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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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 New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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

<table>
<thead>
<tr>
<th>START HERE</th>
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<tbody>
<tr>
<td>APA, statute or ballot proposition is passed. It gives an agency authority to make rules.</td>
</tr>
<tr>
<td>It may give an agency an exemption to the process or portions thereof.</td>
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</tbody>
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<table>
<thead>
<tr>
<th>Agency opens a docket.</th>
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<tbody>
<tr>
<td>Agency files a Notice of Rulemaking Docket Opening; it is published in the <em>Register</em>. Often an agency will file the docket with the proposed rulemaking.</td>
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<table>
<thead>
<tr>
<th>Agency drafts proposed rule and Economic Impact Statement (EIS); informal public review/comment.</th>
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<tbody>
<tr>
<td>Agency files Notice of Proposed Rulemaking. Notice is published in the <em>Register</em>. Notice of meetings may be published in <em>Register</em> or included in Preamble of Proposed Rulemaking. Agency opens comment period.</td>
</tr>
</tbody>
</table>

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<tr>
<th>Oral proceeding and close of record. Comment period must last at least 30 days after publication of notice. Oral proceeding (hearing) is held no sooner than 30 days after publication of notice of hearing</th>
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<tbody>
<tr>
<td>Agency decides not to proceed; files Notice of Termination of Rulemaking. May open a new Docket.</td>
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<tr>
<th>Rule must be submitted for review or terminated within 120 days after the close of the record.</th>
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<tbody>
<tr>
<td>A final rulemaking package is submitted to G.R.R.C. or A.G. for review. Contains final preamble, rules, and Economic Impact Statement.</td>
</tr>
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<table>
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<tr>
<th>G.R.R.C. has 90 days to review and approve or return the rule package, in whole or in part; A.G. has 60 days.</th>
</tr>
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<tr>
<td>After approval by G.R.R.C. or A.G., the rule becomes effective 60 days after filing with the Secretary of State (unless otherwise indicated).</td>
</tr>
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| Final rule is published in the *Register* and the quarterly *Code Supplement*. |

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Definitions


**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.


**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

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 FINAL RULEMAKING

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

The final published notice includes a preamble and text of the rules as filed by the agency. Economic Impact Statements are not published.

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

NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS

CHAPTER 17. ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS

[R19-21]

PREAMBLE

1. Article, Part, or Section Affected (as applicable) Rulemaking Action
   R4-17-203 Amend

2. Citations to the agency’s statutory rulemaking authority to include both the authorizing statute (general) and the implementing statute (specific):
   Authorizing statute: A.R.S. § 32-2504(B)
   Implementing statute: A.R.S. §§ 32-2504(A)(11) and 32-2532

3. The effective date for the rules:
   April 6, 2019
   a. If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):
      Not applicable
   b. If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):
      Not applicable

4. Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:
   Notice of Rulemaking Docket Opening: 24 A.A.R. 2772, October 5, 2018
   Notice of Proposed Rulemaking: 24 A.A.R. 2731, October 5, 2018

5. The agency’s contact person who can answer questions about the rulemaking:
   Name: Patricia McSorley, Executive Director
   Address: Arizona Medical Board
             1740 W. Adams St., Suite 4000
             Phoenix, AZ 85007
   Telephone: (480) 551-2700
   Fax: (480) 551-2704
   E-mail: patricia.mcsorley@azmd.gov
   Website: www.azpa.gov

6. An agency’s justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:
   Under Laws 2018, Chapter 233, the legislature amended A.R.S. § 32-2504(A)(11) to allow a licensed and otherwise qualified physician assistant to prescribe a 90-day supply of a schedule II or schedule III controlled substance that is not an opioid or benzodiazepine rather than the current 30-day supply of a schedule II or schedule III controlled substance. When prescribing an opioid or benzodiazepine, a physician assistant must continue to comply with the limits imposed by the Arizona Opioid Epidemic Act. Except in an emergency, all prescribing by a physician assistant is subject to delegation by the supervising physician. This rulemaking places the 2018 statutory change in rule and allows current physician assistants with prescribing authority for schedule II or schedule III controlled substance to prescribe consistent with the new statute. An exemption from Executive Order 2018-02 was provided for this rulemaking by Emily Rajakovich, of the Governor’s Office, in an e-mail dated June 8, 2018.

7. A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:
   The Board did not review or rely on any study in its evaluation of or justification for the rule.
8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:
  Not applicable

9. A summary of the economic, small business, and consumer impact:
   Because the rulemaking simply makes the rule consistent with statute, the Board expects the economic impact will be minimal. To the extent that being able to prescribe and receive a 90-day rather than 30-day supply of medication has economic impact, it is the statutory change rather than this rulemaking that produced the economic impact.

10. A description of any changes between the proposed rulemaking, including supplemental notices, and the final rulemaking:
    No changes were made between the proposed and final rules.

