~~ The Jobs Program may assign an adult participant, who does not have a high school diploma or HSE diploma, to education directly related to employment as a non-core activity.
- ~~D.~~ The Jobs Program shall allow homework time, as described in 45 CFR 261.60(e).

~~R6-10-118.~~ Expired

~~R6-10-119~~R6-10-120. Support Services

- ~~A.~~ As budget permits, Jobs may provide a participant with support services to enable participation in the Program. Jobs shall give a participant a list of available support services. Support services may include:
 - ~~1.~~ Transportation services to assist a participant with transportation expenses that may be incurred as a result of Jobs participation. Services may include:
 - ~~a.~~ Transportation-related expenses (TRE);
 - ~~b.~~ Bus tickets or passes;
 - ~~c.~~ Vehicle repair;
 - ~~d.~~ Vehicle general maintenance;
 - ~~e.~~ Liability insurance; or
 - ~~f.~~ Contracted transportation services.
 - ~~2.~~ Health-related services not covered by AHCCCS but necessary to enable a participant to become employed or to make a determination of employability. The following are examples:
 - ~~a.~~ Medical examinations and tests;
 - ~~b.~~ Eyeglasses and other optical services;
 - ~~c.~~ Dental services; or
 - ~~d.~~ Mental health counseling.
 - ~~3.~~ The following are examples of other optional support services:
 - ~~a.~~ Clothing;
 - ~~b.~~ Tools, equipment, or specialized garments used in specific occupations such as uniforms, hard hats, or other similar attire;
 - ~~c.~~ Licenses;
 - ~~d.~~ GED testing;
 - ~~e.~~ Relocation; or
 - ~~f.~~ Shelter or utility assistance.
- ~~B.~~ As budget permits, the Department shall provide a participant with subsidized child care and other child care related expenses to enable participation in the Jobs Program. The following are examples of other child care related expenses:
 - ~~1.~~ Transportation to and from child care centers and to and from school;
 - ~~2.~~ Child care registration fees; and
 - ~~3.~~ Participants' co-pay obligations.
- ~~C.~~ As budget permits, Jobs may provide post-employment support services to participants whose TANF case is closed due to employment. The following are examples of post-employment support services:
 - ~~1.~~ Transportation services;
 - ~~2.~~ Child care and related expenses;
 - ~~3.~~ Health-related expenses;
 - ~~4.~~ Clothing;
 - ~~5.~~ Tools, equipment, or specialized garments;
 - ~~6.~~ Licenses;
 - ~~7.~~ GED testing;
 - ~~8.~~ Relocation;
 - ~~9.~~ Shelter or utility assistance; or
 - ~~10.~~ Post-employment education.
- ~~A.~~ The Jobs Program may provide a participant with support services as the Department budget for state TANF Cash Assistance permits to enable participation in the Jobs Program. Support services may include:
 - ~~1.~~ Transportation services to assist a participant with transportation expenses that may be incurred as a result of participation in the Jobs Program, which may include:
 - ~~a.~~ Transportation-related expenses;
 - ~~b.~~ Bus tickets or passes;
 - ~~c.~~ Vehicle repair;
 - ~~d.~~ Vehicle general maintenance;
 - ~~e.~~ Liability insurance; or
 - ~~f.~~ Contracted transportation services.
 - ~~2.~~ Health-related services not covered by AHCCCS or other medical insurance, but necessary to enable a participant to become employed or to make a determination of employability, including:
 - ~~a.~~ Medical examinations and tests;



- b. Eye-glasses and other optical services.
- c. Dental services, or
- d. Mental health counseling.
- 3. Other support services, including:
 - a. Clothing.
 - b. Tools, equipment, or specialized garments used in specific occupations such as uniforms, hard hats, or other similar attire.
 - c. Licenses.
 - d. Educational testing fees.
 - e. Relocation, or
 - f. Shelter or utility assistance.
- B. The Department shall provide a participant with subsidized child care pursuant to A.A.C., Chapter 5, Article 49. Other child care related expenses include:
 - 1. Transportation to and from child care centers and to and from school.
 - 2. Child care registration fees, and
 - 3. Participants' co-pay obligations.

R6-10-121. Transitional Support Services

Participants who have entered unsubsidized employment and subsequently become ineligible for TANF Cash Assistance may be eligible to receive transitional support services, as Department budget permits, for up to 180 days from the first day of the month following the month of the TANF Cash Assistance case closure when it has been verified by the Jobs Program that the participant was employed in unsubsidized employment at the time of TANF Cash Assistance case closure. Transitional support services include those identified in R6-10-120 and:

- 1. Post-employment case management; and
- 2. Post-employment education and training opportunities.

