



Arizona Administrative REGISTER

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From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for 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 *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 notices of rules terminated by the agency and rules that have expired.

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Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.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 authenticated pdf of *Code* chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

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

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

Arizona Administrative REGISTER

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

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

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

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The Office of the Secretary of State is an equal opportunity employer.



Participate in the Process

Look for the Agency Notice

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

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

Attend a public hearing/meeting

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

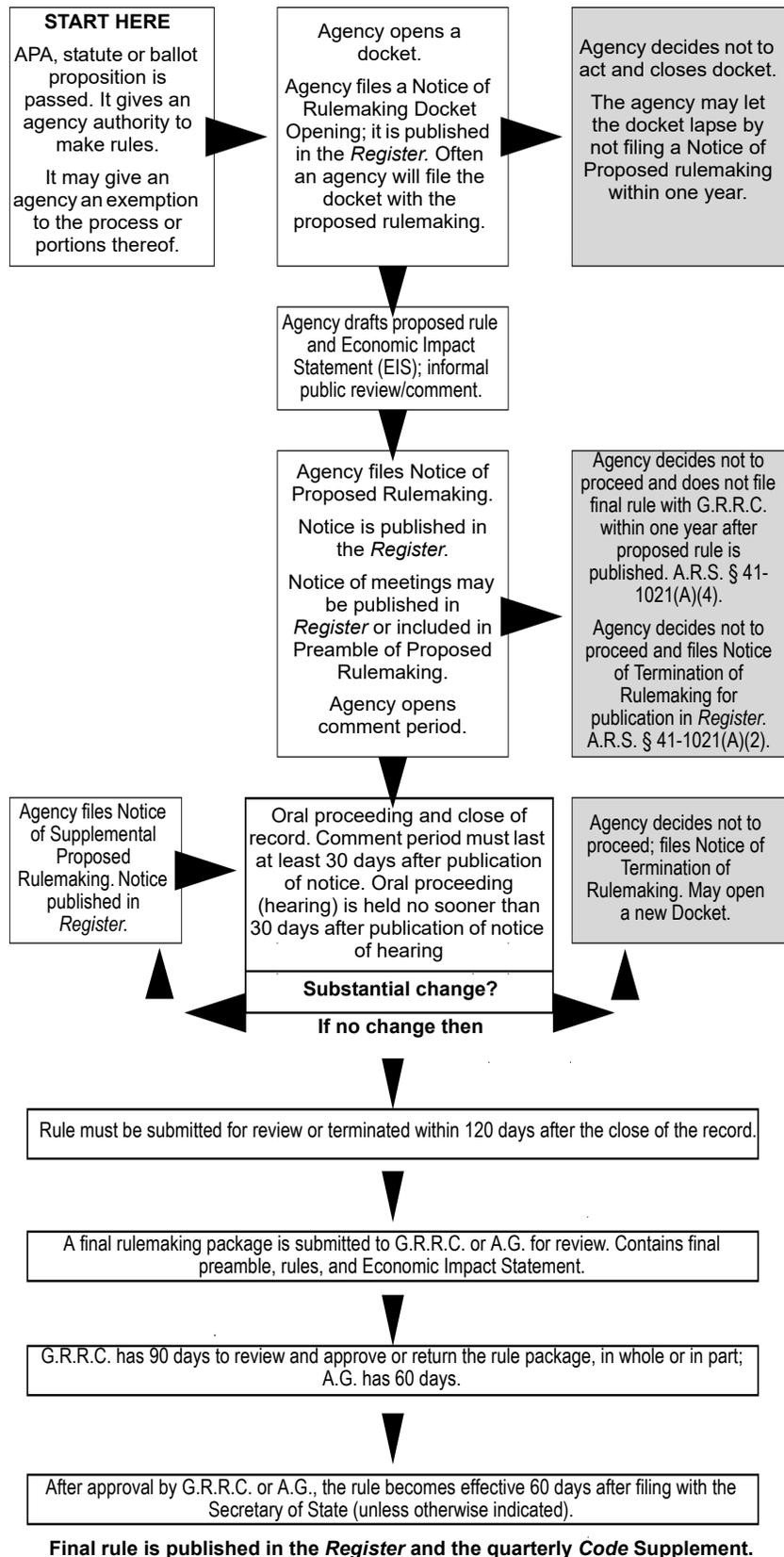
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

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

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

Arizona Regular Rulemaking Process



Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

About Preambles

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

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

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



NOTICES OF PROPOSED RULEMAKING

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

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

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

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

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

**NOTICE OF PROPOSED RULEMAKING
TITLE 6. ECONOMIC SECURITY
CHAPTER 6. DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

[R19-275]

PREAMBLE

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

- R6-6-401
- R6-6-401
- R6-6-402
- R6-6-402
- R6-6-403
- R6-6-403
- R6-6-404
- R6-6-405
- R6-6-405

Rulemaking Action

- Renumber
- New Section
- Renumber
- Amend
- Repeal
- Renumber
- Amend
- Renumber
- Amend