11. An agency's summary of the public or stakeholder comments made about the rulemaking and the agency response to comments:
    At an oral proceeding held November 13, 2018, Jennifer Feirstein, President and Chair of the Legislative Committee of the ASAPA, suggested language be added indicating a physician assistant currently certified for 30-day prescription privileges for schedule II or III controlled substances that are opioids or benzodiazepines continues to have the same 30-day privileges. The Board did not make the requested change because it runs counter to new statutes enacted under the Arizona Opioid Epidemic Act during the last legislative session. A.R.S. §§ 32-3248 and 32-3248.01 place a five-day cap on most new opioid prescriptions and a 14-day limit for opioids prescribed after a surgical procedure. These prescribing limits apply to all prescribing professionals, including physician assistants.

12. All agencies shall list any other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:
   None
   a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:
      The license issued under R4-17-203 is a general permit consistent with A.R.S. § 41-1037 because it is issued to qualified individuals to conduct activities that are substantially similar in nature.
   b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:
      There are numerous federal laws regulating the practice of medicine and controlled substances. A physician assistant who prescribes, dispenses, or administers a schedule II through schedule V controlled substance is required to have a registration number from the U.S. Drug Enforcement Agency. However, none of these requirements is applicable to this rulemaking.
   c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:
      No analysis was submitted

13. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rule:
   None

14. Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:
    The rule was not previously made, amended, or repealed as an emergency rule.

15. The full text of the rules follows:

   TITLE 4. PROFESSIONS AND OCCUPATIONS
   CHAPTER 17. ARIZONA REGULATORY BOARD OF PHYSICIAN ASSISTANTS

   ARTICLE 2. PHYSICIAN ASSISTANT LICENSURE

   Section
   R4-17-203. Regular License Application

   ARTICLE 2. PHYSICIAN ASSISTANT LICENSURE

   R4-17-203. Regular License Application
   A. No change
      1. No change
         a. No change
         b. No change
         c. No change
         d. No change
         e. No change
         f. No change
      2. No change
3. No change
4. No change
5. No change
   a. No change
   b. No change
   c. No change
   d. No change
   e. No change
   f. No change
   g. No change
   h. No change
   i. No change
   j. No change
   k. No change
   l. No change
   m. No change
   n. No change
   o. No change
   p. No change
6. No change
   a. No change
   b. No change
      i. No change
      ii. No change
   c. No change
7. No change
8. No change

B. No change
1. No change
2. No change
3. No change
4. No change
   a. No change
   b. No change
   c. No change
5. No change

C. No change
1. No change
2. No change
   a. No change
   b. No change
   c. No change
   d. No change
   e. No change

D. The Board’s issuance of a regular license to an applicant also approves certifies the applicant to issue, prescriptions and dispense, or issue administer schedule II or schedule III controlled substances, subject to the limits and requirements specified in A.R.S. § 32-2532. Additionally, beginning October 1, 2018, a physician assistant previously certified by the Board for 30-day prescription privileges for schedule II or schedule III controlled substances is certified for 90-day prescription privileges for schedule II or schedule III controlled substances that are not opioids or benzodiazepines.
NOTICE OF FINAL RULEMAKING

TITLE 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 24. BOARD OF PHYSICAL THERAPY

PREAMBLE

1. **Article, Part, or Section Affected (as applicable)** | **Rulemaking Action**
   - R4-24-101 Amend
   - R4-24-201 Amend
   - R4-24-207 Amend
   - R4-24-208 Amend
   - Table 1 Amend
   - R4-24-210 Amend
   - R4-24-211 Amend
   - R4-24-401 Amend
   - R4-24-402 Amend
   - R4-24-403 Amend

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

3. **The effective date for the rules:**
   - April 6, 2019
   - If the agency selected a date earlier than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):
     - Not applicable
   - If the agency selected a date later than the 60-day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):
     - Not applicable

4. **Citation to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the final rulemaking package:**
   - Notice of Rulemaking Docket Opening: 24 A.A.R. 3107, November 2, 2018
   - Notice of Proposed Rulemaking: 24 A.A.R. 3085, November 2, 2018

5. **The agency's contact person who can answer questions about the rulemaking:**
   - Name: Karen Donahue, Executive Director
   - Address: Board of Physical Therapy
     - 1740 W. Adams, Suite 2450
     - Phoenix, AZ 85007
   - Telephone: (602) 274-1361
   - Fax: (602) 274-1378
   - E-mail: Karen.donahue@ptboard.az.gov
   - Web site: www.ptboard.az.gov

6. **An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**
   - Under Laws 2016, Chapter 299, the legislature enacted A.R.S. § 32-2053, the Physical Therapy Licensure Compact. The Compact allows eligible licensed physical therapists and certified physical therapist assistants to work in a Compact member state other than their home state without going through the usual process for licensure or certification in the remote state. The Compact provides that Compact privileges will become available when a certain number of states pass legislation enacting the Compact. The required number of states was reached in 2017. Member states are required to ensure their statutes and rules are consistent with Compact requirements. One Compact requirement relates to continuing competence. The Board’s current rules require that physical therapists complete 20 hours of continuing competence during each two-year compliance period. To be consistent with the Compact requirement, this rulemaking adds a requirement that physical therapist assistants complete 10 hours of continuing competence during each two-year compliance period.
   - An exemption from Executive Order 2018-02 was provided for this rulemaking in an e-mail from Emily Rajakovich, of the Governor’s Office, dated July 2, 2018.

