Information ........................................................................................................................................ 642
Rulemaking Guide .......................................................................................................................... 643
RULES AND RULEMAKING
Proposed Rulemaking, Notices of
  4 A.A.C. 25 Board of Podiatry Examiners .................................................................................. 645
  18 A.A.C. 2 Department of Environmental Quality - Air Pollution Control ............................ 653
OTHER AGENCY NOTICES
Docket Opening, Notices of Rulemaking
  4 A.A.C. 25 Board of Podiatry Examiners .................................................................................. 658
  9 A.A.C. 19 Department of Health Services - Vital Records and Statistics ................................. 659
Public Information, Notices of
  Department of Environmental Quality .......................................................................................... 661
Substantive Policy Statement, Notices of Agency
  Department of Real Estate .............................................................................................................. 662
GOVERNOR’S OFFICE
Governor’s Executive Order 2020-02
  Moratorium on Rulemaking to Promote Job Creation and Economic Development; Implementation of Licensing Reform Policies ........................................................................................................... 663
INDEXES
  Register Index Ledger ..................................................................................................................... 665
  Rulemaking Action, Cumulative Index for 2020 .......................................................................... 666
  Other Notices and Public Records, Cumulative Index for 2020 .................................................... 668
CALENDAR/DEADLINES
  Rules Effective Dates Calendar ..................................................................................................... 670
  Register Publishing Deadlines ....................................................................................................... 672
GOVERNOR’S REGULATORY REVIEW COUNCIL
  Governor’s Regulatory Review Council Deadlines ....................................................................... 673
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.
### 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.

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### Arizona Regular Rulemaking Process

**START HERE**
APA, statute or ballot proposition is passed. It gives an agency authority to make rules. It may give an agency an exemption to the process or portions thereof.

**Agency opens a docket.**
Agency files a Notice of Rulemaking Docket Opening; it is published in the Register. Often an agency will file the docket with the proposed rulemaking.

**Agency drafts proposed rule and Economic Impact Statement (EIS); informal public review/comment.**

**Agency files Notice of Proposed Rulemaking. Notice is published in the Register. Notice of meetings may be published in Register or included in Preamble of Proposed Rulemaking. Agency opens comment period.**

**Agency decides not to proceed and does not file final rule with G.R.R.C. within one year after proposed rule is published. A.R.S. § 41-1021(A)(4).**

**Agency decides not to proceed and files Notice of Termination of Rulemaking for publication in Register. A.R.S. § 41-1021(A)(2).**

**Agency files Notice of Supplemental Proposed Rulemaking. Notice published in Register.**

**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.**

**Substantial change?**
If no change then

**Rule must be submitted for review or terminated within 120 days after the close of the record.**

**A final rulemaking package is submitted to G.R.R.C. or A.G. for review. Contains final preamble, rules, and Economic Impact Statement.**

**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.**

**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).**

**Final rule is published in the Register and the quarterly Code Supplement.**
Definitions


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 definition 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 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 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 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 25. BOARD OF PODIATRY EXAMINERS

[R20-54]

PREAMBLE

1. Article, Part or Section Affected (as applicable) | Rulemaking Action
R4-25-101 | Amend
R4-25-102 | Amend
R4-25-103 | Amend
R4-25-104 | Amend
Table 1 | Amend
R4-25-201 | Amend
R4-25-203 | Repeal
R4-25-301 | Amend
R4-25-302 | Amend
R4-25-501 | Amend
R4-25-502 | Amend
R4-25-603 | Amend
R4-25-604 | Amend

2. Citations to the agency’s rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):
Authorizing statute: A.R.S. § 32-801
Implementing statute: A.R.S. §§ 32-801 et seq.

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 rules:
Notice of Rulemaking Docket Opening: 26 A.A.R. 658, April 10, 2020 (in this issue)

4. The agency’s contact person who can answer questions about the rulemaking:
Name: Heather Broaddus
Address: State Board of Podiatry Examiners
1740 W. Adams St., Suite 3004
Phoenix, AZ 85007
Telephone: (602) 542-8151
E-mail: heather.broaddus@podiatry.az.gov
Website: https://podiatry.az.gov

5. An agency’s justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:
The Board is updating its rules to make them more clear, concise and consistent with statute and current agency and industry practice. A Law change was implemented/effective April 26, 2018 and August 3, 2018 for which there is currently no rule to support the changes. There is, in the new Law, a new requirement for Continuing Medical Education that must be addressed through rule, terms are used in law that are not defined in rule or elsewhere; without definition or clarification in rule, there may be no support or successful enforcement of the new Law. The profession may not be able to comply with the change to Law pertaining to continuing education and the public may not be as well protected as a result.
6. A reference to any study relevant to the rules that the agency reviewed and proposes either 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 rules are necessary to promote a statewide interest if the rules 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 rulemaking makes no substantive changes. It will have minimal, if any, economic impact to current licensees only. There is no economic impact to the public.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact statement:
Name: Heather Broaddus
Address: State Board of Podiatry Examiners
1740 W. Adams St., Suite 3004
Phoenix, AZ 85007
Telephone: (602) 542-8151
E-mail: heather.broaddus@podiatry.az.gov
Website: https://podiatry.az.gov

10. The time, place, and nature of the proceedings to make, amend, repeal or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rules:
An oral proceeding regarding the proposed rules will not be held unless requested. Any and all comments regarding these proposed rules may be submitted directly to the Arizona State Board of Podiatry Examiners via the following methods:
1. E-mail to Heather Broaddus, Executive Director at: heather.broaddus@podiatry.az.gov.
2. In person at the Board offices: 1740 W. Adams St., Suite 3004, Phoenix, AZ 85007
3. Mail to the Board offices: 1740 W. Adams St., Suite 3004, Phoenix, AZ 85007
The rulemaking record will close at 5:00 p.m., May 18, 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:
a. Whether the rule requires a permit, whether general permit is used and if not, the reasons why a general permit is not used:
Not applicable
b. Whether federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation into 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 rules impact of the competitiveness of business in the state to the impact on business in other states:
None

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 4. PROFESSIONS AND OCCUPATIONS
CHAPTER 25. BOARD OF PODIATRY EXAMINERS

ARTICLE 1. GENERAL PROVISIONS

Section
R4-25-101. Definitions
R4-25-102. Postdoctoral, Internship, and Residency Training Program Approval
R4-25-103. Fees
R4-25-104. Time-frames for Approvals
Table 1. Time-frames (in days)

ARTICLE 2. EXAMINATIONS

Section
R4-25-201. Examination of Applicants
R4-25-203. Oral Examination Procedures Repealed
ARTICLE 3. LICENSES

Section
R4-25-301.  Application for a Regular Podiatry License
R4-25-302.  Application for a Podiatrist’s License by Comity

ARTICLE 5. CONTINUING EDUCATION

Section
R4-25-501.  Continuing Education Hours Required
R4-25-502.  Approval of Continuing Education

ARTICLE 6. DISPENSING DRUGS AND DEVICES

Section
R4-25-603.  Prescribing and Dispensing Requirements
R4-25-604.  Recordkeeping and Reporting Shortages