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

Authorizing statute: A.R.S. §§ 36-554(C)(6) and 41-1954(A)(3)
 Implementing statute: A.R.S. §§ 36-552, 36-554, and 41-1954(A)(1)(h)

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: 26 A.A.R. 17, January 3, 2020 (*in this issue*)

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

Name: Christian J. Eide
 Address: Department of Economic Security
 P.O. Box 6123, Mail Drop 1292
 Phoenix, AZ 85005
 or
 Department of Economic Security
 1789 W. Jefferson, Mail Drop 1292
 Phoenix, AZ 85007
 Telephone: (602) 542-9199
 Fax: (602) 542-6000
 E-mail: ceide@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:

Article 4 contains rules on Application, including Application for Admission to Services, Consent, Referrals from Juvenile Court, Eligibility under the Arizona Long Term Care System (ALTCS), and Documentation and Verification. The purpose of the rulemaking is to add, amend, and repeal rules to conform to current practice and terminology, and to make the rules more clear, concise, and understandable. The Department last amended this Article in 1993. A Five-Year Review Report on Chapter 6 was approved by the Governor's Regulatory Review Council on December 1, 2015.



- The Department is adding a new “Definitions” section to improve understanding and clarification within the Article.
- The Department is amending the current R6-6-401, “Application for Admission to Services,” to remove the requirement for disclosure of the applicant’s social security number and to clarify existing language. The requirement for disclosure of a person’s social security number is inconsistent with the Federal Privacy Act of 1974, 5 U.S.C. 552a.
- The Department is repealing the current R6-6-403, “Referrals from Juvenile Court,” because this provision is duplicative of A.R.S. §§ 8-242, 36-559(D), and 36-560(F).
- The Department is repealing the current R6-6-404, “Eligibility under ALTCS,” because it does not address the application requirements, and therefore, does not belong in this Article.
- The Department is amending the current R6-6-405, “Documentation and Verification,” to update the language and to conform to Department policy.

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

The Department did not review or rely on any study relevant to the rules.

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

Not applicable

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

The Division anticipates that this rulemaking will have a minimal economic impact on the implementing agency, small businesses, and consumers. There is no anticipation of increased costs because the primary changes made to the rule revolve around the process of applying, as well as removing, outdated language from the rule. There is no significant programmatic or membership change anticipated as a result of these changes.

The rulemaking does not impose any obligation on the individual or responsible person to accept or participate in services without informed consent. Consumers who apply to the Division and members of the public will benefit from this rulemaking because it will add, amend, and repeal rules to conform to current practices and terminology, and will make the rules more clear, concise, and understandable for improved quality of care.

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

Name: Christian J. Eide
 Address: Department of Economic Security
 P.O. Box 6123, Mail Drop 1292
 Phoenix, AZ 85005
 or
 Department of Economic Security
 1789 W. Jefferson, Mail Drop 1292
 Phoenix, AZ 85007
 Telephone: (602) 542-9199
 Fax: (602) 542-6000
 E-mail: ceide@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: Thursday, February 6, 2020
 Time: 9:00-10:30 a.m.
 Location: RSA Conference Room
 515 N. 51st Ave., Suite 250
 Phoenix, AZ 85043

Use west facing entrance with signage “Arizona Industries for the Blind”

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

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

Location: RSA Conference Room
 1185 Redondo Center Dr.
 Yuma, AZ 85365

Location: RSA Conference Room
 1704 N. 4th St.
 Flagstaff, AZ 86004

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



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

Location: RSA Conference Room
1140 F. Ave.
Douglas, AZ 85607

Location: RSA Conference Room
125 E. Elliot Rd.
Chandler, AZ 85225

Close of record for this rulemaking is 5:00 p.m., on Friday, February 7, 2020

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:

This rule does 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:

Not applicable

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

No analysis was submitted.

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

None

13. The full text of the rules follows:

TITLE 6. ECONOMIC SECURITY

**CHAPTER 6. DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

ARTICLE 4. APPLICATION

Section

R6-6-401. Definitions

~~R6-6-401.~~ R6-6-402. Application for Admission to Services the Division of Developmental Disabilities Services

~~R6-6-403. Referrals from Juvenile Court~~

~~R6-6-405.~~ R6-6-403. Documentation and Verification

~~R6-6-404. Eligibility under ALTCS~~

ARTICLE 4. APPLICATION

R6-6-401. Definitions

In addition to the definitions in Article 1 of this Chapter, the following definition applies to this Article:

“Lawful presence” means the same as in R6-6-301.

