



# Arizona Administrative REGISTER

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# From the Publisher

## ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for rulemaking activity in the state of Arizona.

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

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

In addition, the *Register* contains notices of rules terminated by the agency and rules that have expired.

## ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number).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

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

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

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

The authenticated pdf of *Code* chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

## LEGAL CITATIONS AND FILING NUMBERS

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

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

# Arizona Administrative REGISTER

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**ADMINISTRATIVE REGISTER**  
This publication is available online for free at [www.azsos.gov](http://www.azsos.gov).

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

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

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# Participate in the Process

## Look for the Agency Notice

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

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

## Attend a public hearing/meeting

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

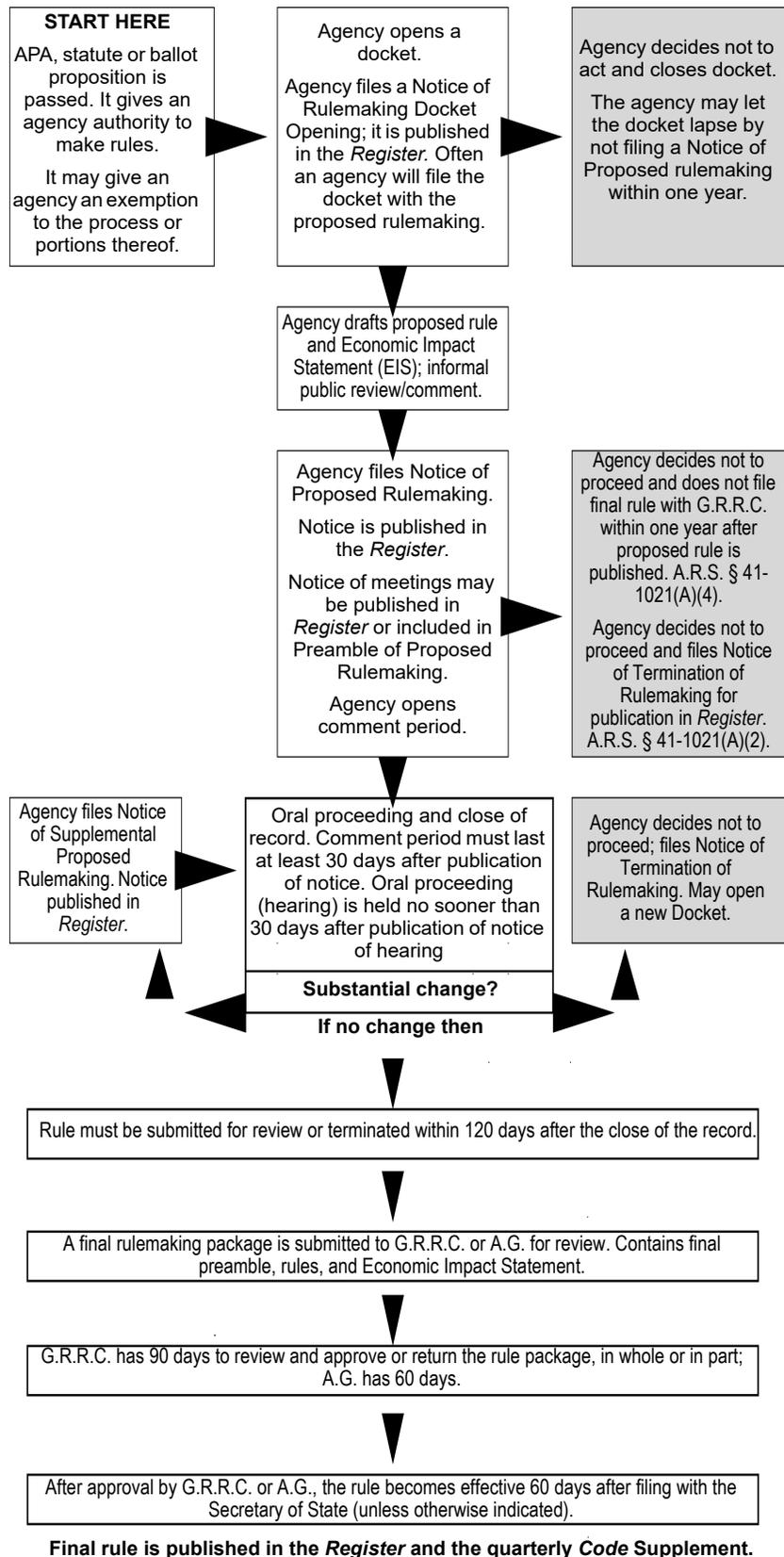
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