~~R6-10-120~~ **R6-10-122. Participant Complaint Resolution**

- ~~A. This Section applies to participant complaints about the Jobs Program, including complaints about service providers.~~
- ~~B. Each service provider shall establish a written complaint resolution procedure that shall be posted and given to participants. The complaint resolution procedure shall include an opportunity for an informal dispute resolution meeting between the participant and the service provider, and inform the participant of the right to elevate the complaint to the Program Administrator if the participant is not satisfied with the service provider decision.~~
- ~~C. A participant shall continue to participate in the Program while the complaint resolution is pending, unless the participant has established a good cause reason for not participating. If a participant fails to participate, JOBS shall initiate the sanction process as provided in R6-10-123 or withholding as provided in R6-10-124.~~
- ~~D. A participant shall use all applicable steps of the following process to seek a resolution of a complaint:~~
 - ~~1. The participant shall attempt to informally resolve a complaint at the lowest management level. However, if a participant believes that a complaint to the service provider would be futile, the participant may complain directly to the Program Administrator under subsection (D)(4).~~
 - ~~2. The participant shall submit the complaint orally or in writing to the participant's service provider. If requested, the service provider shall assist the participant with writing the complaint.~~
 - ~~3. Upon receipt of the participant's complaint, the service provider shall respond in writing within seven days of the date the complaint was filed. The response shall provide the reason for the decision, and mention the participant's right to complain to the Program Administrator.~~
 - ~~4. If the service provider takes no action to resolve the complaint or the participant perceives the complaint is unsatisfactorily resolved, the participant shall submit a complaint orally or in writing to the Program Administrator.~~
 - ~~5. The Program Administrator shall issue a written decision within 30 days after the date the complaint is filed. The Program Administrator shall consider the participant's employment plan, applicable statutes, rules, and policy and, if applicable, the terms of the service provider's contract, in reaching a decision.~~
- A. This Section applies to participant complaints about the Jobs Program, including complaints about service providers.
- B. Each service provider shall establish a written complaint resolution procedure that shall be posted and given to participants. The complaint resolution procedure shall include an opportunity for an informal dispute resolution meeting between the participant and the service provider and inform the participant of the right to elevate the complaint to the Program Administrator if the participant is not satisfied with the service provider decision.
- C. A participant shall continue to participate in the Jobs Program while the complaint resolution is pending, unless the participant has established a good cause reason for not participating. If a participant fails to participate, the Jobs Program shall initiate the sanction process as provided in R6-10-124 or withholding as provided in R6-10-125.
- D. A participant shall use all applicable steps of the following process to seek a resolution of a complaint:
 - 1. The participant shall attempt to informally resolve a complaint at the lowest management level. However, if a participant believes that a complaint to the service provider would be futile, the participant may complain directly to the Program Administrator under R6-10-122(D)(4).
 - 2. The participant shall submit the complaint orally or in writing to the participant's service provider. The service provider shall assist the participant with writing the complaint upon request of the participant.
 - 3. Upon receipt of the participant's complaint, the service provider shall respond in writing within seven days of the date the complaint was received. The response shall provide the reason for the decision and identify any action taken by the provider to remedy the complaint. The response shall explain the participant's right to elevate the complaint for review to the Program Administrator or designee if the participant does not agree with the decision.



4. If the service provider takes no action to resolve the complaint or the participant is not satisfied with the action, the participant may submit a complaint orally or in writing to the Program Administrator or designee.
5. The Program Administrator or designee shall issue a written decision within 30 days after the date the complaint is received. The Program Administrator or designee shall consider the participant's employment and career development plan, applicable statutes, rules, and policy, and, if applicable, the terms of the service provider's contract in reaching a decision.

R6-10-122. Services to Address Barriers to Participation Repealed

A. Identification of Barriers to Participation and Referral to Available Services.

1. A participant shall notify the participant's case manager of any barrier to participation in the Jobs Program.
2. Upon notification or personal observation that a participant has a barrier to participation, the case manager shall document the barrier, and determine whether revising the participant's employment plan would address the identified barrier. If so, the case manager shall revise the employment plan as necessary.
3. If revising the employment plan does not address the identified barrier, the case manager shall refer the participant to available community resources.
4. If no community resources are available to address the identified barrier, the case manager shall refer the participant to available Jobs Program services.
5. If no services are available, the case manager shall grant the participant good cause for not participating and re-evaluate the situation in 30 days to determine whether the barrier has been resolved or services have become available.

B. A participant shall participate in a referred service until identified barriers have been resolved, or the service is no longer available.