~~R6-6-401.~~ R6-6-402. Application for Admission to Services the Division of Developmental Disabilities Services

A. To apply for Division services, an An applicant shall:

~~2.~~ 1. File with the Division a written Complete, sign, and submit an application on a the form prescribed by and available from or by the method provided by the Division at no charge;

~~4.~~ 2. Participate in a face-to-face interview with a designated Department employees, if requested by the Division or the applicant; and

3. Submit information and documents to support the application, as required by the Division.

B. Upon application, the applicant agrees to abide by federal and state statutes and regulations and Department policy.

~~B.C.~~ C. The application form shall contain the following information at a minimum:

1. With respect to the person to receive services applying:

a. Name, address, and telephone number;

b. ~~Personal information including date~~ Date of birth, place of birth, age, social security number, sex, gender, primary language, and marital status, and, and proof of U.S. citizenship;

~~e.~~ Monthly income;

~~d.c.~~ Medical insurance coverage;

~~e.d.~~ Educational history, including educational placements background, including current or planned enrollment in a special education program within a school district;



- ~~f.e.~~ Information documenting showing the existence of a developmental disability, including professional assessments and evaluations, as required in A.R.S. § 36-559(A)(2) and Article 3 of this Chapter; and
- ~~g.f.~~ A description of any other disabling conditions or special considerations; and
- ~~h.~~ If under 18 years of age, total number of persons in the household;
- ~~i.~~ Identification of any adults who regularly live in the home by name, date of birth, and relationship to the person to receive services;
- ~~j.~~ Identification of natural parents, regardless of whether living in the home, by name, social security number, and business and home telephone numbers; and
- ~~k.~~ Identification of two adult persons living outside the home who are familiar with the person to receive services, by name, address, relationship to the person to receive services, and business and home telephone numbers; and
- 2. With respect to the responsible person, if other than the person to whom services would be provided:
 - a. Name, ~~business and home addresses~~ address, ~~business and home telephone numbers and social security number; and~~
 - b. Relationship to person to whom services would be provided; and
- ~~e.D.~~ If guardianship or conservatorship has been established, the applicant shall provide a copy of the court order with ~~shall accompany~~ the application;
- ~~C.~~ The applicant shall provide a description of programs and services requested.
- ~~D.~~ The applicant shall provide information regarding prior applications for admissions to Division services or services received.
- ~~E.~~ The applicant shall provide documentation of application information as defined in R6-6-405.
- ~~F.E.~~ The Division shall not consider an incomplete application:
 - 1. If the Division receives an application that is not complete, Within 10 calendar days of receipt of an incomplete application, the Division shall send written notification of deficiencies to the applicant notify the applicant of the information needed to complete the application and request the missing information.
 - 2. If the applicant does not provide the specified information within 15 working days of receipt of notification of deficiencies, or cannot demonstrate a good faith effort to collect the information, the Division shall close the applicant's file and send a letter denying admission.
- ~~F.~~ If the applicant does not provide the requested information to the Division by the date specified in the notification under subsection (E), the Division may deny the application and close the file.
- ~~G.~~ An applicant whose file has been closed, and who subsequently desires admission, shall submit a new application.

R6-6-403. Referrals from Juvenile Court

The Division shall determine eligibility of any child assigned to the Division by a juvenile court pursuant to A.R.S. § 8-242. If determined ineligible, the Division shall immediately refer the matter to the Department's Administration for Children, Youth, and Families.

~~R6-6-405.~~R6-6-403. Documentation and Verification

The applicant shall provide documentation of the following:

- 1. Lawful presence of the person to whom services are to be provided, as required by A.R.S. § 1-502.
- ~~1.2.~~ Residency.
 - ~~a.~~ All applicants shall sign an affidavit stating current residency and intent to remain in Arizona. An applicant shall:
 - a. Verify current residency and intent to remain in Arizona by signing the application.
 - b. At the request of the Department, provide additional documentation demonstrating Arizona residency of the person to whom services would be provided.
 - ~~b.~~ An applicant shall show written proof of Arizona residency by providing one of the following types of documents:
 - i. Rent or mortgage receipt, or lease in the applicant's name showing the residential address;
 - ii. Non-relative landlord statement indicating the applicant's name and address as well as the landlord's name and address and telephone, if available;
 - iii. Applicant's Arizona driver's license;
 - iv. Applicant's Arizona motor vehicle registration;
 - v. Signed employment statement from applicant's non-relative employer;
 - vi. Utility bill in the applicant's name indicating the applicant's address;
 - vii. Current phone directory showing applicant's name and address;
 - viii. United States Post Office records which show the applicant's name and address;
 - ix. A current city directory showing the applicant's name and address;
 - x. Certified copy of a church membership or enrollment record which indicates the applicant's current name and address; or
 - xi. Certified copy of a school record which indicates the applicant's current address; or
 - ~~e.~~ If an applicant has made all reasonable efforts to obtain documented verification as described in subsection (1)(b) and has been unsuccessful, the affidavit signed by the applicant attesting to the applicant's present residence and intent to remain in Arizona shall be sufficient.
- 2. Age:
 - ~~a.~~ An applicant shall provide proof of age of the person to receive services by the following:
 - i. Alien documents;
 - ii. Federal or state census records;
 - iii. Hospital records of birth;
 - iv. Copy of birth certificate;
 - v. Military records;
 - vi. Notification of birth registration;
 - vii. Religious records showing age or date of birth;



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:

The rulemaking does not diminish the authority of political subdivisions of this state.