## Write the agency

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

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

# Arizona Regular Rulemaking Process



## Definitions

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## Acronyms

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

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

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

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

FR – *Federal Register*

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

U.S.C. – *United States Code*

## About Preambles

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

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

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



**NOTICES OF FINAL RULEMAKING**

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

The final published notice includes a preamble and

text of the rules as filed by the agency. Economic Impact Statements are not published.

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

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

[R20-150]

**PREAMBLE**

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

R6-6-401	Re-number
R6-6-401	New Section
R6-6-402	Re-number
R6-6-402	Amend
R6-6-403	Repeal
R6-6-403	Re-number
R6-6-404	Amend
R6-6-405	Re-number
R6-6-405	Amend
  
2. **Citations to the agency’s statutory rulemaking authority to include the both authorizing statute (general) and the implementing statute (specific):**  
 Authorizing statute: A.R.S. §§ 36-554(C)(6) and 41-1954(A)(3)  
 Implementing statute: A.R.S. §§ 36-552, 36-554, and 41-1954(A)(1)(h)
  
3. **The effective date of the rule:**  
 October 20, 2020
  - a. **If the agency selected a date earlier than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the earlier date and state the reason or reasons the agency selected the earlier effective date as provided in A.R.S. § 41-1032(A)(1) through (5):**  
 Not applicable
  
  - b. **If the agency selected a date later than the 60 day effective date as specified in A.R.S. § 41-1032(A), include the later date and state the reason or reasons the agency selected the later effective date as provided in A.R.S. § 41-1032(B):**  
 Not applicable
  
4. **Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**  
 Notice of Rulemaking Docket Opening: 26 A.A.R. 17, January 3, 2020  
 Notice of Proposed Rulemaking: 26 A.A.R. 5, January 3, 2020
  
5. **The agency’s contact person who can answer questions about the rulemaking:**  
 Name: Christian J. Eide  
 Address: Department of Economic Security  
 P.O. Box 6123, Mail Drop 1292  
 Phoenix, AZ 85005  
 or  
 Department of Economic Security  
 1789 W. Jefferson, Mail Drop 1292  
 Phoenix, AZ 85007  
 Telephone: (602) 542-9199  
 Fax: (602) 542-6000  
 E-mail: ceide@azdes.gov



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

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

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

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

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

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

Not applicable

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

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

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

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

R6-6-402(C)(f) - The semicolon at the end of the sentence was marked for deletion, new text “and” was removed, and a period was added to mark the end of the sentence.

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

The Department received no comments on this rulemaking.

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

No other matters are prescribed.

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

This rule does not require a permit.

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

There are no federal laws applicable to this rulemaking.

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

No analysis was submitted.

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

None

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

Not applicable

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



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

**ARTICLE 4. APPLICATION**

Section

R6-6-401. Definitions

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

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

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

R6-6-404. Eligibility under ALTCS

**ARTICLE 4. APPLICATION**

**R6-6-401. Definitions**

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

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

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

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

~~2.1. File with the Division a written Complete, sign, and submit an application on a the form prescribed by and available from or by the method provided by the Division at no charge;~~

~~4.2. Participate in a face-to-face interview with a designated Department employee, if requested by the Division or the applicant; and~~

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

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

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

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

~~a. Name, address, and telephone number;~~

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

~~e. Monthly income;~~

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

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

~~f.c. Information documenting showing the existence of a developmental disability, including professional assessments and evaluations, as required in A.R.S. § 36-559(A)(2) and Article 3 of this Chapter; and~~