ARTICLE 1. GENERAL PROVISIONS

R4-25-101. Definitions
The following definitions apply in this Chapter unless otherwise specified:
1.  “Administer” has the same meaning as in A.R.S. § 32-1901.
2.  “Administrative completeness review” means the Board’s process for determining that an applicant has:
   a.  Provided all the information and documents required by Board statute or rule for an application, and
   b.  Taken a written examination or oral examination required by the Board.
3.  “Application” means an individual requesting an approval from the Board.
4.  “Application packet” means all forms, documents, and additional information required by the Board to be submitted with an application by an applicant or on the applicant’s behalf.
5.  “Comity” means the procedure for granting an Arizona license to an applicant who is licensed as a podiatrist in another state of the United States.
6.  “Contested case” has the same meaning as in A.R.S. § 41-1001.
7.  “Continuing education” means a workshop, seminar, lecture, conference, class, or instruction related to the practice of podiatry.
8.  “Controlled substance” has the same meaning as in A.R.S. § 32-1901.
9.  “Council” means the Council of Podiatric Medical Education, an organization approved by the American Podiatric Association to govern podiatric education.
10.  “Credit hour” means 60 minutes of participation in continuing education.
11.  “Day” means calendar day.
12.  “DEA” means The Drug Enforcement Administration in the Department of Justice.
14.  “Device” has the same meaning as in A.R.S. § 32-1901 and includes a prescription-only device defined in A.R.S. § 32-1901.
15.  “Directly supervise” has the same meaning as “direct supervision” in A.R.S. § 32-871(D).
16.  “Dispense” has the same meaning as in A.R.S. § 32-871(F).
17.  “Distributor” has the same meaning as in A.R.S. § 32-1901.
18.  “Drug” has the same meaning as in A.R.S. § 32-1901 and includes a controlled substance, a narcotic drug defined in A.R.S. § 32-1901, a prescription medication, and a prescription-only drug.
19.  “Fiscal year” means the period beginning on July 1 and ending on the following June 30.
20.  “Hospital” means a classification of health care institution that meets the requirements in A.R.S. Title 36, Chapter 4 and 9 A.A.C. 10, Article 2.
21.  “Informed consent” means a document signed by a patient or patient’s representative that authorizes treatment to the patient after the treating podiatrist informs the patient or the patient’s representative of the following:
   a.  A description of the treatment;
   b.  A description of the expected benefits of the treatment;
   c.  Alternatives to the treatment;
   d.  Associated risks of the treatment, including potential side effects and complications; and
   e.  The patient’s right to withdraw authorization for the treatment at any time.
22.  “Label” has the same meaning as in A.R.S. § 32-1901.
23.  “Manufacturer” has the same meaning as in A.R.S. § 32-1901.
24.  “Medical record” has the same meaning as in A.R.S. § 12-2291(4).
25.  “One-year internship program” means the successful completion of either of the following:
a. American Podiatric Medical Association-approved one-year program, or
b. First-year post-graduate approved residency or preceptorship program in either a medical or surgical clinical science dealing directly with patients.

24-25. “Packaging” means the act or process of a person placing a drug item in a container for the purpose of dispensing or distributing the item to another person.

26-27. “Party” has the same meaning as in A.R.S. § 41-1001.

26-27. “Patient” means an individual receiving treatment from a podiatrist.

27. “PMLexis examination” means the test required by A.R.S. § 32-825(C)(2).

28. “Prescription medication” has the same meaning as in A.R.S. § 32-1901.

29. “Prescription-only device” has the same meaning as in A.R.S. § 32-1901.

30. “Prescription-only drug” has the same meaning as in A.R.S. § 32-1901.

31. “Prescription order” has the same meaning as in A.R.S. § 32-1901.

32. “Provisional license” means an individual licensed under A.R.S. § 32-826(B).

33. “Regular podiatry license” means a license issued pursuant to the provisions of A.R.S. § 32-826(A).

34. “Representative” means a legal guardian, an individual acting on behalf of another individual under written authorization from the individual, or a surrogate according to A.R.S. § 36-3201.

35. “Substantive review” means the Board’s process for determining that an applicant meets the requirements of A.R.S. §§ 32-801 through 32-871 and this Article.

36. “Treatment” means podiatric medical, surgical, manipulative, or electrical treatment according to A.R.S. § 32-801.

37. “Visit” means to seek diagnosis or treatment of an ailment of the foot or leg from a podiatrist and be physically present for the diagnosis or treatment.

R4-25-102. Postdoctoral, Internship, and/or Residency Training Program Approval
A. For purposes of satisfying the requirements of A.R.S. § 32-826(A), a postdoctoral, internship, or residency training program approved by the Council is approved by the Board.

B. A postdoctoral, internship, or residency training program provisionally approved or placed on probation by the Council is approved by the Board until the Council makes a final adverse determination of the status of the postdoctoral, internship, or residency training program.

R4-25-103. Fees
The Board shall charge the following fees, which are not refundable unless A.R.S. § 41-1077 applies:

1. Application for examination license according to A.R.S. §§ 32-822(A) and 32-825, $450.00.
2. Application for examination license according to A.R.S. § 32-827, $450.00.
3. License issuance, $225.00.
4. Annual renewal, $275.00.
5. Penalty fee for late renewal after July 30, $150.00 in addition to the regular renewal fee.
6. Certification of a licensee to authorities of another state or country, $10.00.
7. For initial registration to dispense drugs and devices, $200.00.
8. For annual renewal of registration to dispense drugs and devices, $100.00.
9. Application for temporary license and issuance of license, $100.00.

R4-25-104. Time-frames for Approvals
A. The overall time-frame described in A.R.S. § 41-1072(2) for each type of approval granted by the Board is set forth in Table 1. The applicant and the Executive Director of the Board may agree in writing to extend the overall time-frame. The substantive review time-frame may not be extended by more than 25% of the overall time-frame.

B. The administrative completeness review time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Board is set forth in Table 1.

1. The administrative completeness review time-frame begins:
   a. For approval to take both a written and an oral podiatry examination or only an oral podiatry examination, when the Board receives an application packet required in R4-25-301 or R4-24-302;
   b. For approval of a podiatry license provisionally licensed, when the Board receives the application packet required in R4-25-303;
   c. For approval of a registration to dispense drugs, when the Board receives the application packet required in R4-25-602;
   d. For approval of a regular podiatry license, when the applicant sits for both a written and an oral podiatry examination or only an oral examination;
   e. For approval of an application for renewal of a license or dispensing registration, when a licensee submits an application packet to the Board; or
   f. For approval of continuing education, when the Board receives a request for approval.

2. If the application packet is incomplete, the Board shall send to the applicant a written notice specifying the missing document or incomplete information. The administrative completeness review time-frame and the overall time-frame are suspended from the postmark date of the notice until the date the Board receives a complete application packet from the applicant.

3. If an application packet is complete, the Board shall send a written notice of administrative completeness to the applicant.
4. If the Board grants a license or approval during the time provided to assess administrative completeness, the Board shall not issue a separate written notice of administrative completeness.

C. The substantive review time-frame described in A.R.S. § 41-1072(3) is set forth in Table 1 and begins on the postmark date of the notice of administrative completeness.

1. During the substantive review time-frame, the Board may make one comprehensive written request for additional information or documentation. The time-frame for the Board to complete the substantive review is suspended from the postmark date of the comprehensive written request for additional information or documentation until the Board receives the additional information or documentation.

2. The Board shall send a written notice of approval to an applicant who meets the qualifications and requirements in A.R.S. Title 4, Chapter 7 and this Chapter.

3. The Board shall send a written notice of denial to an applicant who fails to meet the qualifications and requirements in A.R.S. Title 4, Chapter 7 and this Chapter.

D. The Board shall consider an application withdrawn if, within 360 days from the application submission date:

1. The applicant fails to supply the missing information under subsection (B)(2) or (C)(1) or

2. The applicant fails to take both a written and oral podiatry examination or only an oral podiatry examination.

E. An applicant who does not wish an application withdrawn may request a denial in writing within 360 days from the application submission date.

F. If a time-frame’s last day falls on a Saturday, Sunday, or an official state holiday, the Board considers the next business day the time-frame’s last day.