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

The Department expects moderate to substantial positive economic impact by reducing the time a tow truck is out-of-service waiting for a replacement permit decal reinspection. Reducing tow truck out-of-service time equates to revenue generation and positive employment for all sizes of towing and recovery companies. Changing the required location of the decal provides more visibility for law enforcement officers/troopers to view the decal while the truck is being operated on the roadway, reducing the need to conduct a traffic stop on the truck to check the decal. The Department expects to see a minimal cost savings by purchasing fewer replacement decals and by conducting fewer reinspections solely for the purpose of replacing damaged or lost decals.

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

Name: Sergeant Lance Larson
Address: Department of Public Safety
POB 6638, MD 1240
Phoenix, AZ 85005-6638
Telephone: (602) 712-5808
E-mail: llarson@azdps.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:

Date: Thursday February 6, 2020
Time: 9:00 a.m. MST
Location: Arizona Peace Officer Standards and Training Board
2643 E. University Dr.
Phoenix, AZ 85034

Close of record: Thursday February 6, 2020 at 5:00 p.m. MST

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

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

The rule requires a permit. A general permit is not used. A general permit cannot be used as the permit is based on a physical inspection of each tow truck to ensure the vehicle is compliant with rules and statutes for safe operation on a public roadway.

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

There is no corresponding federal law.

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

The Department did not receive an analysis.

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

There is no incorporated by reference material for this section.

13. The full text of the rules follows:

**TITLE 13. PUBLIC SAFETY
CHAPTER 3. DEPARTMENT OF PUBLIC SAFETY – TOW TRUCKS
ARTICLE 9. TOW TRUCK REGISTRATION AND COMPLIANCE INSPECTION**

Section
R13-3-902. Inspection by the Department

ARTICLE 9. TOW TRUCK REGISTRATION AND COMPLIANCE INSPECTION

R13-3-902. Inspection by the Department

- A. The Department shall inspect a tow truck for compliance with this Chapter as soon as possible after the tow truck inspection application form is filed and no later than seven days after the application form is filed.
- B. The Department may conduct unannounced, in-service inspections of a tow truck at the roadside, at the company's place of business, or any reasonable time and place to determine the condition of the tow truck.
- C. The Department shall issue tow truck permit decals and identification number decals individually for each approved tow truck.
- D. When a tow truck inspection is conducted under subsection (A) or (B), the following apply:
 - 1. Department inspectors shall examine the tow truck for compliance with the safety requirements and specifications for the tow truck class under this Chapter.



The Commission is exempt from the Executive Order 2019-01 requirement to obtain prior approval before engaging in rulemaking proceedings.

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:**
Small Business Subject to the Rules: These rules do not change the responsibilities of master meter operators already established in 1970 by the adoption by the Commission of the Code of Federal Regulations, Title 49, Parts 191 and 192.
The new rules will have no effect upon consumers or users of the gas service provided by regulated public utilities as the utilities presently are required to be in compliance with all standards. This will benefit consumers, users and the general public by maintaining a safe pipeline system.
The proposed rules are the least costly method for obtaining compliance with the long-standing minimum safety standards. The rules do not impose additional standards. There is no less intrusive method.

9. **The agency's contact person who can answer questions about the economic, small business and consumer impact statement:**
Name: Chris Watson, Safety Division Director
Address: Arizona Corporation Commission, Office of Pipeline Safety
1300 W. Washington St., Suite 220
Phoenix, AZ 85007
Telephone: (602) 262-5601
Fax: (602) 262-5620
E-mail: CWatson@azcc.gov
Web site: www.azcc.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 Commission has scheduled the following oral proceeding for public comments:
Date: February 14, 2020
Time: 10:00 a.m.
Location: Arizona Corporation Commission
Hearing Room 1
1200 W. Washington St.
Phoenix, AZ 85007
Nature: Public Comment Hearing
Written comments can be submitted on or before February 10, 2020, to the Commission's Docket Control at the address listed above. Please reference Docket No. RG-00000A-19-0136 on all documents.
Oral comments may be provided at the proceedings on February 14, 2020, at 10:00 a.m.

11. **All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:**
None
a. **Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:**
Not applicable
b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**
Not applicable
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:**
Not applicable

12. **A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
49 CFR 191 (October 1, 2018) adopted in R14-5-202(B)
49 CFR 192 (October 1, 2018), except I(A)(2) and (3) of Appendix D to part 192 adopted in R14-5-202(B)

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



**TITLE 14. PUBLIC SERVICE CORPORATIONS; CORPORATIONS AND
ASSOCIATIONS; SECURITIES REGULATION
CHAPTER 5. CORPORATION COMMISSION – TRANSPORTATION**

ARTICLE 2. PIPELINE SAFETY

Section

- R14-5-202. Construction and Safety Standards for Gas, LNG, and Hazardous Liquid Pipeline Systems
R14-5-204. Annual Reports