~~g.f. A description of any other disabling conditions or special considerations;~~

~~h. If under 18 years of age, total number of persons in the household;~~

~~i. Identification of any adults who regularly live in the home by name, date of birth, and relationship to the person to receive services;~~

~~j. Identification of natural parents, regardless of whether living in the home, by name, social security number, and business and home telephone numbers; and~~

~~k. Identification of two adult persons living outside the home who are familiar with the person to receive services, by name, address, relationship to the person to receive services, and business and home telephone numbers; and~~

~~2. With respect to the responsible person, if other than the person to whom services would be provided:~~

~~a. Name, business and home addresses address, business and home telephone numbers and social security number; and~~

~~b. Relationship to person to whom services would be provided; and~~

~~e.D. If guardianship or conservatorship has been established, the applicant shall provide a copy of the court order with shall accompany the application;~~

~~C. The applicant shall provide a description of programs and services requested.~~

~~D. The applicant shall provide information regarding prior applications for admissions to Division services or services received.~~

~~E. The applicant shall provide documentation of application information as defined in R6-6-405.~~

~~F.E. The Division shall not consider an incomplete application.~~

~~1. If the Division receives an application that is not complete, Within 10 calendar days of receipt of an incomplete application, the Division shall send written notification of deficiencies to the applicant notify the applicant of the information needed to complete the application and request the missing information.~~

~~2. If the applicant does not provide the specified information within 15 working days of receipt of notification of deficiencies, or cannot demonstrate a good faith effort to collect the information, the Division shall close the applicant’s file and send a letter denying admission.~~

~~F. If the applicant does not provide the requested information to the Division by the date specified in the notification under subsection (E), the Division may deny the application and close the file.~~

~~G. An applicant whose file has been closed, and who subsequently desires admission, shall submit a new application.~~

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



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

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

The applicant shall provide documentation of the following:

1. Lawful presence of the person to whom services are to be provided, as required by A.R.S. § 1-502.
- ~~1.~~ 2. Residency. An applicant shall:
  - a. ~~All applicants shall sign an affidavit stating current residency and intent to remain in Arizona. Verify current residency and intent to remain in Arizona by signing the application.~~
  - b. ~~An applicant shall show written proof of Arizona residency by providing one of the following types of documents: At the request of the Department, provide additional documentation demonstrating Arizona residency of the person to whom services would be provided.~~
    - i. ~~Rent or mortgage receipt, or lease in the applicant's name showing the residential address;~~
    - ii. ~~Non relative landlord statement indicating the applicant's name and address as well as the landlord's name and address and telephone, if available;~~
    - iii. ~~Applicant's Arizona driver's license;~~
    - iv. ~~Applicant's Arizona motor vehicle registration;~~
    - v. ~~Signed employment statement from applicant's non relative employer;~~
    - vi. ~~Utility bill in the applicant's name indicating the applicant's address;~~
    - vii. ~~Current phone directory showing applicant's name and address;~~
    - viii. ~~United States Post Office records which show the applicant's name and address;~~
    - ix. ~~A current city directory showing the applicant's name and address;~~
    - x. ~~Certified copy of a church membership or enrollment record which indicates the applicant's current name and address;~~  
or
    - xi. ~~Certified copy of a school record which indicates the applicant's current address; or~~
  - e. ~~If an applicant has made all reasonable efforts to obtain documented verification as described in subsection (1)(b) and has been unsuccessful, the affidavit signed by the applicant attesting to the applicant's present residence and intent to remain in Arizona shall be sufficient.~~
2. Age.
  - a. ~~An applicant shall provide proof of age of the person to receive services by the following:~~
    - i. ~~Alien documents;~~
    - ii. ~~Federal or state census records;~~
    - iii. ~~Hospital records of birth;~~
    - iv. ~~Copy of birth certificate;~~
    - v. ~~Military records;~~
    - vi. ~~Notification of birth registration;~~
    - vii. ~~Religious records showing age or date of birth;~~
    - viii. ~~Dated school records showing age or school records showing date of birth;~~
    - ix. ~~Affidavit signed by the licensed physician, licensed midwife or other health care professional who was in attendance at the time of the birth, attesting to the date of birth; or~~
    - x. ~~U.S. Passport.~~
  - b. ~~If an applicant has made all reasonable efforts to obtain documented verification as described in subsection (2)(a) and has been unsuccessful, an affidavit signed by the applicant shall be sufficient to verify age of person to receive services.~~
3. Health Insurance Coverage. An applicant shall provide information regarding current health insurance coverage which relates to for the individual for whom application is being made as provided in R6-6-1301 et seq person to whom services would be provided, as required in Article 13 of this Chapter.
4. Income. The Division shall require documentation of income as provided in R6-6-1201 et seq.