Table 1. Time-frames (in days)

<table>
<thead>
<tr>
<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>Approval to Take a Written and Oral Examination or Oral Examination Only (R4-25-301)</td>
<td>A.R.S. § 32-822</td>
<td>90</td>
<td>30</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>A.R.S. § 32-823</td>
<td></td>
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<tr>
<td></td>
<td>A.R.S. § 32-824</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Regular Podiatry License (R4-25-301)</td>
<td>A.R.S. § 32-826</td>
<td>60</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>License by Comity (R4-25-302)</td>
<td>A.R.S. § 32-827</td>
<td>60</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Provisional License (R4-25-304)</td>
<td>A.R.S. § 32-826</td>
<td>60</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Dispensing Registration (R4-25-602)</td>
<td>A.R.S. § 32-871</td>
<td>60</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>License Renewal (R4-25-306)</td>
<td>A.R.S. § 32-829</td>
<td>60</td>
<td>15</td>
<td>45</td>
</tr>
<tr>
<td>Registration Renewal (R4-25-605)</td>
<td>A.R.S. § 32-871</td>
<td>60</td>
<td>30</td>
<td>30</td>
</tr>
<tr>
<td>Continuing Education Approval (R4-25-502)</td>
<td>A.R.S. § 32-829</td>
<td>60</td>
<td>15</td>
<td>45</td>
</tr>
</tbody>
</table>
ARTICLE 2. EXAMINATIONS

R4-25-201. Examination of Applicants
A. The Board administers the state oral examination each year in June and December.
B. An applicant who meets the requirements in A.R.S. § 32-827 for licensure by comity shall pass the state oral examination with a grade of 75% or more.
C. An applicant who does not meet the requirements in subsection (A): Shall not be permitted by the Board to complete an oral examination,
   Be present to take the examination at the date, time, and place scheduled by the Board;
   An applicant may submit written comments to the Board about an oral examination after the examination concludes.
D. An applicant licensed to practice podiatry in a state other than Arizona who is applying to the Board for a license by comity and who:
   1. Passed the National Board Written Examinations the PMLexis examination in a state other than Arizona with a score of 75% or more of more within five years of the application submission date meets the examination requirements of A.R.S. § 32-825, or 32-823
   2. Did not pass the PMLexis examination in any state with a score of 75% or more does not meet the examination requirements of A.R.S. § 32-825 and shall pass the PMLexis examination with a score of 75% or more to be licensed in this state.

R4-25-203. Oral Examination Procedures Repealed
A. An applicant taking an oral examination shall:
   1. Be present to take the examination at the date, time, and place scheduled by the Board;
   2. During the examination, not communicate with another applicant except with the permission of the examiner; and
   3. Except for a writing instrument, not bring examination assistance, such as books or equipment, into the examination room unless given permission by the Board.
B. An applicant may submit written comments to the Board about an oral examination after the examination concludes.
C. An applicant who does not meet the requirements in subsection (A):
   1. Shall not be permitted by the Board to complete an oral examination,
   2. Forfeits the examination fee, and
   3. May submit a new application to take an examination and the examination fee.

ARTICLE 3. LICENSES

R4-25-301. Application for a Regular Podiatry License
A. No later than 90 days before a written or oral examination date, an applicant for a regular license shall submit:
   1. An application form provided by the Board, signed and dated by the applicant and notarized that contains:
      a. The applicant's name, address, social security number, telephone number, and date of birth;
      b. The name and address of the applicant's employer at the time of application;
      c. The name, address, and type of facility at which the applicant served as an intern or resident in podiatric medicine;
      d. The name and address of each university or college from which the applicant graduated, dates of attendance, date of graduation, and degree received;
      e. The name and address of the podiatric medical school from which the applicant graduated, dates of attendance, and date of graduation;
      f. The name of each state or jurisdiction in which the applicant is currently or has been licensed as a podiatrist and address of the licensing agency;
      g. A statement of whether the applicant has taken and passed a national podiatric examination in any state and date of passage, if applicable;
      h. A statement of whether the applicant has ever been convicted of a felony or misdemeanor involving moral turpitude;
      i. A statement of whether the applicant has ever had an application for a license, certification, or registration, other than a driver's license, denied or rejected by any state or jurisdiction;
      j. A statement of whether the applicant has ever had a license, certification, or registration, other than a driver's license, suspended or revoked by any state or jurisdiction;
      k. A statement of whether the applicant has ever entered into a consent agreement or stipulation with any state or jurisdiction;
      l. A statement of whether the applicant has ever been named as a defendant in any medical malpractice matter that resulted in a settlement or judgment against the applicant;
      m. A statement of whether the applicant has any medical condition that in anyway impairs or limits the applicant's ability to practice podiatric medicine; and
      n. A statement, verified under oath by the applicant, that the information on the application pertains to the applicant, is true and correct, and was not procured through fraud or misrepresentation.
   2. Two passport-type photographs of the applicant no larger than 1 1/2 x 2 inches taken not more than six months before the date of application;
   3. A photocopy of the diploma issued to the applicant upon completion of podiatric school;
   4. A photocopy of the residency certificate issued to the applicant upon completion of residency; and
   5. The fee required in R4-25-103.
B. An applicant shall arrange to have a transcript of examination scores of a national board examination in podiatry sent directly to the Board office by the professional examination service preparing the examination. The transcript shall be received by the Board no less than 30 days before the date of an oral examination.
The Board may accept a maximum of 10 continuing education credit hours or less of continuing education if provided in any of the following ways:

1. Reading educational literature that relates to the practice of podiatry.
2. Serving as a Board member or Complaint consultant for the Board.
3. Teaching a graduate level course approved by the American Podiatry Medical Association.
4. Publishing an article in a peer-reviewed journal that was published within the last year and that relates to the practice of podiatry.
5. Writing a book, book chapter, or article in a peer-reviewed journal that was published within the last year and that relates to the practice of podiatry.
6. Directly supervising each individual involved in preparing a drug that is dispensed.

A podiatrist shall:

1. Not dispense schedule II controlled substances that are opioids.
2. Not dispense a drug unless the drug is obtained from a manufacturer or distributor licensed in any state or jurisdiction;
3. Ensure that a drug or device is dispensed only to a patient being treated by the podiatrist;
4. Before dispensing a drug, provide a patient with a written prescription order that:
   a. Contains the following statement in bold type: “This prescription may be filled by the prescribing podiatrist or by a pharmacy of your choice,” and
   b. Is signed by the podiatrist;
5. Ensure that a drug is dispensed:
   a. In a prepackaged container or in a light resistant container with a consumer safety cap; and
   b. Labeled with the following information:
      i. The podiatrist’s name, address, and telephone number;
      ii. The date the drug is dispensed.

R4-25-301. Application for a Podiatrist’s License by Comity
A. Under A.R.S. § 32-827, an applicant for a podiatrist’s license by comity shall submit to the Board, a minimum of 90 days before an oral examination date, an application form provided by the Board, signed and dated by the applicant and notarized that contains the information in R4-25-301(A)(1) and the following:
   1. A photocopy of a current podiatric license in good standing issued in another state or jurisdiction;
   2. Written documentation of having been engaged in the practice of podiatric medicine for five of seven years immediately preceding the application;
   3. Two passport-type photographs of the applicant no larger than 1 1/2 x 2 inches taken not more than six months before the date of application;
   4. The fee required in R4-25-103.
B. An applicant shall arrange to have a transcript of examination scores of a national board examination in podiatry sent directly to the Board office by the professional examination service preparing the examination. The transcript shall be received by the Board no less than 30 days before the date of an oral examination.

ARTICLE 5. CONTINUING EDUCATION

R4-25-501. Continuing Education Hours Required
A. Unless a licensee obtains a waiver according to R4-25-505, the licensee shall complete 25 hours or more of continuing education credit hours every fiscal year.
B. A licensee who has been licensed for less than 12 months before license renewal shall complete two continuing education credit hours for each month of licensure.
C. For a licensee authorized to prescribe schedule II controlled substances and who has a valid DEA registration, at least three hours of the 25 hours required in subsection (A) shall be obtained in the area of opioid-related, substance use disorder-related or addiction-related continuing education.