ARTICLE 2. PIPELINE SAFETY

R14-5-202. Construction and Safety Standards for Gas, LNG, and Hazardous Liquid Pipeline Systems

- A.** No change
- B.** Subject to the definitional changes in R14-5-201 and the modifications noted in this Section, the Commission adopts, incorporates, and approves as its own 49 CFR 40; 191; 192, except (I)(A)(2) and (3) of Appendix D to Part 192; 193; 195, except 195.1(b)(2), (3), and (4); and 199 (October 1, ~~2017~~2018), including no future editions or amendments, which are incorporated by reference; on file with the Office of Pipeline Safety; and published by and available from the U.S. Government Printing Office, 710 North Capital Street N.W., Washington DC 20401, and at <http://www.gpo.gov/fdsys/>. For purposes of 49 CFR 192, “Business District” means an area where the public congregate for economic, industrial, religious, educational, health, or recreational purposes and two or more buildings used for these purposes are located within 100 yards of each other.
- C.** No change
1. No change
 2. No change
- D.** No change
- E.** No change
1. No change
 2. 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
- Q.** No change
1. No change
 2. No change
 3. No change
- R.** No change
- S.** No change
- T.** No change
- U.** 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
 3. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 4. No change
 5. No change
 - a. No change
 - i. No change
 - ii. No change
 - iii. No change
 - b. No change



- i. No change
- ii. No change
- iii. No change
- iv. No change
- v. No change
- 6. No change
 - a. No change
 - b. No change
 - i. No change
 - ii. No change
 - c. No change
 - i. No change
 - ii. No change
 - d. No change

V. No change

W. No change

X. No change

R14-5-204. Annual Reports

- A. An operator of an intrastate pipeline shall file with the Office of Pipeline Safety, not later than March 15, for the preceding calendar year, an annual report completed using one of the following, as applicable, which are incorporated by reference; on file with the Office of Pipeline Safety; and published by and available from PHMSA as provided in R14-5-203(C)(2):
 - 1. Form PHMSA F 7000-1.1: Annual Report for Calendar Year 20__ Hazardous Liquid Pipeline Systems (~~June 2014~~2019), including no future editions or amendments, which shall be completed in accordance with the PHMSA instructions for the form;
 - 2. Form PHMSA F 7100.1-1: Annual Report for Calendar Year 20__ Gas Distribution System (~~January 2017~~October 2018), including no future editions or amendments, which shall be completed in accordance with the PHMSA instructions for the form;
 - 3. No change
 - 4. No change
- B. No change



unable to leverage additional federal monies to cover these expenditures. Increased state-generated revenue from the fee change will maximize federal match funding available for child support services under Title IV-D of the Social Security Act.

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

The Department did not review or rely on any study relevant to the rules.

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

Not applicable

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

The economic impact of increasing the Clearinghouse fee will directly affect non-custodial parents as they are responsible for paying the fee each month. The increased fee will benefit the Division by generating state-retained revenue that will cover current base operation costs. Current base operating costs aid in the achievement of the goals of the Division to collect and distribute child support payments to help support Arizona families and improve the well-being of children, which includes ensuring children are supported by their parents, fostering family responsibility, and reducing the costs of welfare to the taxpayer.

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

No changes have been made since the proposed rulemaking.

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

The Department received no comments on this rulemaking.

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

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 Department has determined that the rule is not more stringent than the applicable federal law.

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

No analysis was submitted.

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

No material has been incorporated by reference in these rules.

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:

Not applicable

15. The full text of the rules follows:

**TITLE 6. ECONOMIC SECURITY
CHAPTER 7. DEPARTMENT OF ECONOMIC SECURITY
CHILD SUPPORT ENFORCEMENT**

ARTICLE 1. GENERAL PROVISIONS

Section
R6-7-103. Payment Handling Fee

ARTICLE 1. GENERAL PROVISIONS

R6-7-103. Payment Handling Fee
Under A.R.S. § 25-510, the monthly payment handling fee shall be ~~\$5.00~~\$8.00.



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
BOARD OF EXAMINERS OF NURSING CARE INSTITUTION ADMINISTRATORS
AND ASSISTED LIVING FACILITY MANAGERS**

[R19-279]

- 1. Title and its heading:** 4, Professions and Occupations
- Chapter and its heading:** 33, Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers
- Article and its heading:** 7, Assisted Living Facility Caregiver Training Programs
- Section numbers:** R4-33-702 and R4-33-703.1 (*Other Sections may be made, amended, or repealed as needed*)

- 2. The subject matter of the proposed rule:**
Under Laws 2019, Chapter 280, the legislature enacted A.R.S. § 36-446.15 indicating an individual who complies the AHCCCS training and competency requirements for an in-home direct care worker satisfies the Board's training requirements for an assisted living facility caregiver except for training regarding medication administration. The legislation also instructed the Board to make rules for assisted living facility caregivers consistent with the training, competency, and test methodology standards developed by the AHCCCS for in-home direct care workers. The Board is to complete the rulemaking by June 1, 2020. An exemption from Executive Order 2019-01 was provided for this rulemaking by Emily Rajakovich, of the Governor's Office, by e-mail dated September 19, 2019.