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

- ~~A.~~ The Division shall refer individuals with developmental disabilities who may be eligible for the Arizona Long-term Care System (ALTCS) to the Arizona Health Care Cost Containment System Administration (AHCCCS) to determine eligibility under ALTCS.
- ~~B.~~ The Division shall not provide services, other than emergency services as provided under R6-6-502, to an individual who has been referred for ALTCS eligibility determination until that determination has been completed.
- ~~C.~~ Applicants who voluntarily refuse to cooperate in the ALTCS eligibility process are not eligible for Division services pursuant to A.R.S. § 36-559.



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

[R20-155]

**PREAMBLE**

- 1. Article, Part, or Section Affected (as applicable)                      Rulemaking Action**
- |           |       |
|-----------|-------|
| R9-16-401 | Amend |
| R9-16-402 | Amend |
| R9-16-405 | Amend |
| R9-16-407 | Amend |
| Table 4.1 | Amend |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**  
 Authorizing statutes: A.R.S. §§ 36-136(A)(7) and 36-136(G)  
 Implementing statutes: A.R.S. § 36-136.01
- 3. The effective date of the rules:**  
 September 2, 2020
- The Arizona Department of Health Services (Department) requests an immediate effective date for the new rules under A.R.S. § 41-1032(A)(4) and (5). By prescribing measures necessary to provide standards for persons who are applicants required to pass a sanitarian examination prior to obtaining registration as an environmental health sanitarian in Arizona pursuant to 9 A.A.C. 16, Article 4. The amended rules are less burdensome than current rules; provide greater benefits to counties, applicants, the public, and the Department; and have no public impact on public health, safety, or environment and do not affect public involvement or public participation process.
- 4. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**  
 Notice of Rulemaking Docket Opening: 25 A.A.R. 3322, November 15, 2019  
 Notice of Proposed Rulemaking: 26 A.A.R. 1171, June 12, 2020
- 5. The agency's contact person who can answer questions about the rulemaking:**
- |            |  |
|------------|--|
| Name:      | Eric Thomas, Chief   |
| Address:   | Department of Health Services<br>Division of Public Health Services, Public Health Preparedness<br>Office of Environmental Health<br>150 N. 18th Ave., Suite 140<br>Phoenix, AZ 85007-3248 |
| Telephone: | (602) 364-3142   |
| Fax:       | (602) 364-3146   |
| E-mail:    | <a href="mailto:Eric.Thomas@azdhs.gov">Eric.Thomas@azdhs.gov</a>   |
|            | or   |
| Name:      | Robert Lane, Chief   |
| Address:   | Department of Health Services<br>Office of Administrative Counsel and Rules<br>150 N. 18th Ave., Suite 200<br>Phoenix, AZ 85007  |
| Telephone: | (602) 542-1020   |
| Fax:       | (602) 364-1150   |
| E-mail:    | <a href="mailto:Robert.Lane@azdhs.gov">Robert.Lane@azdhs.gov</a>   |
- 6. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:**  
 Arizona Revised Statutes (A.R.S.) § 36-136.01 requires the Department to establish a sanitarians council and establish rules for the registration of sanitarians. The current rules contain definitions; examination, registration, and renewal registration requirements; continuing education requirements; time-frames; registered sanitarian's responsibilities; and criteria for the denial, suspension, or revocation of a sanitarian registration. Additionally, the council is required to provide for the classification of sanitarians, including the examination of applicants for registration as sanitarians. As such, for licensure as an environmental health sanitarian, the Department contracted with the National Environmental Health Association ("NEHA") to provide applicants with a written examination prescribed in 9 A.A.C. 16, Article 4, Registration of Environmental Health Sanitarians. NEHA was incorporated in 1937 as a national professional society for environmental health practitioners used to establish a standard of excellence for its developing profession. Their standard, known as the Registered Environmental Health Specialist/Registered Sanitarian credential, is recognized by all states and many states use and accept the NEHA sanitarian examination for licensure. While under contract with NEHA until December 2019, the Department administered NEHA written-paper examinations four times each calendar year. In