R4-25-502. Approval of Continuing Education
A. A licensee may submit a written request to the Board for approval of continuing education before submission of a renewal application.
B. A request under subsection (A) shall contain:
   1. A brief summary of the continuing education;
   2. The educational objectives of the continuing education;
   3. The date, time, and place of the provision of the continuing education;
   4. The name of the individual providing the continuing education, if available; and
   5. The name of the organization providing the continuing education, if applicable.
C. In determining whether to approve continuing education, the Board shall consider whether the continuing education:
   1. Is designed to provide current developments, skills, procedures, or treatments related to the practice of podiatry;
   2. Is developed and provided by an individual with knowledge and experience in the subject area; and
   3. Contributes directly to the professional competence of a licensee.
D. A licensee may request approval. The Board may accept a maximum of 10 continuing education credit hours or less of continuing education if provided in any of the following ways for the following:
   1. On the internet; Teaching a graduate level course approved by the American Podiatry Medical Association,
   2. On a CD-ROM, or Self-study which can include the following:
      a. Reading educational literature that relates to the practice of podiatry,
      b. A work or study group that relates to the practice of podiatry,
      c. Having authored or co-authored a book, book chapter, or article in a peer-reviewed journal that was published within the last year and that relates to the practice of podiatry.
   3. In podiatric medical literature, such as a journal; Serving as a Board member or Complaint consultant for the Board.
E. The Board shall approve or deny a request for approval according to the time-frames set forth in R4-25-104 and Table I.
F. According to A.R.S. § 32-829(E), if approval of a continuing education request is denied, a licensee has 60 days from the date of the denial to meet the continuing education requirements.
G. Any opioid-related course that is approved by the Arizona State Board of Podiatry Examiners, Arizona State Board of Pharmacy, Arizona Board of Osteopathic Examiners, Arizona Medical Board or the Arizona State Board of Nursing is approved by the Board.

R4-25-603. Prescribing and Dispensing Requirements
A podiatrist shall:

1. Not dispense schedule II controlled substances that are opioids.
2. Not dispense a drug unless the drug is obtained from a manufacturer or distributor licensed in any state or jurisdiction;
3. Ensure that a drug or device is dispensed only to a patient being treated by the podiatrist;
4. Before dispensing a drug, provide a patient with a written prescription order that:
   a. Contains the following statement in bold type: “This prescription may be filled by the prescribing podiatrist or by a pharmacy of your choice,” and
   b. Is signed by the podiatrist;
5. Directly supervise each individual involved in preparing a drug that is dispensed;
6. Ensure that a drug is:
   a. Dispensed in a prepackaged container or in a light resistant container with a consumer safety cap; and
   b. Labeled with the following information:
      i. The podiatrist’s name, address, and telephone number;
      ii. The date the drug is dispensed;
iii. The patient’s name; and
iv. The name, strength of the drug, and directions for the drug’s use;

6. Ensure that the original prescription order for a drug is countersigned and dated by the individual who prepared the drug for dispensing;

7. Before a drug or device is dispensed to a patient:
   a. Review the drug or device to ensure compliance with the prescription order;
   b. Ensure the patient is informed of the following:
      i. The name of the drug or device,
      ii. Directions for taking the drug or using the device,
      iii. Precautions for the drug or device, and
      iv. Directions for storing the drug or device;

8. Document in the medical record the following for each patient:
   a. Name of the drug or device dispensed,
   b. Strength of the drug dispensed,
   c. Date the drug or device is dispensed, and
   d. Therapeutic reasons for dispensing the drug or device;

9. Maintain an inventory record for each drug that contains:
   a. Name of the drug,
   b. Strength of the drug,
   c. Date the drug was received by the podiatrist,
   d. Amount of the drug received by the podiatrist,
   e. Name of the manufacturer and distributor of the drug, and
   f. A unique identifying number provided by the manufacturer or distributor of the drug;

10. Store a drug in a locked cabinet or room and:
    a. Establish a written policy for access to the locked cabinet or room, and
    b. Make the written policy available to the Board or its authorized agent within 72 hours of a Board request;

11. Ensure that a drug is stored at temperatures recommended by the manufacturer of the drug; and

12. Maintain a dispensing log, separate from the inventory record for each drug dispensed that includes:
    a. Name of the drug,
    b. Strength of the drug,
    c. Amount of the drug,
    d. Patient’s name,
    e. Date the drug was dispensed, and
    f. The name and signature of the podiatrist who dispensed the drug.

R4-25-604. Recordkeeping and Reporting Shortages
A. A prescription order written by a podiatrist for a drug shall:
   1. Contain the:
      a. Name of the patient,
      b. Date the prescription order is written, and
      c. Name and signature of the podiatrist;
   2. Be numbered consecutively; and
   3. Be maintained separately from a medical record.

B. A podiatrist shall maintain an invoice of a drug purchased from a manufacturer or distributor for three years from the date purchased.

C. A podiatrist shall maintain the inventory record in R4-25-603(9) and the dispensing log in R4-25-603(12) for seven years from the date of entry.

D. A podiatrist who discovers that a drug identified in the podiatrist’s inventory record cannot be accounted for shall:
   1. Within 48 hours of discovery or the next business day if a weekend or holiday, whichever is later, notify the appropriate law enforcement agency and the federal Drug Enforcement Administration; and
   2. Provide written notification to the Board within seven days from the date of the discovery, including the name of the law enforcement agency notified.

E. A podiatrist shall report controlled substances dispensing as required per A.R.S. § 36-2608.
NOTICE OF PROPOSED RULEMAKING
TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL

PREAMBLE

1. Article, Part, or Section Affected (as applicable)  
   Rulemaking Action  
   R18-2-327  
   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. §§ 49-104(A)(1) and (A)(10), 49-404(A) and (B)  
   Implementing statute: A.R.S. §§ 49-425(A), 49-426

3. Citations to all related notices published in the Arizona Administrative Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:  
   Notice of Rulemaking Docket Opening: 25 A.A.R. 1163, May 3, 2019

4. The agency's contact person who can answer questions about the rulemaking:  
   Name: Elias Toon  
   Address: Department of Environmental Quality  
   Air Quality Division, AQIP Section  
   1110 W. Washington Ave.  
   Phoenix, AZ 85007  
   Telephone: (602) 771-4665  
   Fax: (602) 771-2299  
   E-mail: Toon.Elias@azdeq.gov  
   Website: http://www.azdeq.gov/notices

5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:  
   Ozone Emission Statement Requirements  
   On June 4, 2018, EPA designated a portion of Yuma County “nonattainment” for the 2015 Ozone NAAQS, classifying the area as “marginal.” Under CAA § 182, states with areas designated nonattainment have two years from the effective date of the designation to submit emission inventory reporting regulations under CAA § 182(a)(3)(B). As such, ADEQ must amend A.A.C. R18-2-327 to require annual emissions statements for stationary sources located in ozone nonattainment areas that emit ozone precursors. Currently, A.A.C. R18-2-327 is deficient because it fails to require federally mandated emissions statements. In order to retain state primacy and avoid the promulgation of a Federal Implementation Plan (FIP), ADEQ must amend A.A.C. R18-2-327 to require all stationary sources located in ozone nonattainment areas that emit ozone precursors to submit annual emission statements to the Director.

   Summary  
   The Arizona Department of Environmental Quality (ADEQ) proposes to amend Arizona Administrative Code (A.A.C.) R18-2-327 Annual Emissions Inventory Questionnaire to include federal emission statement requirements for sources located in ozone nonattainment areas that emit ozone precursors. This amendment is necessary to bring Arizona’s ozone rules into compliance with federal law in order to avoid sanctions under the federal Clean Air Act (CAA).

   ADEQ also proposes to amend R18-2-327 to reduce a regulatory burden; the reporting frequency for Class II air quality permitted sources from annually to a minimum of once every three years, and at the discretion of the Director of ADEQ (Director).

   AEIQ Reporting Frequency  
   In addition, A.A.C. R18-2-327 prescribes the required procedures a source permitted under A.A.C. Title 18, Chapter 2, Article 3 must follow to submit an annual emission inventory questionnaire to ADEQ. ADEQ has identified regulatory amendments to A.A.C. R18-2-327 that would alleviate a burdensome regulatory reporting requirement for some Class II air quality permitted sources from annual to a minimum of once every three years and at the Director's discretion. ADEQ estimates these amendments will alleviate the reporting requirements for an average of 275 sources each year and will free up at least 100 hours of ADEQ staff time per year. At the same time, ADEQ will retain the ability to require Class II sources to submit reports at the Directors discretion.