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

- 4. Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Allen Imig, Executive Director
Address: Board of Examiners for Nursing Care Administrators and Assisted Living Facility Managers
1740 W. Adams St., Suite 2490
Phoenix, AZ 85007
Telephone: (602) 364-2273
Fax: (602) 542-8316
E-mail: allen.imig@nciabd.state.az.us

- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.

- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be determined

**NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF ECONOMIC SECURITY
DEVELOPMENTAL DISABILITIES**

[R19-280]

- 1. Title and its heading:** 6, Economic Security
- Chapter and its heading:** 6, Department of Economic Security - Developmental Disabilities
- Article and its heading:** 4, Application
- Section numbers:** R6-6-401 through R6-6-405 (*Sections may be added, deleted, or modified as necessary.*)

- 2. The subject matter of the proposed rule:**
Article 4 contains rules on Application, including Application for Admission to Services; Consent, Referrals from Juvenile Court;



Eligibility under ALTCS; and Documentation and Verification. The purpose of the rulemaking is to add, amend, and repeal rules to conform to current practice and terminology, and to make the rules more clear, concise, and understandable. The Department last amended this Article in 1993. A five-year review report on Chapter 6 was approved by the Governor's Regulatory Review Council on December 1, 2015.

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

Notice of Proposed Rulemaking: 26 A.A.R. 5, January 3, 2020 (in this issue)

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

Name: Christian Eide
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) 542-9199
Fax: (602) 542-6000
E-mail: ceide@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 written comments for 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 for public comments:

Date: Thursday, February 6, 2020
Time: 9:00-10:30 a.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 Friday, February 7, 2020.

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

Refer to the Notice of Proposed Rulemaking on page 5 of this issue.

**NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF PUBLIC SAFETY – TOW TRUCKS**

[R19-281]

- 1. Title and its heading:** 13, Public Safety
- Chapter and its heading:** 3, Department of Public Safety - Tow Trucks
- Article and its heading:** 9, Tow Truck Registration and Compliance Inspection
- Section numbers:** R13-3-902 (The Department may add, delete or modify sections as necessary)

2. The subject matter of the proposed rule:

The Department received a rulemaking moratorium waiver from Ms. Jennifer Thomsen, Public Safety Policy Advisor to the Governor on October 25, 2019.

The Department is amending this section to relocate the inspection permit stickers from the windshield to the rear window/cab area for the following reasons:

- 1. Reduce the out-of-service time for re-inspections to replace stickers lost due to cracked/replaced windshields or destroyed from repeated pressure washing using cleaning solutions/solvents to remove debris from the front of the vehicle and wind-



shield. Additionally, costs would be reduced by purchasing less stickers. Between April 2018 and April 2019, 38 stickers were replaced due to damaged/replaced windshields. Depending on when the company schedules an appointment with the Department to replace the sticker, the average time to replace the sticker and put the tow truck back into service was one to seven days.

2. Allow troopers to more easily read the inspection permit when the tow truck is being operated on the roadway.
3. Lengthen the service life of the sticker by reducing its exposure to sun and weather. Stickers last an average of four years on the windshield and are a one-time compliance inspection unless the sticker is lost, damaged, destroyed, suspended or there is a change of ownership. The change could potentially add life to the sticker reducing out-of-service time and the cost to purchase new stickers.

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

Notice of Proposed Rulemaking: 26 A.A.R. 9, January 3, 2020 (*in this issue*)

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

Name: Sergeant Lance Larson
 Address: Department of Public Safety
 POB 6638, MD 1240
 Phoenix, AZ 85005-6638
 Telephone: (602) 712-5808
 E-mail: llarson@azdps.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 comments during business hours at the address listed in Item 4 until the close of record. Information regarding an oral proceeding is included in the Notice of Proposed Rulemaking.

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

To be determined.

**NOTICE OF RULEMAKING DOCKET OPENING
 CORPORATION COMMISSION
 TRANSPORTATION**

[R19-282]

1. **Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: 5, Corporation Commission - Transportation
Article and its heading: 2, Pipeline Safety
Section numbers: R14-5-202 and R14-5-204

2. The subject matter of the proposed rule:

The proposed rules will conform to the most recent amendments of the Federal Pipeline Safety Regulations, which is required by the Commission's Agreement with the United States Department of Transportation, Office of Pipeline Safety, and required for the Commission's Pipeline Safety Division to receive Federal funds for Pipeline Safety Programs.