mid-2018, NEHA informed the Department that NEHA would be transitioning away from written-paper examinations to only computer-based examinations. The last written-paper examination administered by the Department occurred in January 2020. The Department at this time has an agreement with NEHA for Arizona applicants to take the NEHA examination through a third party testing center. The Department plans to maintain a passing examination score of 630 rather than use the NEHA passing examination score of 650. The Department received an exception from the rulemaking moratorium established by Executive Order 2019-01 on September 5, 2019 and has amended the rules through this regular rulemaking to update rules to allow for transition to computer-based examination. The amended rules also add a definition for “testing center” and changes initial application administrative completeness review timeframe. The amended rules conform to the rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

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

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

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

Not applicable

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

As used in the 2020 Economic, Small Business, and Consumer Impact Statement, annual costs and benefits associated with the 9 A.A.C. 16, Article 4 rulemaking are designated as minimal when more than \$0 and less than \$1,000, moderate when between \$1,000 and \$10,000, and substantial when \$10,000 or greater. A cost or benefit is indicated as significant when meaningful or important and not readily subject to quantification. No new FTEs are required due to this rulemaking. The Department identifies affected persons as the Department, county health departments, applicants seeking licensure as a registered environmental health sanitarian, and the general public. The Department anticipates incurring a moderate cost for technical resources, rules analyst and program staff, to review and amend current rules; establish and maintain Article 4 rulemaking webpage; and organize and meet with stakeholders to ensure the Department is aware of their concerns and amend the draft rules when appropriate and expects to receive a moderate benefit for no longer administering the sanitarian examinations for approved applicants. The Department expects program staff, who had been administering the sanitarian examinations, to assume other program tasks-responsibilities. Additionally, the Department anticipates that counties may receive a benefit for employees seeking a registration as an environmental health sanitarian having more testing dates, times, and locations available rather than being limited to the Department’s sanitarian examination schedule that only offers the sanitarian examination four times a year. Likewise, the Department anticipates that applicant’s may receive a moderate benefit for also having more testing dates, times, and locations available. The Department does not expect the general public to incur any costs or receive benefits related to the rulemaking. The Department has determined that the benefits outweigh any potential costs associated with this rulemaking.

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

The Department made two changes to the rules between the proposed rulemaking and the final rulemaking. In R9-16-405(H), the Department corrected spacing between “organization” and “sanitarian...” The Department also corrected a typographic error in R9-16-407(F)(1)(ii); the Department changed “R9-16-405(J)” to “R9-16-405(I).”

**11. Agency’s summary of the public or stakeholder comments or objections made about the rulemaking and the agency response to the comments:**

During the formal 30-day public comment period, the Department did not receive any comments.

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

There are no other matters prescribed by statutes applicable specifically to the Department or this specific rulemaking.

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

A.R.S. § 36-136.01(B) provides that “A person shall not be employed as a sanitarian by the state or any political subdivision of the state unless that person is registered by the Department as a sanitarian of the class determined by the council to be appropriate for the performance of the functions of that person’s employment.” The Department believes the registration issued to an individual is a general permit in that the registration specifies the individual and the tasks/services the individual is authorized by registration to provide, however, a individual is not limited to providing tasks/services in any one location. The Department believes that under A.R.S. § 41-1037(A)(3) that a general permit is not applicable.