7. **A reference to any study relevant to the rule that the agency reviewed and either relied on or did not rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:**
   - The Board did not review or rely on a study in its evaluation of or justification for any rule in this rulemaking.
8. **A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:**

   Not applicable.

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

   This rulemaking will impose some economic costs on certified physical therapist assistants who wish to renew certification. They will now be required to have obtained 10 hours of continuing competence during the two-year compliance period before renewal. Each hour of continuing competence comes with costs such as the costs of the continuing competence activity and time off from providing physical therapy services. These costs, which are a cost of doing business, are minimal and may be passed to consumers of physical therapy services.

   The rulemaking provides an economic benefit to physical therapists and physical therapist assistants who choose to work in Arizona under the Compact. They will not be required to obtain an Arizona license or certificate to do so. It also benefits Arizona PTs and PTAs who are able to work in other Compact states without incurring the cost of obtaining a license or certificate in those states.

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

    The Board made the following changes between the Notice of Proposed Rulemaking and this notice:

    R4-24-101(16); Language was added clarifying that endorsement is a procedure available for granting a certificate to a certified physical therapist assistant from another jurisdiction.

    Table 1: Language was added clarifying that endorsement applies to certification as well as licensure.

    Typographical errors were corrected in R4-24-201(A)(3), R4-24-207(A)(3), R4-24-210(C)(1)(a), R4-24-211(C)(1), and R4-24-401(B)(2) and (3).

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

    The Board received no comments regarding the rulemaking. No one attended the oral proceeding.

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

    None

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

      The license and certificate addressed in R4-24-208 are general permits consistent with A.R.S. § 41-1037 because they are issued to qualified individuals or entities to conduct activities that are substantially similar in nature.

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

      There are numerous federal laws that impact the provision of health care services such as physical therapy. However, no federal law is directly applicable to any rule in this rulemaking.

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

      No analysis was submitted.

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

    None

14. **Whether the rule was previously made, amended, or repealed as an emergency rule. If so, cite the notice published in the Register as specified in R1-1-409(A). Also, the agency shall state where the text was changed between the emergency and the final rulemaking packages:**

    No rule in this rulemaking was previously made, amended, or repealed as an emergency rule.

15. **The full text of the rules follows:**

    TITLE 4. PROFESSIONS AND OCCUPATIONS
    CHAPTER 24. BOARD OF PHYSICAL THERAPY

    ARTICLE 1. GENERAL PROVISIONS

    Section  R4-24-101. Definitions

    ARTICLE 2. LICENSING PROVISIONS

    Section  R4-24-201. Application for a Physical Therapist License
    R4-24-207. Application for a Physical Therapist Assistant Certificate
    R4-24-208. License or Certificate Renewal; Address Change
    Table 1. Time Frames
    R4-24-210. Business Entity Registration; Display of Registration Certificate
R4-24-211. Renewal of Business Entity Registration

ARTICLE 4. CONTINUING COMPETENCE

Section
R4-24-401. Continuing Competence Requirements for Renewal
R4-24-402. Continuing Competence Activities
R4-24-403. Activities not Eligible for Continuing Competence Credit

ARTICLE 1. GENERAL PROVISIONS

R4-24-101. Definitions
In addition to the definitions in A.R.S. § 32-2001, in this Chapter:
1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. “Continuing competence” means maintaining the professional skill, knowledge, and ability of a physical therapist or physical therapist assistant by successfully completing scholarly and professional activities related to physical therapy.
11. No change
12. No change
13. No change
14. No change
15. No change
16. “Endorsement” means a procedure for granting an Arizona license or certificate to an applicant already licensed as a physical therapist or certified as a physical therapist assistant in another jurisdiction of the United States.
17. No change
18. No change
19. No change
20. No change
21. “Good moral character” means the applicant has not taken any action that is grounds for disciplinary action against a licensee or certificate holder under A.R.S. § 32-2044.
22. No change
23. No change
24. No change
25. No change
26. No change
27. No change
28. No change
29. No change
30. No change
31. No change
32. No change
33. No change
34. No change
35. No change
36. No change
37. No change
38. No change

ARTICLE 2. LICENSING PROVISIONS

R4-24-201. Application for a Physical Therapist License
A. No change
1. An application form provided by the Board that is signed, dated, and verified by the applicant and notarized and contains:
a. The applicant’s name, business, and residential, and e-mail addresses, business and residential telephone number numbers, birth date, and Social Security number;
b. No change
c. No change
d. No change
e. No change
f. No change
g. No change
h. No change
i. A statement of whether the applicant has ever been the subject of disciplinary action by a professional association or post-secondary educational institution;
j. No change
k. No change
l. No change
m. No change
n. No change
o. No change
p. A statement by the applicant attesting to the truthfulness of the information provided by the applicant;
q. A statement of whether the applicant has ever violated A.R.S. § 32-2044(10); and
r. No change
2. No change
3. Evidence Documentation, as described under A.R.S. § 41-1080, of the applicant’s U.S. citizenship, alien status, legal residency, or lawful presence in the U.S.; and
4. No change