   Section by Section Explanation of Proposed Rules:  
   R18-2-327  
   Amend reporting requirements for permitted air quality sources and promulgate emission statement requirements for sources located in ozone nonattainment areas.
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:
Not applicable

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 following discussion addresses each of the elements required for an economic, small business and consumer impact statement (EIS) under A.R.S. § 41-1055.

An identification of the rulemaking:
This EIS addresses a rulemaking designed to bring ADEQ’s emission reporting rules into conformance with federal requirements and reduce the reporting requirements of Class II air quality permitted sources.
ADEQ anticipates the economic impact of this rulemaking on businesses, consumers, and ADEQ to be beneficial due to the reduction in required annual emission inventory questionnaires. ADEQ anticipates the addition of federally required ozone emission statements will affect only a limited number of unpermitted sources. A more detailed analysis of these changes is addressed in section 5 of this notice of proposed rulemaking.

An identification of the persons who will be directly affected by, bear the costs of or directly benefit from the rulemaking:
The proposed changes affect permitted air quality sources statewide and stationary sources located in ozone nonattainment areas that emit ozone precursors. Some Class II air quality permitted sources will directly benefit from this rulemaking by reducing the reporting burden from annually to a minimum of once every three years, and as required by the Director. Stationary sources located in ozone nonattainment areas that emit ozone precursors will directly bear the costs of producing the new federal emission statement requirements.

A cost benefit analysis of the following:

(a) The probable costs and benefits to the implementing agency and other agencies directly affected by the implementation and enforcement of the rulemaking.
ADEQ will directly benefit from the changes in reporting frequency from Class II air quality permitted sources. ADEQ anticipates this proposed rulemaking will free up at least 100 hours of staff time per year by reducing the number of questionnaires the agency must review within a three-year period. ADEQ will bear the additional costs associated with reviewing the new federally required emission statements.

(b) The probable costs and benefits to a political subdivision of this state directly affected by the implementation and enforcement of the rulemaking.
ADEQ does not anticipate any economic impacts to political subdivisions of the state as a result of this proposed rulemaking.

(c) The probable costs and benefits to businesses directly affected by the rulemaking, including any anticipated effect on the revenues or payroll expenditures of employers who are subject to the rulemaking.
ADEQ anticipates some Class II permitted air quality sources will directly benefit from this rulemaking by reducing the number of emission inventory questionnaires required in a three-year period. ADEQ anticipates these amendments will reduce the reporting requirements and associated costs on approximately 275 sources.
ADEQ anticipates the costs associated with the new federal reporting requirements on Class II stationary sources located in ozone nonattainment areas that emit ozone precursors to be minimal. ADEQ estimates the new federally required emission statement requirements will require approximately two hours of administrative staff time per source per year. At this time, ADEQ has not identified any sources that would be subject to the new federally required emission statements.

A general description of the probable impact on private and public employment in businesses, agencies and political subdivisions of this state directly affected by the rulemaking.
ADEQ anticipates any additional costs imposed on businesses because of this rulemaking will be minimal as per the reasons described above. Accordingly, ADEQ anticipates minimal impact on private employment or on the employment of any political subdivision subject to the proposed amendments.

A statement of the probable impact of the rulemaking on small businesses.

(a) An identification of the small businesses subject to the rulemaking.
Under A.R.S. § 41-1001(21) “Small business” means a concern, including its affiliates, which is [1] independently owned and operated, which is [2] not dominant in its field and which [3] employs fewer than one hundred full-time employees or which had gross annual receipts of less than four million dollars in its last fiscal year.
Currently ADEQ does not have a method to determine which of the approximately 275 Class II air quality permitted sources meet the criteria of a small business. However, given that the proposed amendments to the reporting frequency for these sources is of a beneficial nature, ADEQ is confident that any of the sources that meet the criteria of a small business would benefit from removing this cumbersome reporting requirement. For stationary sources located in ozone nonattainment areas that emit ozone precursors, ADEQ has not identified any sources that meet the definition of a small business. Within the Yuma ozone nonattainment area,
ADEQ has identified two dry cleaners and one carpet manufacturer as potentially meeting the criteria of a small business that may be subject to the proposed emission statement requirements.

(b) The administrative and other costs required for compliance with the rulemaking.
ADEQ currently estimates the administrative cost to comply with the proposed emission statement requirements to be approximately two hours of administrative staff time per source per year. ADEQ does not anticipate any additional costs to be placed on small businesses as a result of this proposed rulemaking.

(c) A description of the methods that the agency may use to reduce the impact on small businesses.

(i) Establishing less costly compliance requirements in the rulemaking for small businesses.
ADEQ is committed to working closely with small businesses subject to this rulemaking to streamline the creation and submittal of required emissions statements. ADEQ has streamlined the process of submitting all questionnaires discussed in the rulemaking by giving participants the option to submit electronic or paper copies demonstrated in R18-2-327(A)(3). ADEQ also anticipates the provisions of this rulemaking will limit the amount of administrative staff time necessary to comply with the proposed amendments.

(ii) Establishing less costly schedules or less stringent deadlines for compliance in the rulemaking.
Due to federally mandated deadlines for emissions reporting, ADEQ is not able to establish less stringent deadlines for small businesses than those offered to all sources. ADEQ commits to working closely with small businesses subject to emission statement requirements to further mitigate any issues related to submission schedules and deadlines.

(iii) Exempting small businesses from any or all requirements of the rulemaking.
ADEQ has identified that under 42 U.S.C. 7511a(a)(3)(B)(ii) the agency may waive the application of federally required emission statement requirements to any class or category of stationary sources which emit less than 25 tons per year of ozone precursors contingent on the agency meeting other inventory submission requirements. ADEQ anticipates this will serve to exempt any small business that emits fewer than 25 tons per year of ozone precursors from being subject to the new federal emission statement requirements.

(d) The probable cost and benefit to private persons and consumers who are directly affected by the rulemaking.
Not applicable

A statement of the probable effect on state revenues.
Not applicable

A description of any less intrusive or less costly alternative methods of achieving the purpose of the rulemaking.
ADEQ was unable to identify any less intrusive or less costly alternative methods of achieving the proposed amendments to A.A.C. R18-2-327.

9. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:
Name: Elias Toon
Address: Department of Environmental Quality
         Air Quality Division, AQIP Section
         1110 W. Washington Ave.
         Phoenix, AZ 85007
Telephone: (602) 771-4665
Fax: (602) 771-2299
E-mail: Toon.Elias@azdeq.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:
All comments submitted during the public review period of April 3, 2020 through May 11, 2020 may be mailed, copied or faxed to:
   Elias Toon, Air Quality Division
   Arizona Department of Environmental Quality
   1110 W. Washington St., Phoenix, AZ 85007
   Fax (602) 771-2299; email Toon.Elias@azdeq.gov.
   The public hearing for the rules will be conducted on: May 11, 2020 at 3:30 p.m.
   Arizona Department of Environmental Quality
   1110 W. Washington St., Room 3175
   Phoenix, AZ 85007

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:
   There are no matters prescribed by statute applicable specifically to ADEQ or this specific rulemaking.
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 require a permit nor do the proposed amendments add such a requirement.

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: This proposed rule amendment will help Arizona comply with federal Clean Air Act, Title I, Part D. This rulemaking is no more stringent than that which is required by 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 to ADEQ.

12. A list of any incorporated by reference material as specified in A.R.S. §41-1028 and its location in the rules: There are no incorporations by reference added to the rules in this action.

13. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY
CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY
AIR POLLUTION CONTROL

ARTICLE 2. AMBIENT AIR QUALITY STANDARDS; AREA DESIGNATIONS; CLASSIFICATIONS

Section
R18-2-327. Annual Emissions Inventory Questionnaire and Emissions Statement

ARTICLE 2. AMBIENT AIR QUALITY STANDARDS; AREA DESIGNATIONS; CLASSIFICATIONS

R18-2-327. Annual Emissions Inventory Questionnaire and Emissions Statement

A. Emissions Inventory Questionnaire Requirements

1. Every source subject to permit requirements under this Chapter shall complete and submit to the Director an annual emissions inventory questionnaire as follows: The questionnaire is due by March 31 or 90 days after the Director makes the inventory form available, whichever occurs later, and shall include emission information for the previous calendar year.

a. Sources Requiring a Class I Permit under R18-2-302(B): Sources requiring a Class I permit under R18-2-302(B) shall complete and submit to the Director an emissions inventory questionnaire no later than June 1 of each year.

b. Sources Requiring a Class II Permit under R18-2-302(B):
   i. Sources requiring a Class II permit under R18-2-302(B) shall complete and submit to the Director an emissions inventory questionnaire no later than June 1 every three (3) years beginning June 1, 2021.
   ii. At the Director’s request, sources requiring a Class II permit under R18-2-302(B) may be required to complete and submit emissions inventory questionnaires in addition to the triennial emissions inventory questionnaire required under subsection (A)(1)(b)(i). The Director shall notify the owner or operator of the source in writing of the decision to require additional emissions inventory questionnaires.

2. These requirements apply whether or not a permit has been issued and whether or not a permit application has been filed.

b.3. The emissions inventory questionnaire shall be on an electronic or paper form provided by the Director and shall include the following information for the previous calendar year:

a. The source’s name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.

b. Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.

c. The actual quantity of emissions from permitted emission points and fugitive emissions as provided in the permit, including documentation of the method of measurement, calculation, or estimation, determined pursuant to subsection (C), of the following regulated air pollutants:
   i. Any single regulated air pollutant in a quantity greater than 1 ton or the amount listed for the pollutant in the definition of “significant” in R18-2-101(131)(a) or (b), whichever is less.
   ii. Any combination of regulated air pollutants in a quantity greater than 2 1/2 tons.

d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

4. An amendment to an emissions inventory questionnaire, containing the documentation required by subsection (A)(3), shall be submitted to the Director by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Director by a previous emissions inventory questionnaire. The amendment shall be submitted to the Director within 30 days of discovery or receipt of notice. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Director shall require that additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.

5. The Director may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§ 49-422, 49-424, and 49-426.03 through 49-426.08.
Emissions Statement Requirements

1. Any stationary source located in an ozone nonattainment area that has actual emissions of 25 tons or more of nitrogen oxides (NOx) or volatile organic compounds (VOCs) during the calendar year shall complete and submit to the Director an emissions statement no later than June 1 of the following year, except as provided in subsection (B)(5).

2. The emissions statement shall be on an electronic or paper form provided by the Director and shall require the following information for the previous calendar year:
   a. The source’s name, description, mailing address, contact person and contact person phone number, and physical address and location, if different than the mailing address.
   b. Process information for the source, including design capacity, throughput, operations schedule, and emissions control devices, their description and efficiencies.
   c. Actual emissions of NOx and VOC including documentation of the method of measurement, calculation, or estimation, determined pursuant to subsection (C).
   d. A certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

3. If either NOx or VOC annual emissions are greater than or equal to 25 tons, the other pollutant shall be included in the emissions statement even if less than 25 tons.

4. An amendment to an emissions statement, containing the documentation required by subsection (B)(2), shall be submitted to the Director by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Director by a previous emissions statement. The amendment shall be submitted to the Director within 30 days of discovery or receipt of notice. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was not due to willful neglect.

5. A source that submits an emissions inventory questionnaire under subsection (A) is exempt from subsection (B) requirements for that submission year.

Emissions Estimation Methodology

1. Actual quantities of emissions shall be determined using the following emission factors or data.
   a. Whenever available, emissions estimates shall either be calculated from continuous emissions monitors certified pursuant to 40 CFR 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR 60.
   b. When sufficient data pursuant to subsection (C)(1)(a) is not available, emissions estimates shall be calculated from data from source performance tests conducted pursuant to R18-2-312 in the calendar year being reported or, when not available, conducted in the most recent calendar year representing the operating conditions of the year being reported.
   c. When sufficient data pursuant to subsection (C)(1)(a) or (2)(b) is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 “Compilation of Air Pollutant Emission Factors,” Volume I: Stationary Point and Area Sources, Fifth Edition, 1995, U.S. Environmental Protection Agency, Research Triangle Park, NC, including Supplements A through F and all updates published through July 1, 2011 (and no future editions). AP-42 is incorporated by reference and is on file with the Department of Environmental Quality and can be obtained from the Government Printing Office, 732 North Capitol Street, NW, Washington, D.C. 20401, telephone (202) 512-1800, or by downloading the document from the web site for the EPA Clearinghouse for Emission Inventories and Emission Factors.
   d. When sufficient data pursuant to subsections (C)(1)(a) through (C)(1)(c) is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
   e. When sufficient data pursuant to subsections (C)(1)(a) through (C)(1)(d) is not available, emissions estimates shall be calculated by equivalent methods approved by the Director. The Director shall only approve methods that are demonstrated as accurate and reliable as one of the methods in subsections (C)(1)(a) through (C)(1)(d).
   f. Actual quantities of emissions calculated under subsection (C) shall be determined on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

2. An amendment to an annual emission inventory questionnaire, containing the documentation required by subsection (B)(2), shall be submitted to the Director by any source whenever it discovers or receives notice, within two years of the original submittal, that incorrect or insufficient information was submitted to the Director by a previous questionnaire. If the incorrect or insufficient information resulted in an incorrect annual emissions fee, the Director shall require that additional payment be made or shall apply an amount as a credit to a future annual emissions fee. The submittal of an amendment under this subsection shall not subject the owner or operator to an enforcement action or a civil or criminal penalty if the original submittal of incorrect or insufficient information was due to reasonable cause and not willful neglect.

3. The Director may require submittal of supplemental emissions inventory questionnaires for air contaminants pursuant to A.R.S. §§ 49-422, 49-424, and 49-426.03 through 49-426.08.
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.

1. Title and its heading: 4, Professions and Occupations
   Chapter and its heading: 25, Board of Podiatry Examiners
   Article and its heading: 1, General Provisions
   2, Examination
   3, Licenses
   5, Continuing Education
   6, Dispensing Drugs and Devices
   Section numbers: R4-25-101 through R4-25-104, R4-25-201, R4-25-203, R4-25-301, R4-25-302, R4-25-501, R4-25-502, R4-25-603, R4-25-604, Table 1, (Articles and Sections may be added, modified, or deleted as necessary.)

2. The subject matter of the proposed rule:
The proposed rules address changes resulting from Laws 2018 and 2019, Chapter 1. This rulemaking will add or update language and terminology used in the rules to improve consistency and clarity as well as conform to statutes amended in the 2018 and 2019 legislative session. The proposed rules also allows licensees to obtain all of the required continuing medical education via electronic means. Anticipated changes include:
   A. Adding new or amending existing definitions for further clarification.
   B. Removing of language concerning internship and training to reflect new State statute passed by the Legislature.
   C. Amending language regarding examination to reflect new State statute.
   D. Removing language concerning written and oral podiatry examination, updating alphanumeric characters and outdated provisional license to reflect regular podiatry license.
   E. Repeal of examination of applicants to reflect the current State statute and update the language referencing national board written examinations.
   F. Repeal all language regarding oral examination procedures to be consistent with State statute.
   G. Removing references to written or oral examination dates and include a course of study requirement by adding a new section for study of at least three hours of Continuing Education (“CE”) to be obtained in the area of opioid-related substance use, disorder-related or addiction-related CE, each renewal cycle through a recognized or approved course or courses.
   H. Removing all language that references oral examination and transcripts.
   I. Adding new language for a licensee or licensees authorized to prescribe schedule II controlled substances with a valid DEA Registration of three hours of the 25 continuing education hours to reflect the new law regarding opioids.
   J. Adding new language for opioid-related course that is approved by the Arizona State Board of Podiatry Examiners, Arizona State Board of Pharmacy, Arizona Board of Osteopathic Examiners, Arizona Medical Board or the Arizona State Board of Nursing is approved by the board.
   K. Adding new language regarding not dispensing schedule II controlled substances that are opioids and updating numeric characters.
   L. Adding reporting requirement of controlled substances dispensing as required by A.R.S. § 36-2608.
   M. Adding new language to remove the requirement of in-person continuing medical education.
   N. Adding new language to create a fee for temporary application and licensure as required by A.R.S. § 32-3124.