1. If the participant's barriers have been resolved, the participant shall participate in work activities. If the participant does not participate in work activities after the participant's barriers have been resolved, the case manager shall initiate the good cause process under R6-10-121.
2. If the participant does not participate in referred services and does not participate in work activities, the case manager shall initiate the good cause process under R6-10-121.

~~R6-10-121~~R6-10-123. Failure to participate Participate; Good Cause Reasons; Verification; Establishment of Good Cause

A. Failure to participate. If a participant does not participate in work activities, including attendance at the Jobs Introduction Meeting, the case manager shall determine whether a barrier to participation has been identified through discussions with the participant, or information provided by the participant, and if so, whether services have been provided to address the barrier.

1. If services have not been provided to address an identified barrier, the case manager shall refer the participant to available Jobs Program services or community resources.
2. If services have been provided to address all identified barriers, or no barrier has been identified, the case manager shall send the participant a Request for Good Cause Information to determine whether a good cause reason exists for the participant not to participate.

B. Good cause reasons. Good cause reasons that prevent a participant from engaging in work activities under R6-10-102, include:

1. The participant has a barrier to participation for which services are not available, or the participant is participating in referred services to address a barrier;
2. The participant has an illness;
3. The participant is required to care for an ill or disabled family member;
4. Either the participant or a dependent child has an appointment that cannot be rescheduled, such as a court-ordered appearance, medical appointment, or another comparable appointment;
5. The participant has a family emergency;
6. The participant has a temporary lack of transportation with no reasonable alternate means of transportation;
7. Extreme weather makes walking to childcare or work activities unreasonable for a participant who has no other form of transportation;
8. The participant is prevented from participating due to inclement weather;
9. The participant is unable to obtain child care for a child who is less than 13 years old because the child care is unavailable, unaffordable, or unsuitable;
10. Child care is unavailable for a child age 13 or over who requires adult supervision:
 - a. Due to a disability, which includes mental health or other health-related issues;
 - b. Because the child would be harmful to himself, herself, or others if left alone; or
 - c. Because the child is on court-ordered probation that requires the child to remain in the home or under house arrest.
11. The participant needs translation services that are not available or not provided.
12. The participant is not capable of performing the work activity due to:
 - a. Unsafe worksite conditions;
 - b. Physical demands of the job;
 - c. Lack of skills, aptitude, or knowledge for the position;
 - d. Strike, lockout, or other bona fide labor dispute; or
 - e. Conditions of the participant's membership in a union representing employees in the occupation.
13. The participant is a victim or perceives himself or herself to be a victim of domestic violence whose current situation:
 - a. Threatens the safety of the participant or any child living with the participant; or
 - b. Causes physical, mental, or emotional harm to the participant or any child living with the participant.
14. The Department fails to provide the participant with services agreed upon in the employment plan; or
15. Other comparable circumstances beyond the participant's control, including an error by the Department.

C. Verification. A participant subject to subsection (A) shall provide documentation that verifies good cause within 10 calendar days of the mailing date on the Request for Good Cause Information. The case manager may obtain verification directly from the reporting



source. The case manager shall, upon request, assist the participant in obtaining the documentation that verifies good cause. Verification includes the following:

1. Physician or other health care professional statement;
2. Appointment notice from a court, FAA, or other comparable entity;
3. Death certificate;
4. Newspaper article, or other similar evidence of public knowledge;
5. Document or statement from the DES Child Care Administration;
6. Police report;
7. Statement from crisis shelter staff or a witness to the domestic violence;
8. Statement from a third party; or
9. Signed participant statement explaining the circumstances that establish good cause if no other verification is possible.

D. Notice.

1. If the participant establishes a good cause reason for failing to participate within 10 calendar days of the mailing date on the Request for Good Cause Information, the case manager shall not sanction the participant, and shall send the participant a notice indicating that good cause has been established. If, based on the information received from the participant, the case manager determines that a barrier exists that prevents the participant from participating, the case manager shall refer the participant to available Jobs Program services or community resources.
2. If the participant does not establish good cause within 10 calendar days of the mailing date on the Request for Good Cause Information, the case manager shall send the participant a notice indicating that good cause has not been established and begin the sanction process described in R6-10-123.

A. Failure to participate includes:

1. Failure to appear for a scheduled appointment with a Jobs Program case manager;
2. Failure to attend a scheduled work activity, assessment, or appointment that is documented in the employment and career development plan;
3. Refusing to submit a completed application for employment, when required;
4. Refusing to accept suitable employment, voluntarily reducing employment hours, or voluntarily quitting employment without good cause, as described at R6-10-123(F);
5. Providing false or inaccurate information to a Jobs Program case manager;
6. Behaving in a manner that constitutes a threat or hazard to agency staff or others; or
7. Intentionally disrupting an activity or the orderly administration of the overall program, such as:
 - a. Attending, but refusing to participate in a class, workshop, or other assigned activity; or
 - b. Disruptive behavior that makes it difficult to conduct an activity.