B. No change
1. No change
2. No change
3. No change

C. In addition to the requirements in subsections (A)(1) through (A)(3) (A) and subsection (B), an applicant for a physical therapist license by endorsement shall submit to the Board:
1. No change
2. No change
a. No change
b. No change
c. No change
d. No change
e. No change
f. No change
g. No change
h. No change
i. No change
j. No change
k. No change
l. No change
m. No change
n. No change
o. No change
p. No change
3. Evidence Documentation, as described under A.R.S. § 41-1080, of the applicant’s U.S. citizenship, alien status, legal residency, or lawful presence in the U.S.; and
4. No change

D. No change

R4-24-207. Application for a Physical Therapist Assistant Certificate
A. No change
1. No change
a. The applicant’s name, business, and residential, and e-mail addresses, business and residential telephone number numbers, birth date, and Social Security number;
b. No change
c. No change
d. No change
e. No change
f. No change
g. No change
h. No change
i. No change
j. No change
k. No change
l. No change
m. No change
n. No change
o. No change
p. No change
2. No change
3. Evidence Documentation, as described under A.R.S. § 41-1080, of the applicant’s U.S. citizenship, alien status, legal residency, or lawful presence in the U.S.; and
4. No change

B. No change
1. An official transcript or letter showing that the applicant completed all requirements of an accredited educational program that includes the official seal of the school or college where the applicant completed the accredited educational program and signature of the registrar of the school or college;
2. No change
3. No change
C. No change
1. No change
2. No change
   a. No change
   b. No change
   c. No change
   d. No change
   e. No change
   f. No change
D. No change

**R4-24-208. License or Certificate Renewal; Address Change**

A. No change
   1. The following information for the license or certificate compliance period immediately preceding the renewal application:
      a. No change
      i. No change
      ii. No change
      iii. No change
      b. No change
      c. No change
      d. No change
      e. No change
      f. No change
      g. No change
      h. No change
      i. No change
      j. No change
      k. No change
      i. No change
      ii. No change
      iii. No change
      l. No change
      i. No change
      ii. No change
      iii. No change
      m. No change
      n. If a licensee, a statement of whether the licensee has completed the 20 contact hours of continuing competence for the previous compliance period as required in R4-24-401(A) and (E); and
      o. If a certificate holder, a statement of whether the certificate holder has completed the 10 contact hours of continuing competence for the previous compliance period as required in R4-24-401;
      p. If a licensee, a statement of whether the licensee has complied with the medical records protocol as required in A.R.S. § 32-3211; and
      q. No change

   2. No change

   3. Evidence of the applicant’s U.S. citizenship, alien status, legal residency, or lawful presence in the U.S. If the documentation previously submitted under R4-24-201(A)(3) or R4-24-207(A)(3) did not establish citizenship in the United States or was not a non-expiring work authorization, documentation specified under A.R.S. § 41-1080 that the presence of the licensee or certificate holder in the United States continues to be authorized under federal law; and

   4. No change

B. No change
C. No change
   1. Approve or deny the application within the time frames in R4-24-209 and Table 1, and
   2. No change
D. No change
E. No change
### Table 1. Time-frames (in days)

<table>
<thead>
<tr>
<th>Type of Applicant</th>
<th>Type of Approval</th>
<th>Statutory Authority</th>
<th>Overall Time-frame</th>
<th>Administrative Completeness Time-frame</th>
<th>Substantive Review Time-frame</th>
</tr>
</thead>
<tbody>
<tr>
<td>Original License (R4-24-201)</td>
<td>License</td>
<td>A.R.S. §§ 32-2022; 32-2023</td>
<td>75</td>
<td>30</td>
<td>45</td>
</tr>
<tr>
<td>License or Certificate by Endorsement (R4-24-201; R4-24-207)</td>
<td>License or certificate by Endorsement</td>
<td>A.R.S. § 32-2026</td>
<td>75</td>
<td>30</td>
<td>45</td>
</tr>
<tr>
<td>Physical Therapist Assistant Certificate (R4-24-207)</td>
<td>Certificate</td>
<td>A.R.S. §§ 32-2022; 32-2023</td>
<td>75</td>
<td>30</td>
<td>45</td>
</tr>
<tr>
<td>Foreign-educated (R4-24-203)</td>
<td>License</td>
<td>A.R.S. §§ 32-2022; 32-2025</td>
<td>75</td>
<td>45</td>
<td>30</td>
</tr>
<tr>
<td>Renewal of license or certificate (R4-24-208)</td>
<td>License or certificate</td>
<td>A.R.S. § 32-2027</td>
<td>30</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Foreign-educated and Supervised Clinical Practice (R4-24-203, R4-24-204)</td>
<td>Interim Permit and Approval of Facility</td>
<td>A.R.S. § 32-2025</td>
<td>60</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Reinstatement (R4-24-202)</td>
<td>Reinstatement of License or Certificate</td>
<td>A.R.S. § 32-2028</td>
<td>30</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Initial Registration of a Business Entity</td>
<td>Registration</td>
<td>A.R.S. § 32-2030</td>
<td>30</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Renewal of Registration of a Business Entity</td>
<td>Registration</td>
<td>A.R.S. § 32-2030D</td>
<td>15</td>
<td>7</td>
<td>8</td>
</tr>
</tbody>
</table>