3. A citation to all published notices relating to the proceeding:
   Notice of Proposed Rulemaking: 26 A.A.R. 645, April 10, 2020 (in this issue)
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
   
   Name: Heather Broaddus  
   Address: Board of Podiatry Examiners  
   1740 W. Adams St., Suite 3004  
   Phoenix, AZ 85007  
   Telephone: (602) 542-8151  
   E-mail: heather.broaddus@podiatry.az.gov

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
   
   Written comments: 8:00 a.m. to 5:00 p.m., Monday through Friday  
   Address: Board of Podiatry Examiners  
   1740 W. Adams St., Suite 3004  
   Phoenix, AZ 85007  
   Oral comments: 8:00 a.m. to 5:00 p.m., Monday through Friday  
   Address: Board of Podiatry Examiners  
   1740 W. Adams St., Suite 3004  
   Phoenix, AZ 85007  
   Telephone: (602) 542-8151

6. **A timetable for agency decisions or other action on the proceeding, if known:**
   
   See Notice of Proposed Rulemaking on page 645 of this issue.

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**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF HEALTH SERVICES**

**VITAL RECORDS AND STATISTICS**

[R20-53]

1. **Title and its heading:** 9, Health Services  
   **Chapter and its heading:** 19, Department of Health Services - Vital Records and Statistics  
   **Articles and their headings:**  
   1. Administration  
   2. Vital Records for Birth  
   3. Vital Records for Death  

2. **The subject matter of the proposed rules:**
   Arizona Revised Statutes (A.R.S.) § 36-136(I)(3) requires the Arizona Department of Health Services (Department) to define and prescribe reasonably necessary procedures for the use and accessibility of the different types of birth and death certificates and the completion, change, and amendment of vital records. A.R.S. Title 9, Chapter 3, specifies requirements for vital records and public health statistics, including birth and death registration and certificates. The Department has adopted rules for vital records and statistics in Arizona Administrative Code (A.A.C.) Title 9, Chapter 19. These rules are inconsistent with A.R.S. § 36-324(A), as amended by Laws 2019, Ch. 172, because the rules do not include the designee of a funeral director as being eligible to request or receive a certified copy of a deceased individual’s certificate of death registration. The rules also need to be revised to clarify the rules and address issues identified in a five-year-review report approved by the Governor’s Regulatory Review Council on November 5, 2019. After receiving an exception from the rulemaking moratorium pursuant to Executive Order 2020-02, the Department is revising the rules in 9 A.A.C. 19 by expedited rulemaking to improve the rules related to vital records and statistics to reduce a regulatory burden while achieving the same regulatory objective, comply with statutory requirements, and help eliminate confusion on the part of those affected by the rules. (The Department may add, delete, or modify other Sections, as necessary.)

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

4. **The name and address of agency personnel with whom persons may communicate regarding the rules:**
   
   Name: Krystal Colburn, Bureau Chief  
   Address: Arizona Department of Health Services  
   Division of Public Health Licensing Services  
   Bureau of Vital Records  
   1818 W. Adams Street  
   Phoenix, AZ 85007  
   Telephone: (602) 364-1225  
   Fax: (602) 364-1257  
   E-mail: Krystal.Colburn@azdhs.gov  
   or  
   Name: Stephanie Elzenga, Acting Chief
Address: Arizona Department of Health Services
Office of Administrative Counsel and Rules
150 N, 18th Avenue, Suite 200
Phoenix, AZ 85007
Telephone: (602) 542-1020
Fax: (602) 364-1150
E-mail: Stephanie.Elzenga@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:
   Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. No oral proceedings have been scheduled at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:
   To be announced in the Notice of Proposed Expedited Rulemaking
NOTICE OF PUBLIC INFORMATION
DEPARTMENT OF ENVIRONMENTAL QUALITY
SAFE DRINKING WATER

1. Name of the Agency: Department of Environmental Quality
   Title and its heading: 18, Environmental Quality
   Chapter and its heading: 4, Department of Environmental Quality – Safe Drinking Water
   Article and its heading: 8, Technical Assistance
   Section and its heading: R18-4-803, Master Priority List

2. The public information relating to the listed statute:
   Due to the ongoing COVID-19 pandemic, the Arizona Department of Environmental Quality (ADEQ) will not hold an in-person public meeting to accept comments on the Master Priority List as previously published in the Arizona Administrative Register on April 3, 2020. In an effort to protect public health and safety and comply with recommended social distancing practices, ADEQ will accept comments through an on-line meeting. See information in #4 below. All necessary information can be accessed from the ADEQ website at http://www.azdeq.gov/public-notice-proposed-fiscal-year-2021-master-priority-list

3. The name and address of agency personnel with whom persons may communicate:
   Name: Linda Taunt, Capacity Development Coordinator
   Address: Department of Environmental Quality
   1110 W. Washington St.
   Phoenix, AZ 85007
   Email: taunt.linda@azdeq.gov
   Telephone: (602) 771-4416 (in Arizona: 1-800-234-5677; 771-4416)

4. The agency will accept written comments and oral comments as follows:
   The Department will accept written comments on the Draft FY21 MPL until close of business on May 4, 2020. Address comments to the individual named in #3 above.
   Oral comments will be taken via an online meeting:
   Date: May 4, 2020
   Time: 9:30 a.m.
   Join online | Join Google Meeting
   Call in: 1-518-323-9850
   Access code (PIN): 880 491 533#
NOTICE OF SUBSTANTIVE POLICY STATEMENT

REAL ESTATE DEPARTMENT

1. **Subject of the substantive policy statement and the substantive policy statement number by which the policy statement is referenced:**
   Requirements for Teams: No. 2020.01

2. **Date the substantive policy statement was issued and the effective date of the policy statement if different from the issuance date:**
   Effective: March 11, 2020

3. **Summary if the contents of the substantive policy statement:**
   This Substantive Policy Statement is intended to clarify to the real estate industry the relevant statutes and rules that govern real estate licensees, and are applicable to real estate “Teams”. Although not officially recognized entities in Arizona real estate law, Teams are impacted through statutes and rules that address activities within a real estate brokerage.

4. **A statement as to whether the substantive policy statement is a new statement or a revision:**
   This is a new policy statement.

5. **The name and address of the person to whom questions and comments about the substantive policy statement may be directed:**
   Name: Louis Dettorre  
   Address: State Real Estate Department  
   100 N. 15th Ave., Suite 201  
   Phoenix, AZ 85007  
   Telephone: (602) 771-7760  
   Fax: (602) 771-7023  
   E-mail: ldettorre@azre.gov

6. **Information about where a person may obtain a copy of the substantive policy statement and the costs for obtaining the policy statement:**
   Copies of this policy statement may be obtained at no cost via e-mail to the person listed above, or on the Department web site: www.azre.gov requested through the Message Center. Hard copies may be obtained by contacting the person listed above for $0.25 per page.
Executive Order 2020-02 is being reproduced in each issue of the Administrative Register as a notice to the public regarding state agencies’ rulemaking activities.

GOVERNOR EXECUTIVE ORDER

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, 2018 and 2019; and
WHEREAS, the State of Arizona eliminated or improved 637 burdensome regulations in 2019 and a total of 2,289 needless regulations have been eliminated or improved since 2015; and
WHEREAS, estimates show these eliminations saved job creators $53.9 million in operating costs in 2019 and a total of over $134.3 million in savings since 2015; and
WHEREAS, in 2019, for every one new necessary rule added to the Administrative Code, five have been repealed or improved; and
WHEREAS, approximately 354,000 private sector jobs have been added to Arizona since January 2015; and
WHEREAS, all government agencies of the State of Arizona should continue to promote customer-service-oriented principles for the people that it serves; and
WHEREAS, each State agency shall continue 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 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 that submits a rulemaking request pursuant to this Order shall recommend for consideration by the Office of the Governor at least three existing rules to eliminate for every one additional rule requested by the agency.
3. A State agency that submits a rulemaking exemption request pursuant to this Order shall include with their request an analysis of how small businesses may be impacted by any newly proposed rules or rule modifications.