B. If a participant does not actively engage with the Jobs Program, the Jobs Program case manager shall determine if a barrier to participation exists, and if so, whether services have been offered or provided to address the barrier.

1. If services have not been offered or provided to address an identified barrier, the Jobs Program case manager shall refer the participant to Jobs Program support services or community resources to address a barrier.
2. If services have been offered or provided to address all identified barriers, the Jobs Program case manager shall send the participant a Good Cause/Last Chance to Stop the Sanction Appointment notice. The participant shall provide verification of good cause or attend a Last Chance to Stop the Sanction Appointment within ten days of the date the notice is mailed. The deadline shall be stated in the notice.
3. If there are no services available to address an identified barrier, the Jobs Program Case Manager shall grant a participant good cause for not participating, as described in R6-10-123(F) and shall reevaluate the situation every 30 days from the date the employment and career development plan is revised to determine whether the barrier has been resolved or services have become available.

C. If the participant timely submits verification of good cause, the Jobs Program shall determine if good cause exists, as described at R6-10-123(F).

1. If verification meets the requirements of acceptable verification under R6-10-123(G) and establishes good cause, the Jobs Program shall notify the participant and state that good cause has been established and the Department shall not impose a sanction.
2. If verification does not meet the requirement of acceptable verification at R6-10-123(G) and does not establish good cause, the Jobs Program shall notify the participant and state that good cause was not established and shall allow the participant an additional ten days from the date the notice is mailed to attend a Last Chance to Stop the Sanction Appointment.

D. If the participant fails to provide any verification but attended the Last Chance to Stop the Sanction Appointment and demonstrates compliance, the Jobs Program shall notify the participant and state that the Department shall not impose a sanction.

E. If the participant does not timely establish good cause under R6-10-123(F), attend the Last Chance to Stop the Sanction Appointment, or demonstrate compliance, the Jobs Program shall notify the participant and state that the participant did not establish good cause and did not attend the Last Chance to Stop the Sanction Appointment. The Jobs Program shall initiate the sanction process under R6-10-125.

F. Good cause is subject to verification under R6-10-123(G). Circumstances that prevent a participant from engaging in work activities under R6-10-102 constitute good cause, including when:

1. The participant has a barrier to participation for which services are not available;
2. The participant is participating in referred services to address a barrier to participation;
3. The participant has an illness;
4. The participant is required to care for a family member with an illness or a disability;
5. Either the participant or a dependent child has an appointment that cannot be rescheduled, such as a court-ordered appearance, medical appointment, or another comparable appointment;
6. The participant has a family emergency;



7. The participant lacks transportation with no reasonable alternate means of transportation;
 8. The participant is prevented from participating due to inclement weather;
 9. The participant is unable to obtain child care for a child who is less than 13 years old because the child care is unavailable, unaffordable, or unsuitable;
 10. Child care is unavailable for a child age 13 or over who requires adult supervision because the child:
 - a. Has a disability, including mental health or other health-related issues;
 - b. Would be harmful to himself, herself, or others if left alone; or
 - c. Is on court-ordered probation that requires the child to remain in the home or is under house arrest.
 11. The participant needs translation services that are not available or not provided.
 12. The participant is incapable of performing the work activity due to:
 - a. Unsafe worksite conditions;
 - b. Physical demands of the job;
 - c. Lack of skills, aptitude, or knowledge for the position;
 - d. Strike, lockout, or other bona fide labor dispute; or
 - e. Conditions of the participant's membership in a union representing employees in the occupation.
 13. The participant is a victim or perceives himself or herself to be a victim of domestic violence whose current situation:
 - a. Threatens the safety of the participant or any child living with the participant; or
 - b. Causes physical, mental, or emotional harm to the participant or any child living with the participant.
 14. The Department fails to provide the participant with services agreed upon in the employment and career development plan; or
 15. Other comparable circumstances beyond the participant's control, including an error by the Department.
- G. Verification.** Acceptable verification that establishes a participant's good cause, as described in R6-10-123(F), includes:
1. A statement from an acceptable medical source;
 2. An appointment notice from a court, FAA, or other comparable entity;
 3. Death certificate;
 4. Newspaper article, or other similar evidence of public knowledge;
 5. Document or statement from the DES Child Care Administration, FAA, a court, or other comparable entity;
 6. Police report;
 7. Statement from crisis shelter staff or a witness to the domestic violence;
 8. Statement from a third party; or
 9. Signed participant statement explaining the circumstances that establish good cause if no other verification is possible.