### R4-24-210. Business Entity Registration; Display of Registration Certificate

**A.** No change  
**B.** No change  
**C.** No change  
1. No change  
   a. Name, and primary address, and e-mail address of the business entity;  
   b. Name, title, address, e-mail address, and telephone number of the manager of the location being registered;  
   c. No change  
   d. No change  
   e. No change  
   f. No change  
   g. No change  
   i. No change  
   ii. No change  
   iii. No change  
   h. Dated and notarized signature of an officer or director attesting that:  
   i. No change  
   ii. No change  
2. No change  

**D.** No change  
1. No change  
2. No change  
3. No change

### R4-24-211. Renewal of Business Entity Registration

**A.** No change  
**B.** No change  
**C.** No change  
1. Name, and primary address, and e-mail address of the business entity;
2. Name, title, address, e-mail address, and telephone number of the manager of the location being registered;
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. Dated and notarized signature of an officer or director attesting that the information provided is true and correct.

D. A business entity that timely complies with subsection (C) may continue to offer physical therapy services from the location for which application is made until the Board grants or denies the renewed registration.

E. A business entity that fails to comply timely with subsection (C) shall immediately stop offering physical therapy services from the location for which application is not made. To be authorized to offer physical therapy services again from that location, the business entity shall comply with R4-24-210 and pay both the application and late fee specified in R4-24-207(A)(3) R4-24-107(A)(3).

ARTICLE 4. CONTINUING COMPETENCE

R4-24-401. Continuing Competence Requirements for Renewal
A. Except as provided in subsection (E) (G), beginning September 1, 2000, a licensed physical therapist shall earn 20 contact hours of continuing competence activities for each compliance period to be eligible for license renewal of license.
1. The licensee shall earn at least 10 contact hours from Category A continuing competence activities. No more than five of the required contact hours from Category A shall be obtained from nonclinical course work.
2. No change
3. If the licensee’s initial license is for one year or less, the licensee shall earn 10 contact hours from Category A continuing competence activities during the initial compliance period. No more than five of the required contact hours from Category A may be obtained from nonclinical course work.
B. Except as provided in subsection (G), a certified physical therapist assistant shall earn 10 contact hours of continuing competence for each compliance period to be eligible for certificate renewal.
1. The certificate holder shall earn at least six contact hours from Category A continuing competence activities. No more than three of the required contact hours from Category A may be obtained from nonclinical course work.
2. No change
3. If the certificate holder’s initial certificate is for one year or less, the certificate holder shall earn six contact hours from Category A continuing competence activities during the initial compliance period. No more than three of the required contact hours from Category A may be obtained from nonclinical course work.
C. A licensee or certificate holder shall not receive contact hour credit for repetitions of the same activity.
D. The continuing competence compliance period for a licensee or certificate holder begins on September 1 following the issuance of an initial or renewal license or a license renewal certificate and ends on August 31 of even-numbered years.
E. An applicant for license renewal shall submit a signed statement to the Board with the renewal application stating whether continuing competence requirements have been fulfilled for the current compliance period.
F. The Board may, at its discretion, waive continuing competence requirements on an individual basis for reasons of extreme hardship such as illness, disability, active service in the military, or other extraordinary circumstance as determined by the Board. A licensee or certificate holder who seeks a waiver of the continuing competence requirements shall provide to the Board, in writing, the specific reasons for requesting the waiver and additional information that the Board may request in support of the waiver.
G. A licensee or certificate holder is subject to Board auditing for continuing competence compliance.
1. Selection for audit shall be random and notice of audit sent within 60 calendar days following the determination by the Board.
2. Within 30 days of receipt of a notice of audit, a licensee or certificate holder shall submit evidence to the Board that shows compliance with the requirements of continuing competence. Documentation of a continuing competence activity shall include:
   a. No change
   b. No change
   c. No change
H. A licensee or certificate holder shall retain evidence of participation in a continuing competence activity for the two preceding compliance periods after participation.
I. The Board shall notify a licensee or certificate holder who has been audited whether the licensee or certificate holder is in compliance with continuing competence requirements. A licensee or certificate holder shall have six months from the date of notice under subsection (J) to request a hearing to contest the Board’s decision under A.R.S. Title 41, Chapter 6, Article 10.
J. The Board shall provide six months from the date of the notice under subsection (J) for a licensee or certificate holder found not in compliance with continuing competence requirements to satisfy the continuing competence requirements. A licensee or certificate holder may request a hearing to contest the Board’s decision under A.R.S. Title 41, Chapter 6, Article 10.
1. No change
2. No change
3. No change

B. No change
1. A physical therapy continuing education course designed to provide necessary understanding of current research, clinical skills, administration, or education related to the practice of physical therapy. Calculation of contact hours shall be determined by dividing the total minutes of instruction by 60. Breaks shall not be included as part of instructional time.
2. No change
3. No change
4. No change