The agency docket number, if applicable: RG-00000A-19-0136

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

Notice of Proposed Rulemaking: 26 A.A.R. 11, January 3, 2020 (*in this issue*)

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

Name: M. Regina Huerta, Staff Attorney
 Address: Corporation Commission, Legal Division
 1200 W. Washington
 Phoenix, AZ 85007
 Telephone: (602) 542-3402
 Fax: (602) 542-4870
 E-mail: MHuerta@azcc.gov

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

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

Date: February 14, 2020
 Time: 10:00 a.m.
 Location: Arizona Corporation Commission
 1200 W. Washington St., Hearing Room 1
 Phoenix, AZ 85007
 Nature: Public Comment Hearing

Written comments can be submitted on or before February 10, 2020, to the Commission's Docket Control at the address listed above. Please reference Docket No. RG-00000A-19-0136 on all documents.



Oral comments may be provided at the proceedings on February 14, 2020, at 10:00 a.m.

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

The Hearing Division shall issue a Recommended Opinion and Order by March 10, 2020, or as soon as practicable, thereafter, so that the Commission may consider it at its Open Meeting scheduled for March 24, 2020 and March 25, 2020.



NOTICES OF AGENCY OMBUDSMAN

The Administrative Procedure Act requires the publication of Notices of Agency Ombudsman. Agencies shall publish annually in the *Register* the name or names of those employees who are designated by the agency to assist members of the public or regulated community in seeking information or assistance from the agency. (A.R.S. § 41-1006)

NOTICE OF AGENCY OMBUDSMAN

[M19-115]

- 1. The agency name:** Board of Osteopathic Examiners in Medicine and Surgery
- 2. The ombudsman's:**
 - a. Name:** Justin Bohall
 - b. Title:** Executive Director
- 3. The ombudsman's office address to include the city, state and zip code:**

Address: Board of Osteopathic Examiners in Medicine and Surgery
1740 W. Adams St., Suite 2410
Phoenix, AZ 85007
- 4. The ombudsman's telephone number, fax number and email address, if available:**

Telephone: (602) 771-2522
Fax: (480) 657-7715
E-mail: questions@azdo.gov

NOTICE OF AGENCY OMBUDSMAN

[M19-116]

- 1. The agency name:** Board of Osteopathic Examiners in Medicine and Surgery
- 2. The ombudsman's:**
 - a. Name:** Lindsey Castro
 - b. Title:** Deputy Director
- 3. The ombudsman's office address to include the city, state and zip code:**

Address: Board of Osteopathic Examiners in Medicine and Surgery
1740 W. Adams St., Suite 2410
Phoenix, AZ 85007
- 4. The ombudsman's telephone number, fax number and email address, if available:**

Telephone: (602) 242-1492
Fax: (480) 657-7715
E-mail: questions@azdo.gov

NOTICE OF AGENCY OMBUDSMAN

[M19-117]

- 1. The agency name:** Department of Public Safety
- 2. The ombudsman's:**
 - a. Name:** Inspector Andres Vasquez
 - b. Title:** Executive Officer and Ombudsman
 - c. Agency Division:** Office of the Director
- 3. The ombudsman's office address to include the city, state and zip code:**

Address: Department of Public Safety
2102 W. Encanto Blvd.
Phoenix, AZ 85009

Mailing Address: POB 6638
Mail Drop 1000
Phoenix, AZ 85005-6638



4. The ombudsman's telephone number, fax number and email address, if available:

Telephone: (602) 223-5046
Fax: (480) 223-2917
E-mail: avasquez@azdps.gov



GOVERNOR EXECUTIVE ORDER

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

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2019-01

Moratorium on Rulemaking to Promote Job Creation and Customer-Service-Oriented Agencies; Protecting Consumers Against Fraudulent Activities

[M19-04]

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

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

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

WHEREAS, in 2015 the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order and renewed the moratorium in 2016, 2017 and 2018; and

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

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

WHEREAS, approximately 283,300 private sector jobs have been added to Arizona since January 2015; and

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

WHEREAS, each State agency shall continue to conduct a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay and legal uncertainty associated with government regulation while protecting the health, peace and safety of residents; and

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

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor.

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

1. A State agency subject to this Order shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justifications for the rulemaking:
 - a. To fulfill an objective related to job creation, economic development or economic expansion in this State.
 - b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace, or safety.
 - d. To avoid violating a court order or federal law that would result in sanctions by a federal court for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
 - f. To comply with a state statutory requirement.
 - g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - i. To address matters pertaining to the control, mitigation, or eradication of waste, fraud or abuse within an agency or wasteful, fraudulent, or abusive activities perpetrated against an agency.
 - j. To eliminate rules which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. A State agency subject to this Order shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by Arizona Revised Statutes or Arizona Administrative Code.
3. A State agency subject to this Order and which issues occupational or professional licenses shall review the agency's rules and practices related to receiving and acting on substantive complaints about unlicensed individuals who are allegedly holding them-



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

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

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

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this ninth day of January in the Year Two Thousand and Nineteen and of the Independence of the United States of America the Two Hundred and Forty-Third.