R6-10-123 R6-10-124. All Families Assistance Units, Except TPEP Families Assistance Units: Sanction Process

If a participant fails to participate in work activities without good cause under R6-10-121, the case manager shall initiate the sanction process:

1. Case review. Before requesting a sanction, the case manager shall review the case to determine whether all necessary steps have been taken, including barrier identification, available service referrals, and an opportunity to establish good cause. After reviewing the case and determining that a sanction is appropriate, the case manager shall submit the case to a Jobs supervisor for review. The Jobs supervisor shall review the case to determine whether all necessary steps have been taken before imposing a sanction, and shall approve or deny the sanction based on this review.
 - a. If the Jobs supervisor approves the sanction, the case manager shall sanction the participant under A.R.S. § 46-300, as provided in subsection (4).
 - b. If the Jobs supervisor does not approve the sanction, the case manager shall review the case record and take all necessary corrective action on the case.
2. Notice. If a sanction is approved, at each sanction level the case manager shall send the participant written notice of the Department's intent to sanction. The adverse action notice shall be timely and shall adequately explain:
 - a. The date and the location of the alleged failure to comply;
 - b. How or why the case manager believes the participant failed to comply;
 - c. The month in which the Department shall impose the sanction;
 - d. The length of time that the sanction will be imposed;
 - e. How the participant can stop the proposed sanction or re-comply if it is too late to stop the proposed sanction;
 - f. The name and telephone number of a specific contact person who will provide more information to the participant about the sanction level;
 - g. The percentage of the sanction;
 - h. The benefit amount, after the sanction is imposed;
 - i. The fact that the participant is required to contact a case manager by the due date listed on the notice and either participate in work activities or express an intent to participate in work activities to avoid the imposition of a sanction; and
 - j. Information regarding the right to request a hearing, and how to do so.
3. How a participant can avoid a sanction or have benefits restored after a sanction is imposed.
 - a. A participant who has received a notice that the Jobs Program intends to impose a sanction may avoid the sanction by participating in work activities, expressing an intent to participate, or identifying a barrier to participation within 10 calendar days from the mailing date on the notice.
 - i. The participant may express an intent to participate in work activities by contacting the participant's case manager by telephone or appearing in person. If a barrier is identified, the case manager shall follow the process in R6-10-122.
 - ii. If the participant requests a fair hearing within 10 calendar days from the mailing date of the notice, Jobs shall not reduce the cash grant due to a sanction, pending the results of the fair hearing.
 - b. If the participant does not respond within 10 calendar days of the mailing date of the notice, the sanction is imposed. If the participant responds after the sanction is imposed, and resumes participation, expresses an intent to participate, or identifies



- a barrier to participation, the Jobs Program shall restore benefits after one month of sanction. The participant may express an intent to participate or identify a barrier by contacting the case manager by telephone or in person. If a barrier is identified, the case manager shall follow the process in R6-10-122. The Jobs Program shall not require a participant to begin work activities before the program takes action to restore benefits.
- e. Upon recompliance with the Jobs Program following a sanction, the participant shall attend a Jobs Introduction Meeting if the participant has not attended a Jobs Introduction meeting in the prior six months.
- d. If a participant has been sanctioned 100% and the participant's Jobs case has been closed, the participant shall reapply for cash assistance to resume the Jobs Program services and work activities.
- 4. Sanction levels. The Department shall impose a sanction, which is a percentage of the original cash assistance amount, in accordance with A.R.S. § 46-300 as follows:
 - a. For the first instance of noncompliance, the department shall reduce the household's cash assistance grant by twenty-five per cent for one month.
 - b. For a second instance of noncompliance that occurs in a month other than the month in which the first noncompliance occurred, the department shall reduce the household's cash assistance grant by fifty per cent for one month.
 - e. For a third instance of noncompliance that occurs in a month other than the month in which the second noncompliance occurred and any instance of noncompliance thereafter, the department shall terminate the household's cash assistance grant for at least one month or until the household complies. The Jobs Program shall close the participant's case at this sanction level, and upon subsequent sanctions. The former participant shall reapply for cash assistance to resume the Jobs Program services and work activities.
- 5. Monitoring sanctioned participants.
 - a. A case manager shall keep a record listing each sanctioned participant, the participant's sanction date, sanction level, benefit month, and revised benefit amount, and shall review the record each month, in addition to the participant's case record, to determine whether the next sanction level should be imposed. A Jobs supervisor shall review the case record before the initiation of any sanction action by a case manager.
 - b. Before imposing the 100% sanction, the case manager shall use the following methods in an attempt to contact the participant and determine whether good cause exists under R6-10-121:
 - i. A telephone call, if the participant has a telephone;
 - ii. Notice by first class mail;
 - iii. Consultation with other programs within the Department to determine whether they have had contact with the non-compliant participant or have a current address or telephone number for the participant;
 - iv. Any other reasonable method for contacting the participant.
- 6. A participant is entitled to a fair hearing, to contest a Department sanction.
- 7. A participant who wishes to appeal a sanction shall file a written request with the Department, following the procedures in A.A.C. R6-12-1002.