C. No change
1. Study Group, maximum: A physical therapy study group shall be a structured meeting designed for the study of a clinical physical therapy topic dealing with current research, clinical skills, procedures, or treatment related to physical therapy.
   a. A study group is a structured meeting designed for the study of a clinical physical therapy topic dealing with current research, clinical skills, procedures, or treatment related to physical therapy.
   b. No change
2. Self-instruction, maximum: Self-instruction shall be a structured course of study relating to one clinical physical therapy topic dealing with current research, clinical skills, procedures, or treatment related to the practice of physical therapy. Self-instruction may be directed by a correspondence course, video, internet, or satellite program.
   a. Self-instruction: Self-instruction is a structured course of study relating to one clinical physical therapy topic dealing with current research, clinical skills, procedures, or treatment related to the practice of physical therapy. Self-instruction may be directed by a correspondence course, video, internet, or satellite program.
   b. Each 60 minutes of self-instruction equals one contact hour.
3. Inservice Education, maximum: Inservice education shall be maximum five contact hours for physical therapists and two contact hours for physical therapist assistants.
   a. No change
   b. No change

D. No change
1. Physical therapy practice management coursework, maximum: A course in physical therapy practice management shall be a course designed to provide necessary understanding of current research, clinical skills, procedures, or treatment related to the practice of physical therapy.
   a. No change
   b. If the course is graded, a licensee or certificate holder shall receive a “pass” in a pass/fail course or a minimum of a C in a graded course to receive credit.
   c. Each 60 minutes of practice management coursework equals one contact hour.
2. Teaching or lecturing, maximum: Teaching or lecturing shall be maximum five contact hours for physical therapists and two contact hours for physical therapist assistants.
   a. No change
   b. No change
   c. No change
3. Publication, maximum: Publication shall be maximum five contact hours for physical therapists and two contact hours for physical therapist assistants.
   a. Publication includes writing for professional publication, platform, or poster presentation abstracts that have direct application to the practice of physical therapy. Credit may be earned for publication of material that is a minimum of 1500 words in length and published by a recognized third-party publisher of physical therapy material.
   b. Each article published in a refereed journal, book chapter, or book equals five contact hours for physical therapists and two contact hours for physical therapist assistants. Articles published in non-refereed journals, magazines, newsletters, or periodicals equal five contact hours for physical therapists and one contact hour for physical therapist assistants.
4. Clinical instruction: Clinical instruction shall be maximum five contact hours for physical therapists and two contact hours for physical therapist assistants.
   a. Clinical instruction involves assisting a student physical therapist or physical therapist assistant or a physical therapist resident or fellow acquire clinical skills required of a physical therapist or physical therapist assistant.
   b. An individual to whom clinical instruction is provided shall be enrolled in:
      i. A physical therapist or physical therapist assistant program accredited by the Commission on Accreditation of Physical Therapy Education; or
      ii. A physical therapist residency or fellowship program approved by the American Physical Therapy Association.
   c. The program referenced under subsection (D)(4)(b) shall provide the enrolled individual with proof of completing the hours of clinical instruction.
   d. Each 120 hours of clinical instruction equals one contact hour.

R4-24-403. Activities Not Eligible for Continuing Competence Credit
A licensee or certificate holder shall not receive continuing competence credit for the following activities:
1. A regularly scheduled educational opportunity provided within an institution, such as rounds or case conferences;
2. A staff meeting;
3. A publication or presentation by a licensee or certificate holder to a lay or nonprofessional group; and
4. Routine teaching of personnel, students, or staff as part of a job requirement.
NOTICES OF RECODIFICATION

The Office of the Secretary of State will publish a Notice of Recodification in the Register when the Office finds it necessary to recodify a Chapter in order to maintain the integrity of the codification system or whenever an agency requests, in writing, that an entire Chapter or portion of a Chapter be recodified.

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

[R19-25]

PREAMBLE

1. A list of the Subchapters (if applicable), Articles, Parts (if applicable), and Sections being recodified along with their respective headings:
   - 13 A.A.C. 1, Article 5. Department Records
     Exhibit A. Disposition Report Form Block Completion Instructions for Law Enforcement and Prosecutors
     Exhibit B. Disposition Report Form Block Completion Instructions for Criminal Courts

2. A list of the Subchapters (if applicable), Articles, Parts (if applicable), and Sections as recodified along with their respective headings:
   - 13 A.A.C. 1, Article 1. Criminal History Records
     Exhibit A. Disposition Report Form Block Completion Instructions for Law Enforcement and Prosecutors
     Exhibit B. Disposition Report Form Block Completion Instructions for Criminal Courts

3. A conversion table between the two numbering schemes:

<table>
<thead>
<tr>
<th>Old Numbering Scheme</th>
<th>New Numbering Scheme</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title 13, Chapter 1, Article 5, Exhibit A</td>
<td>Title 13, Chapter 1, Article 1, Exhibit A</td>
</tr>
<tr>
<td>Title 13, Chapter 1, Article 5, Exhibit B</td>
<td>Title 13, Chapter 1, Article 1, Exhibit B</td>
</tr>
</tbody>
</table>

4. The agency’s contact person who can answer questions about the rulemaking:
   Name: Paul Swietek, Police Planner
   Address: Arizona Department of Public Safety
            P.O. Box 6638, Mail drop 1205
            Phoenix, AZ 85009-6638
   Telephone: (602) 223-2049
   E-mail: pswietek@azdps.gov