4. 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 the Arizona Revised Statutes or Arizona Administrative Code. Any material that is not specifically authorized must be removed immediately.

5. A State agency that issues occupational or professional licenses shall prominently post on the agency’s website landing page all current state policies that ease licensing burdens and the exact steps applicants must complete to receive their license using these policies. State agencies should provide information that applies to all applicants, but have a designated area on such landing page that includes licensing information specifically for military spouses, active duty service members and veterans and all policies that make it easier for these applicant groups to receive their license. Examples of reduced licensing burdens include universal recognition of out-of-state licenses, availability of temporary licenses, fee waivers, exam exemptions and/or allowing an applicant to substitute military education or experience for licensing requirements. A landing page feature may link to an internal agency web page with more information, if necessary. All information must be easy to locate and written in clear and concise language.

6. All state agencies that are required to issue occupational or professional licenses by universal recognition (established by section 32-4302, Arizona Revised Statutes) must track all applications received for this license type. Before any agency denies a professional or occupational license applied for under section 32-4302, Arizona Revised Statutes, the agency shall submit the application and justification for denial to the Office of the Governor for review before any official action is taken by the agency. The Office of the Governor should be notified of any required timeframes, whether in statute or rule, for approval or denial of the license by the agency.

7. For the purposes of this Order, the term “State agencies” includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.

8. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule” and “rulemaking” have the same meanings prescribed in 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 13th day of January in the Year Two Thousand and Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Fourth.

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
- **PS#** = Proposed Summary renumbered Section

#### FINAL SUMMARY
- **FSMN** = Final Summary new Section
- **FSMM** = Final Summary amended Section
- **FSMR** = Final Summary repealed Section
- **FS#** = 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
- **PX#** = Proposed Exempt renumbered Section

#### SUPPLEMENTAL EXEMPT PROPOSED
- **SPXN** = Supplemental Proposed Exempt new Section
- **SPXR** = Supplemental Proposed Exempt repealed 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 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 14 OF VOLUME 26.**

### Agriculture, Department of - Pest Management Division
- R3-8-103. PEM-379

### Accountancy, Board of
- R4-1-101. FM-339
- R4-1-104. FM-339
- R4-1-115.03. FM-339
- R4-1-226.01. FM-339
- R4-1-228. FR-339; FN-339
- R4-1-229. FM-339
- R4-1-341. FM-339
- R4-1-344. FM-339
- R4-1-345. FM-339
- R4-1-346. FM-339
- R4-1-453. FM-339
- R4-1-454. FM-339
- R4-1-455. FM-339
- R4-1-455.01. FM-339
- R4-1-456. FM-339

### Arizona Health Care Cost Containment System - Grievance System
- R9-34-101. FM-548

### Child Safety, Department of - Permanency and Support Services
- R21-5-201. FM-241
- R21-5-205. FM-241

### Clean Elections Commission, Citizens
- R2-20-104. TM-114
- R2-20-113. FM-335
- R2-20-209. FM-111; FM-542
- R2-20-701. PM-101
- R2-20-702. FM-309
- R2-20-702.01. PM-102
- R2-20-703.01. PM-104
- R2-20-704. FM-337

### Corporation Commission - Fixed Utilities
- R6-6-401. P#:5; PN-5

### Corporation Commission - Transportation
- R14-5-202. PM-11
- R14-5-204. PM-11

### Dispensing Opticians, Board of
- R4-20-120. FM-202

### Economic Security, Department of - Child Support Enforcement
- R6-7-103. FM-15

### Economic Security, Department of - Developmental Disabilities
- R6-4-401. P#:5; PN-5

### Education, State Board of

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**2020 Arizona Administrative Register**

**Volume 26 Page Guide**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1-44</td>
<td>45-96</td>
<td>97-124</td>
</tr>
<tr>
<td>125-182</td>
<td>183-218</td>
<td>219-258</td>
</tr>
<tr>
<td>259-304</td>
<td>305-330</td>
<td>331-366</td>
</tr>
<tr>
<td>Issue 10, March 6, 2020</td>
<td>Issue 11, March 13, 2020</td>
<td>Issue 12, March 20, 2020</td>
</tr>
<tr>
<td>367-396</td>
<td>397-468</td>
<td>469-524</td>
</tr>
<tr>
<td>Issue 13, March 27, 2020</td>
<td>Issue 14, April 3, 2020</td>
<td>Issue 15, May 1, 2020</td>
</tr>
<tr>
<td>525-584</td>
<td>585-640</td>
<td>641-704</td>
</tr>
</tbody>
</table>
Indexes

April 10, 2020 | Published by the Arizona Secretary of State | Vol. 26, Issue 15
Indexes

[Various entries and titles related to different Arizona state agencies and their rules, regulations, and notices.]

OTHER NOTICES AND PUBLIC RECORDS INDEX

Other legal notices required to be published under the Administrative Procedure Act, such as Rulemaking Docket Openings, are included in this Index by volume page number. Notices of Agency Ombudsman, Substantive Policy Statements, Proposed Delegation Agreements, and other applicable public records as required by law are also listed in this Index by volume page number.

THIS INDEX INCLUDES OTHER NOTICE ACTIVITY THROUGH ISSUE 14 OF VOLUME 26.

Agency Ombudsman, Notices of
Child Safety, Department of; p. 384
Chiropractic Examiners, Board of; p. 173
Dental Examiners, Board of; p. 384
First Things First/Early Childhood Development and Health Board; p. 456
Osteopathic Examiners in Medicine and Surgery, Board of; p. 21
Public Safety, Department of; p. 21

Docket Opening, Notices of Rulemaking
Agriculture, Department of - Pest Management Division; 3 A.A.C. 8; p. 383
Clean Elections Commission, Citizens; 2 A.A.C. 20; pp. 115-116
Corporation Commission - Transportation; 14 A.A.C. 5; p. 19
Economic Security, Department of - Developmental Disabilities; 6 A.A.C. 6; p. 17
Environmental Quality, Department of - Hazardous Waste Management; 18 A.A.C. 8; p. 318
Health Services, Department of - Administration; 9 A.A.C. 1; pp. 206-207
Health Services, Department of - Communicable Diseases and Infestations; 9 A.A.C. 6; p. 291
Health Services, Department of - Food, Recreational, and Institutional Sanitation; 9 A.A.C. 8; p. 356
Health Services, Department of - Health Care Institution Facility Data; 9 A.A.C. 11; p. 569
Health Services, Department of -
Health Care Institutions: Licensing; 9 A.A.C. 10; p. 317
Health Services, Department of -
Occupational Licensing; 9 A.A.C. 16; pp. 626-627
Health Services, Department of -
Radiation Control; 9 A.A.C. 7; pp. 355-356
Manufactured Housing, Board of; 4 A.A.C. 34; p. 568
Nursing Care Institution Administrators and Assisted Living Facility Managers, Board of Examiners of; 4 A.A.C. 33; p. 17
Psychologist Examiners, Board of; 4 A.A.C. 26; pp. 205-206
Public Safety, Department of - Tow Trucks; 13 A.A.C. 3; p. 18
Public Safety, Department of -
School Buses; 13 A.A.C. 13; p. 569

Governor’s Office
Executive Order 2019-01: pp. 23-24
Executive Order 2020-02: pp. 174-175
Governor’s Regulatory Review Council
Notices of Action Taken at Monthly Meetings: pp. 217, 257-258, 302-303, 581-582

Public Information, Notices of
Environmental Quality, Department of; pp. 628-629
Health Services, Department of; pp. 246-247

Substantive Policy Statement,
Notices of
Contractors, Registrar of; p. 319
Finance Authority, Water Infrastructure; pp. 319-321
Land Department, State; pp. 512-513
State Lottery, Arizona; p. 117
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.

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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.

<table>
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<th>Deadline Date (paper only)</th>
<th>Register Publication Date</th>
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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 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)

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<th>FINAL MATERIALS SUBMITTED TO COUNCIL</th>
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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.