If a participant fails to participate in work activities without good cause under R6-10-123, the case manager shall initiate the sanction process.

1. Case review. Before requesting a sanction, the case manager shall review the case to determine whether all necessary steps have been taken, including barrier identification, available service referrals, and an opportunity to establish good cause.
2. Notice. If a sanction is approved by a Jobs Program supervisor, the Jobs Program case manager shall send the participant a written Notice of Adverse Action under A.A.C. R6-12-907.
3. Preventing sanction progression. The Jobs Program shall send additional written notification to a participant within five days of mailing the Notice of Adverse Action for a 50 percent sanction and state that the participant may attend a Last Chance to Stop the Sanction Appointment in order to prevent the sanction from progressing to termination of the assistant unit's Cash Assistance grant, pursuant to A.R.S. § 46-300(D). The Jobs Program shall schedule an appointment ten days from the date on the notice. A participant may attend the appointment, develop an employment and career development plan, and begin and continue to participate in the established work activity to continue to demonstrate compliance. If a barrier is identified, the Jobs Program case manager shall follow the process in R6-10-123(B).
4. Sanction levels. The Department shall impose a sanction, which is a percentage of the original cash assistance amount, in accordance with A.R.S. § 46-300.
5. A participant who wishes to appeal a sanction may request an appeals hearing under A.A.C. R6-12-1002.

~~R6-10-124~~R6-10-125. TPEP: Failure to Participate; Withholding

- A.** If a TPEP parent who is a participant fails to participate with Jobs Program requirements, Jobs shall determine whether good cause exists under R6-10-121.
- B.** If Jobs determines that the TPEP parent failed to participate without good cause, the Department shall withhold TPEP cash assistance.
- C.** Jobs shall send the participant a timely adverse action notice that adequately explains:
 1. The date and location of the alleged failure to participate;
 2. How or why the case manager believes the participant failed to participate;
 3. The pay period in which the Department shall impose the withholding; and
 4. The length of time that the withholding will be imposed;
 5. How the participant can stop the proposed withholding or resume participation if it is too late to stop the proposed withholding;
 6. The name and telephone number of a specific contact person who will provide more information to the participant about the withholding;
- D.** At the third withholding, Jobs shall close the participant's Jobs case.
- E.** A participant is entitled to a fair hearing to contest a Department withholding of cash assistance.
- F.** A participant who wishes to appeal a withholding of cash assistance shall file a written request with the Department, following the procedures in A.A.C. R6-12-1002.



- A. If one parent of a TPEP assistance unit fails to comply with Jobs Program requirements, the Jobs Program shall determine whether good cause exists under R6-10-123(F).
- B. If the Jobs Program determines that the TPEP parent failed to participate without good cause, the Department shall withhold TANF Cash Assistance.
- C. TANF Cash Assistance shall be withheld until a participant complies with Jobs Program requirements and demonstrates compliance. The Jobs Program shall send the participant a Notice of Adverse Action notice at least ten days before the change in TANF Cash Assistance takes effect. This notice shall include:
 - 1. The date and location of the alleged failure to participate;
 - 2. How or why the participant failed to participate;
 - 3. The month in which the Department intends to impose the withholding;
 - 4. The length of time that the withholding will be imposed;
 - 5. How the participant can stop the proposed withholding or resume participation; and
 - 6. Department contact information where a participant may request more information regarding the withholding of the participant's TANF Cash Assistance.
- D. The Department may grant a TPEP assistance unit a three-month extension to the six-month limit if:
 - 1. A parent is enrolled in a vocational education training activity;
 - 2. A parent has an offer of unsubsidized employment that will begin within the three-month extension period;
 - 3. The TPEP work requirements were not met and good cause was established for one or more months during the six-month period; or
 - 4. The Jobs Program shall determine if an assistance unit meets the criteria for a three-month extension prior to expiration of the TPEP benefits and notify the FAA when the criteria is met.
- E. The Jobs Program shall close the TANF Cash Assistance when three TPEP payments are withheld in any six-month period.
- F. A participant who wishes to appeal a withholding may request a fair hearing under A.A.C. R6-12-1002.