5. Changes to Section References under A.A.C. R1-1-1001(A):

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

   ARTICLE 5. DEPARTMENT RECORDS

   Section
   Exhibit A. Disposition Report Form Block Completion Instructions for Law Enforcement and Prosecutors
   Exhibit B. Disposition Report Form Block Completion Instructions for Criminal Courts

   ARTICLE 1. CRIMINAL HISTORY RECORDS

   Exhibit A. Disposition Report Form Block Completion Instructions for Law Enforcement and Prosecutors
   Exhibit B. Disposition Report Form Block Completion Instructions for Criminal Courts
Terminated Rules: An agency shall terminate a proposed rulemaking if the agency does not wish to adopt the rule. Within 120 days after publication of the Notice of Proposed Rulemaking in the Register or after the close of the record for the proposed rule, the agency may terminate the rule by filing a Notice of Termination with the Secretary of State.

NOTICE OF TERMINATION OF RULEMAKING

TITLE 6. ECONOMIC SECURITY
CHAPTER 14. DEPARTMENT OF ECONOMIC SECURITY
FOOD STAMPS PROGRAM

1. The Register citation and the date of the Notice of Rulemaking Docket Opening:
   Notice of Rulemaking Docket Opening: 24 A.A.R. 2971, October 19, 2018

2. The Register citation and the date of the Notice of Proposed Rulemaking:
   Notice of Proposed Rulemaking: 24 A.A.R. 2893, October 19, 2018

3. Article, Part, or Section Affected (as applicable) Rulemaking Action
   Article 3 New Article
   R6-14-301 New Section
   R6-14-302 New Section
   R6-14-303 New Section
   R6-14-304 New Section
   R6-14-305 New Section
   R6-14-306 New Section
   R6-14-307 New Section
   R6-14-308 New Section
   R6-14-309 New Section
   R6-14-310 New Section
   R6-14-311 New Section
   Article 4 New Article
   R6-14-401 New Section
   R6-14-402 New Section
   R6-14-403 New Section
   R6-14-404 New Section
   R6-14-405 New Section
   R6-14-406 New Section
   R6-14-407 New Section
   R6-14-408 New Section
   R6-14-409 New Section
   R6-14-410 New Section
   R6-14-411 New Section
   R6-14-412 New Section
   R6-14-413 New Section
   R6-14-414 New Section
   R6-14-415 New Section
   R6-14-416 New Section
   R6-14-417 New Section
   Article 5 New Article
   R6-14-501 New Section
   R6-14-502 New Section
   R6-14-503 New Section
   R6-14-504 New Section
   R6-14-505 New Section
   R6-14-506 New Section
   R6-14-507 New Section
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-
Executive Order 2019-01
February 22, 2019 |
Published by the Arizona Secretary of State |
Vol. 25, Issue 8

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

Abbreviations for rulemaking activity in this Index include:

**PROPOSED RULEMAKING**
- PN = Proposed new Section
- PM = Proposed amended Section
- PR = Proposed repealed Section
- P# = Proposed renumbered Section

**SUPPLEMENTAL PROPOSED RULEMAKING**
- SPN = Supplemental proposed new Section
- SPM = Supplemental proposed amended Section
- SPR = Supplemental proposed repealed Section
- SP# = Supplemental proposed renumbered Section

**FINAL RULEMAKING**
- FN = Final new Section
- FM = Final amended Section
- FR = Final repealed Section
- F# = Final renumbered Section

**SUMMARY RULEMAKING**

**PROPOSED SUMMARY**
- PSMN = Proposed Summary new Section
- PSMM = Proposed Summary amended Section
- PSMR = Proposed Summary repealed Section
- PSM# = Proposed Summary renumbered Section

**FINAL SUMMARY**
- FSMN = Final Summary new Section
- FSMM = Final Summary amended Section
- FSMR = Final Summary repealed Section
- FSM# = Final Summary renumbered Section

**EXPEDITED RULEMAKING**

**PROPOSED EXPEDITED**
- PEN = Proposed Expedited new Section
- PEM = Proposed Expedited amended Section
- PER = Proposed Expedited repealed Section
- PE# = Proposed Expedited renumbered Section

**SUPPLEMENTAL EXPEDITED**
- SPEN = Supplemental Proposed Expedited new Section
- SPEM = Supplemental Proposed Expedited amended Section
- SPER = Supplemental Proposed Expedited repealed Section
- SPE# = Supplemental Proposed Expedited renumbered Section

**FINAL EXPEDITED**
- FEN = Final Expedited new Section
- FEM = Final Expedited amended Section
- FER = Final Expedited repealed Section
- FE# = Final Expedited renumbered Section

**EXEMPT RULEMAKING**

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

**EXEMPT PROPOSED**
- PXN = Proposed Exempt new Section
- PXM = Proposed Exempt amended Section
- PXR = Proposed Exempt repealed Section
- PX# = Proposed Exempt renumbered Section

**EXEMPT SUPPLEMENTAL PROPOSED**
- SPXN = Supplemental Proposed Exempt new Section
- SPXR = Supplemental Proposed Exempt repealed Section
- SPXM = Supplemental Proposed Exempt amended Section
- SPX# = Supplemental Proposed Exempt renumbered Section