ATTEST:
Katie Hobbs
SECRETARY OF STATE



REGISTER INDEXES

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

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
 PM = Proposed amended Section
 PR = Proposed repealed Section
 P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
 SPM = Supplemental proposed amended Section
 SPR = Supplemental proposed repealed Section
 SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
 FM = Final amended Section
 FR = Final repealed Section
 F# = Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY

PSMN = Proposed Summary new Section
 PSMM = Proposed Summary amended Section
 PSMR = Proposed Summary repealed Section
 PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
 FSMM = Final Summary amended Section
 FSMR = Final Summary repealed Section
 FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

PEN = Proposed Expedited new Section
 PEM = Proposed Expedited amended Section
 PER = Proposed Expedited repealed Section
 PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
 SPEM = Supplemental Proposed Expedited amended Section
 SPER = Supplemental Proposed Expedited repealed Section
 SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
 FEM = Final Expedited amended Section
 FER = Final Expedited repealed Section
 FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING

EXEMPT

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

EXEMPT PROPOSED

PXN = Proposed Exempt new Section
 PXM = Proposed Exempt amended Section
 PXR = Proposed Exempt repealed Section
 PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
 SPXR = Supplemental Proposed Exempt repealed Section
 SPXM = Supplemental Proposed Exempt amended Section
 SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING

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

EMERGENCY RULEMAKING

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

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

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

RULE EXPIRATIONS

EXP = Rules have expired

See also “emergency expired” under emergency rulemaking

CORRECTIONS

C = Corrections to Published Rules

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



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
November 15, 2019	December 6, 2019	January 6, 2020
November 22, 2019	December 13, 2019	January 13, 2020
November 29, 2019	December 20, 2019	January 21, 2020
December 6, 2019	December 27, 2019	January 27, 2020
December 13, 2019	January 3, 2020	February 3, 2020
December 20, 2019	January 10, 2020	February 10, 2020
December 27, 2019	January 17, 2020	February 17, 2020
January 3, 2020	January 24, 2020	February 24, 2020
January 10, 2020	January 31, 2020	March 2, 2020
January 17, 2020	February 7, 2020	March 9, 2020
January 24, 2020	February 14, 2020	March 16, 2020
January 31, 2020	February 21, 2020	March 23, 2020
February 7, 2020	February 28, 2020	March 30, 2020
February 14, 2020	March 6, 2020	April 6, 2020
February 21, 2020	March 13, 2020	April 13, 2020
February 28, 2020	March 20, 2020	April 20, 2020
March 6, 2020	March 27, 2020	April 27, 2020
March 13, 2020	April 3, 2020	May 4, 2020
March 20, 2020	April 10, 2020	May 11, 2020
March 27, 2020	April 17, 2020	May 18, 2020
April 3, 2020	April 24, 2020	May 26, 2020



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 under A.R.S. § 41-1013(B)(15).

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 305, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit <http://grrc.az.gov>.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2019/2020 (MEETING DATES ARE SUBJECT TO CHANGE)

[M19-118]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<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
<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> February 18, 2020	<i>Tuesday</i> February 25, 2020	<i>Tuesday</i> March 3, 2020
<i>Tuesday</i> February 18, 2020	<i>Tuesday</i> March 24, 2020	<i>Tuesday</i> March 31, 2020	<i>Tuesday</i> April 7, 2020
<i>Tuesday</i> March 24, 2020	<i>Tuesday</i> April 21, 2020	<i>Tuesday</i> April 28, 2020	<i>Tuesday</i> May 5, 2020
<i>Tuesday</i> April 21, 2020	<i>Tuesday</i> May 19, 2020	Wednesday May 27, 2020	<i>Tuesday</i> June 2, 2020
<i>Tuesday</i> May 19, 2020	<i>Tuesday</i> June 23, 2020	<i>Tuesday</i> June 30, 2020	<i>Tuesday</i> July 7, 2020
<i>Tuesday</i> June 23, 2020	<i>Tuesday</i> July 21, 2020	<i>Tuesday</i> July 28, 2020	<i>Tuesday</i> August 4, 2020
<i>Tuesday</i> July 21, 2020	<i>Tuesday</i> August 18, 2020	<i>Tuesday</i> August 25, 2020	<i>Tuesday</i> September 1, 2020
<i>Tuesday</i> August 18, 2020	<i>Tuesday</i> September 22, 2020	<i>Tuesday</i> September 29, 2020	<i>Tuesday</i> October 6, 2020
<i>Tuesday</i> September 22, 2020	<i>Tuesday</i> October 20, 2020	<i>Tuesday</i> October 27, 2020	<i>Tuesday</i> November 3, 2020
<i>Tuesday</i> October 20, 2020	<i>Tuesday</i> November 17, 2020	<i>Tuesday</i> November 24, 2020	<i>Tuesday</i> December 1, 2020
<i>Tuesday</i> November 17, 2020	<i>Tuesday</i> December 22, 2020	<i>Tuesday</i> December 29, 2020	<i>Tuesday</i> January 5, 2021
<i>Tuesday</i> December 29, 2020	<i>Tuesday</i> January 19, 2021	<i>Tuesday</i> January 26, 2021	<i>Tuesday</i> February 2, 2021

* 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.