~~R6-10-125. Expired~~

~~R6-10-126. Expired Jobs Program Eligibility After the TANF Cash Assistance Time Limit~~

- A. The Jobs Program case management and employment services shall continue for up to 12 months after:
 - 1. A participant's TANF Cash Assistance closed due to the time limit in A.R.S. § 46-294(G);
 - 2. The Jobs Program case is active at the time the TANF Cash Assistance case is closed; and
 - 3. The participant does not have a Jobs Program sanction imposed in the month of case closure.
- B. The Jobs Program shall provide written notification to the participant of the participant's continued eligibility for the Jobs Program when the Jobs Program is informed of the participant's TANF Cash Assistance case closure. The notification shall inform the participant about how the participant may receive employment and case management services.
- C. Continued eligibility for the Jobs Program stops when the participant's mail is returned to the Jobs Program with no forwarding address and the Jobs Program is unable to obtain the current address through other means. The Jobs Program shall close the Jobs Program case within 20 calendar days of receiving the returned mail.
- D. Support services, as described at R6-10-120, may be provided with the exception of subsidized child care, pursuant to A.A.C., Chapter 5, Article 49.

ARTICLE 3. JOB DISPLACEMENT GRIEVANCE PROCEDURES

R6-10-301. Definitions

The definitions in R6-10-101 apply to this Article. In addition to the definitions in R6-10-101, the following definitions apply to Article 3, unless the context otherwise requires:

- 1. "Displacement" means assignment of a participant to a position that:
 - a. Results in the termination or reassignment of a regular employee;
 - b. Results in the reduction of non-overtime work, wages, or benefits for a regular employee;
 - c. Fills the position of a regular employee on layoff status;
 - d. Creates a new position for the participant that has substantially the same job functions as the position held by a regular employee who is on layoff or subsequently terminated;
- 2. "Regular employee" means an unsubsidized individual currently employed by an employer.

R6-10-302. Job Displacement

Regular employees of employers with whom Jobs participants are placed in unpaid or subsidized jobs may file a grievance regarding displacement as prescribed in this Article. As used in this Section, "displacement" means assignment of a participant to a position which:

- 1. Results in the termination or reassignment of a regular employee;
- 2. Results in the reduction of non-overtime work, wages, or benefits for a regular employee;
- 3. Impairs an existing contract for service or a collective bargaining agreement;
- 4. Fills the position of a regular employee on layoff status;
- 5. Creates a new position for the participant that has substantially the same job functions as the position held by a regular employee who is on layoff or subsequently terminated;
- 6. Infringes upon the promotional opportunities of a regular employee; or
- 7. Fills any established, unfilled position that can be filled by a qualified, regular employee who has applied for the position.

An employee who has been displaced by a Jobs Program participant may file a grievance, as prescribed in this Article.



R6-10-303. Grievance Process

- A. ~~Upon request, The Jobs Program~~ shall provide information to regular employees and ~~JOBSTART~~ employers regarding ~~their~~ the regular employee's right to file a grievance and the procedure for doing so.
- B. An aggrieved party may seek to informally resolve a grievance ~~at the regional level with the Jobs Regional Program manager~~ Department, or that person's designee, or may request ~~a fair an appeals hearing with the Office of Appeals.~~
- C. To pursue informal resolution, an aggrieved party shall file a ~~Departmental grievance form~~ within 20 days of the alleged displacement with the Jobs Regional Program Manager or designee Department. The ~~form~~ grievance shall contain the following information:
 1. Aggrieved party's name, address, ~~and telephone number,~~ and email address, if available;
 2. Date of the grievance;
 3. Contact person, if other than the aggrieved party;
 4. ~~Regional Program Manager or designee, address, telephone number~~ Department contact information, address, telephone number, and email address, if available;
 5. A description of the action that is the subject of the grievance and the date of the action; and
 6. The proposed resolution.
- D. If the aggrieved party requests an informal resolution, the ~~Department~~ Jobs Program shall hold an informal resolution meeting with the aggrieved party, within 15 ~~working~~ business days from the date the Department receives the grievance.
- E. If a grievance is not resolved at the informal meeting, the aggrieved party may request ~~a fair an appeals~~ hearing with the ~~Department of Economic Security, Department's~~ Office of Appeals, within ~~30~~ 20 days from the date of the informal meeting, by ~~sending a written~~ submitting a request for ~~a fair an appeals~~ hearing to the Jobs Program local office.
- F. If the aggrieved party does not choose to seek an informal resolution ~~as prescribed in subsections (C) and (D) under R6-10-303(C) and (D),~~ the aggrieved party may request ~~a fair an appeals~~ hearing by filing a written request with the local Jobs Program office within 20 days of the alleged displacement. ~~An employer who requests a fair hearing shall file a written request within 30 calendar days of the date of the adverse action notice as described in A.A.C. R6-12-1002.~~ Upon request, the Jobs Program shall assist the aggrieved party in preparing the hearing request. Assistance shall include ~~an explanation of the aggrieved party's right to fair hearing the fair hearing procedures, and the process;~~ a party's right to an appeals hearing and the appeals hearing process and procedures.
- ~~G.~~ A request for a hearing is deemed filed on the date specified in A.A.C. R6-12-1002.
- ~~H-G.~~ The Jobs Program ~~local office~~ shall prepare a request for an appeals hearing, if requested by the aggrieved party, and forward the request for ~~a an appeals~~ hearing to the Office of Appeals. The request for an appeals hearing forwarded by the Jobs Program ~~office~~ shall include:
 1. The information submitted under subsection ~~(C)~~ R6-10-303(C);
 2. The decision reached at the informal resolution meeting, if any; and
 3. Any decision, notice, or other documents relating to the hearing request.
- ~~H-H.~~ Upon receipt of a request for ~~a fair an appeals~~ hearing, the Office of Appeals shall conduct the hearing in accordance with ~~under~~ A.A.C. R6-12-1005 through A.A.C. R6-12-1007 and A.A.C. R6-12-1009 through R6-12-1013(A), except that references to "FAA" are replaced by "Jobs Program."