**FINAL EXEMPT RULEMAKING**
- FXN = Final Exempt new Section
- FXM = Final Exempt amended Section
- FXR = Final Exempt repealed Section
- FX# = Final Exempt renumbered Section

**EMERGENCY RULEMAKING**
- EN = Emergency new Section
- EM = Emergency amended Section
- ER = Emergency repealed Section
- E# = Emergency renumbered Section
- EEXP = Emergency expired

**RECODIFICATION OF RULES**
- RC = Recodified

**REJECTION OF RULES**
- RJ = Rejected by the Attorney General

**TERMINATION OF RULES**
- TN = Terminated proposed new Sections
- TM = Terminated proposed amended Section
- TR = Terminated proposed repealed Section
- T# = Terminated proposed renumbered Section

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

**CORRECTIONS**
- C = Corrections to Published Rules
### Rulemaking Activity Index

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

**THIS INDEX INCLUDES RULEMAKING ACTIVITY THROUGH ISSUE 7 OF VOLUME 25.**

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Public records, such as Governor Office executive orders, proclamations, declarations and terminations of emergencies, summaries of Attorney General Opinions, and county notices are also listed in this section of the Index and published by volume page number.

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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.

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## 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.

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<td>Tuesday September 17, 2019</td>
<td>Tuesday October 22, 2019</td>
<td>Tuesday October 29, 2019</td>
<td>November 5, 2019</td>
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<td>Tuesday October 22, 2019</td>
<td>Tuesday November 19, 2019</td>
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<td>Tuesday December 24, 2019</td>
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<td>Tuesday January 21, 2020</td>
<td>Tuesday January 28, 2020</td>
<td>February 4, 2020</td>
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* Materials must be submitted by 5 PM on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.
GOVERNOR’S REGULATORY REVIEW COUNCIL
NOTICE OF ACTION TAKEN AT THE FEBRUARY 5, 2019 MEETING

Rules:

BOARD OF PHYSICAL THERAPY (R-19-0202)
Title 4, Chapter 24, Article 1, General Provisions; Article 2, Licensing Provisions; Article 4, Continuing Compliance
Amend: R4-24-101; R4-24-201; R4-24-207; R4-24-208; Table 1; R4-24-210; R4-24-211; R4-24-401; R4-24-402; R4-24-403
COUNCIL ACTION: APPROVED

GAME AND FISH COMMISSION (R-19-0203)
Title 12, Chapter 4, Article 1, Definitions and General Provisions; Article 2, Licenses, Permits, Stamps, Tags; Article 3, Taking and Handling of Wildlife; Article 4, Live Wildlife
Amend: R12-4-101; R12-4-216; R12-4-301; R12-4-302; R12-4-303; R12-4-304; R12-4-305; R12-4-306; R12-4-307; R12-4-308; R12-4-309; R12-4-310; R12-4-311; R12-4-313; R12-4-318; R12-4-319; R12-4-320; R12-4-321; R12-4-322; R12-4-401
New Section: R12-4-314
Repeal: R12-4-315; R12-4-316; R12-4-317
COUNCIL ACTION: APPROVED

DEPARTMENT OF ENVIRONMENTAL QUALITY (R-19-0204)
Title 18, Chapter 2, Article 10, Motor Vehicles; Inspections and Maintenance
Amend: R18-2-1001; R18-2-1003; R18-2-1005; R18-2-1006; R18-2-1007; R18-2-1008; R18-2-1009; R18-2-1010; R18-2-1011; R18-2-1012; R18-2-1016; R18-2-1017; R18-2-1018; R18-2-1019; R18-2-1020; R18-2-1022; R18-2-1023; R18-2-1025; R18-2-1026; Table 5
New Section: R18-2-1002
Repeal: R18-2-1013; R18-2-1027; R18-2-1028; R18-2-1031
COUNCIL ACTION: APPROVED

DEPARTMENT OF ENVIRONMENTAL QUALITY (R-19-0205)
Title 18, Chapter 8, Article 1, Remedial Action Requirements; Article 2, Hazardous Wastes
Amend: R18-8-101; R18-8-260; R18-8-261; R18-8-262; R18-8-263; R18-8-264; R18-8-265; R18-8-266; R18-8-268; R18-8-270; R18-8-271; R18-8-273; R18-8-280
COUNCIL ACTION: APPROVED

BOARD OF PHYSICIAN ASSISTANTS (R-19-0207)
Title 4, Chapter 17, Article 2, Physician Assistant Licensure
Amend: R4-17-203
COUNCIL ACTION: APPROVED

DEPARTMENT OF AGRICULTURE (R-19-0208)
Title 3, Chapter 8, Article 1, Fees; Charges; Exemption
Amend: R3-8-103
COUNCIL ACTION: APPROVED

Five-Year Review Reports:

DEPARTMENT OF AGRICULTURE (F-19-0101)
Title 3, Chapter 3, Article 1, General Provisions; Article 2, Permits, Licenses, and Certifications; Article 3, Pesticide Use, Sales, and
Equipment; Article 4, Recordkeeping and Reporting; Article 5, Nonexclusive Lists of Serious, Nonserious, and De Minimis Violations

COUNCIL ACTION: APPROVED