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 ECONOMIC SECURITY
THE JOBS PROGRAM**

[R19-100]

- | | |
|-----------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| 1. <u>Title and its heading:</u> | 6, Economic Security |
| <u>Chapter and its heading:</u> | 10, Department of Economic Security - The JOBS Program |
| <u>Article and its heading:</u> | 1, JOBS: General Provisions |
| | 3, Job Displacement Grievance Procedures |
| <u>Section numbers:</u> | R6-10-101 through R6-10-124; R6-10-301 through R6-10-303
(Sections may be added, deleted, or modified as necessary.) |

2. The subject matter of the proposed rule:

This rulemaking will:

- Amend the rules to comply with 45 CFR 261, which defines countable federal work activities; explains the federal work participation requirement and revised caseload reduction credits; and defines who is included and excluded from the federal work requirement.
- Add rules to allow unmarried custodial parents to attend educational activities as an alternative to the federal work participation requirement to comply with A.R.S. § 46-299.
- Amend the sanction process rules to comply with A.R.S. § 46-300.
- Add rules to extend case management and employment services through the Jobs Program to eligible families transitioning off of Temporary Assistance for Needy Families (TANF) Cash Assistance due to the time limit to comply with A.R.S. § 46-299.
- Add rules to grant extensions to two-parent households to comply with A.R.S. § 41-1954(F).
- Add reporting requirements to comply with A.R.S. § 46-300.07.
- Amend language regarding persons with disabilities to comply with A.R.S. § 41-5201.
- Amend rules to reflect current practice.

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

Notice of Proposed Rulemaking: 25 A.A.R. 1365, June 7, 2019 (*in this issue*)

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

Name: Nicole Tolton
 Address: Department of Economic Security
 P.O. Box 6123, Mail Drop 1292
 Phoenix, AZ 85005
 or
 Department of Economic Security
 1789 W. Jefferson St., Mail Drop 1292
 Phoenix, AZ 85007
 Telephone: (602) 542-6555
 Fax: (602) 542-6000
 E-mail: ntolton@azdes.gov

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

The Department will accept public comments for at least 30 days following the publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. Written comments may be submitted to the individual named in item 4.



The Department has scheduled the following oral proceeding:

Date: Tuesday, July 23, 2019
Time: 2:00 p.m.
Location: 515 N. 51st Ave., Suite 250
Phoenix, AZ 85043

Persons may participate in the oral proceeding via video conference using any of the following satellite offices:

Location: 5441 E. 22nd St., Suite 101
Tucson, AZ 85711

Location: 1185 Redondo Center Dr.
Yuma, AZ 85365

Location: 1704 N. Fourth St.
Flagstaff, AZ 86004

Location: 2500 E. Cooley, Suite 420
Show Low, AZ 85901

Location: 519 Beale St., Suite 130
Kingman, AZ 86401

Location: 1140 F Avenue
Douglas, AZ 85607

Location: 125 E. Elliot Rd.
Chandler, AZ 85225

Close of record for this rulemaking is 5:00 p.m. on Wednesday, July 24, 2019.

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

None



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

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RULES EFFECTIVE DATES CALENDAR

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

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/2	2/1	4/2	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
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
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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
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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://grcc.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.