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

There are no federal rules applicable to the subject of the rule.

**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 comparing competitiveness was received by the Department.

**13. Incorporated by reference and their location in the rules:**

Not applicable



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

The rule was not previously made as an emergency rule.

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

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

**ARTICLE 4. REGISTRATION OF ENVIRONMENTAL HEALTH SANITARIANS**

Section	
R9-16-401.	Definitions
R9-16-402.	Eligibility and Responsibilities for a Registered Environmental Health Sanitarian
R9-16-405.	Application for Sanitarian Examination and Registration
R9-16-407.	Time-frames
Table 4.1.	Time-frames (in calendar days)

**ARTICLE 4. REGISTRATION OF ENVIRONMENTAL HEALTH SANITARIANS**

**R9-16-401. Definitions**

The following definitions apply in this Article, unless otherwise specified:

1. "Accredited" means that an educational institution is recognized by the U.S. Department of Education as providing standards necessary to meet acceptable levels of quality for its graduates to gain admission to other reputable institutions of higher learning or to achieve credentials for professional practice.
2. "Administrative completeness review time-frame" has the same meaning as in A.R.S. § 41-1072.
3. "Applicant" means an individual who submits an application packet or renewal application packet for registration as an environmental health sanitarian.
4. "Application packet" means the information, documents, and fees required by the Department to ~~apply for approval to:~~
  - a. ~~Determine eligibility to take take~~ a sanitarian examination, and
  - b. Be registered as an environmental health sanitarian.
5. "Calendar day" means each day, not including the day of the act, event, or default from which a designated period of time begins to run and including the last day of the period unless it is a Saturday, Sunday, statewide furlough day, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, statewide furlough day, or legal holiday.
6. "Continuing education" means a course that provides instruction and training that is designed to develop or improve a registered environmental health sanitarian's professional competence in disciplines directly related to the practice of a registered environmental health sanitarian.
7. "Continuing education hour" means 50 to 60 minutes of continuous course work.
8. "Course" means a workshop, seminar, lecture, conference, or other learning program activities as approved by the Department.
9. "Department" means the Arizona Department of Health Services established in A.R.S. § 36-104 and the Sanitarians Council established in A.R.S. § 36-136.01.
10. "Environmental health" means the science and practice of preventing human injury and illness and promoting well-being by identifying sources that produce potential hazardous physical, chemical, and biological agents in air, water, soil, food, and other conditions; and eliminating or minimizing exposure to the sources that adversely affect or may adversely affect human health.
11. "Environmental health sanitarian aide" means an individual who performs and assists with environmental health services as described and under the supervision of an individual in R9-16-403.
12. "Hazardous environmental agent" means a material, whether liquid, solid, gas, or sludge, that contains properties that make the material potentially harmful to public health or the environment.
13. "Immediate family member" means an individual related by birth, marriage, or adoption.
14. "License or licensed" means a permit, certificate, or similar form of approval issued by a state agency according to state law that an individual may practice in the profession indicated by the approval.
15. "Natural science" means a branch of science that deals with the physical world, including life, physical, and health sciences.
16. "Overall time-frame" has the same meaning as in A.R.S. § 41-1072.
17. "Practice of a registered environmental health sanitarian" means acting under the authority of R9-16-402.
18. "Registered environmental health sanitarian" means the same as a "registered sanitarian" in A.R.S. § 36-136.01.
19. "Renewal application packet" means the information, documents, and fees required by the Department to apply for a renewal registration as an environmental health sanitarian.
20. "Sanitarian examination" means a test that consists of questions related to environmental health including natural sciences, facility and system inspections, investigations, compliance, responding to emergencies, and promoting environmental public health awareness.
21. "Semester credit" means one earned academic unit of study or equivalent, with a grade of "C" or better, at an accredited college or university by:
  - a. Attending a 50 to 60 minute class session each calendar week for at least 16 weeks, or
  - b. Completing practical work for a class as determined by the accredited college or university.
22. "Substantive review time-frame" has the same meaning as in A.R.S. § 41-1072.
23. "Supervision" means being responsible for and providing direction to an individual who:



- a. Performs and assists a registered environmental health sanitarian with environmental health services as described in R9-16-403, and
  - b. Is employed as an environmental health sanitarian aide in a position directly related to environmental health.
24. “Testing center” means a facility, approved by the Department that provides a proctored computer-based sanitarian examination.

**R9-16-402. Eligibility and Responsibilities for a Registered Environmental Health Sanitarian**

- A. An individual is eligible to be a registered environmental health sanitarian, if the individual meets at least one of the following:
- 1. Has completed at least 30 semester credits at an accredited college or university in the natural sciences or the equivalent credits from a college or university from outside the United States or its territories verified by a Department-approved third party evaluation service;
  - 2. Has completed at least five years of employment as a sanitarian aide in a position directly related to environmental health;
  - 3. Has completed at least five years of active military service in the field of environmental health;
  - 4. Is currently licensed as a sanitarian in another jurisdiction, has passed a sanitarian examination that is equivalent to this state's examination ~~with a score of 70% or more as specified in A.R.S. § 36-136.01~~, and has completed at least one of the requirements identified in subsections (A)(1), (2), or (3); or
  - 5. Has received a copy of ~~an official notice sanitarian examination test results~~ from a testing ~~organization approved by the Department~~ center that contains the sanitarian examination test results with a score of 70% or more and has completed at least one of the requirements identified in subsections (A)(1), (2), or (3).
- B. An individual who is eligible to be a registered environmental health sanitarian according to subsection (A)(1) through (3) shall pass a sanitarian examination ~~administered by the Department or administered by a testing organization approved by the Department~~ center.
- C. The practice of a registered environmental health sanitarian may include:
- 1. Investigate, sample, measure, and assess hazardous environmental agents;
  - 2. Recommend and apply protective interventions that control hazards to health;
  - 3. Develop, promote, and enforce guidelines, policies, rules, statutes, and regulations;
  - 4. Perform system analysis;
  - 5. Interpret research utilizing science and evidence to understand the relationship between health and environment; or
  - 6. Interpret data and prepare technical summaries and reports.
- D. A registered environmental health sanitarian shall:
- 1. Comply with A.R.S. § 41-1009;
  - 2. Comply with A.A.C. Title 9, Chapter 8; and
  - 3. Review and, as applicable, sign reports prepared by a sanitarian aide.

**R9-16-405. Application for Sanitarian Examination and Registration**

- A. An individual may apply to take the sanitarian examination for registration as a sanitarian if the individual meets one of the eligibility requirements in ~~R9-16-402(A)~~ R9-16-402(A)(1) through (A)(3).
- B. At least seven calendar days before a Sanitarians Council meeting, an applicant for environmental health sanitarian registration shall submit an application packet to the Department containing:
- 1. The following information in a Department-provided format:
    - a. The applicant's name, address, e-mail address, and telephone number;
    - b. If applicable, applicant's former names;
    - c. The applicant's social security number, required under A.R.S. §§ 25-320 and 25-502;
    - d. If applicable, the applicant's current employment information:
      - i. The employer's name, address, e-mail address, and telephone number;
      - ii. The applicant's position title; and
      - iii. The applicant's employment start date;
    - e. If an applicant meets the eligibility requirement in R9-16-402(A)(1), the following for each college or university where the applicant completed semester credits or the equivalent credits from a college or university:
      - i. The college or university's name, address, e-mail address, and telephone number;
      - ii. The number of natural science semester credits completed; and
      - iii. If applicable, the degree obtained;
    - f. If an applicant meets the eligibility requirement in R9-16-402(A)(2), the following for each employer during the five years the applicant was employed as a sanitarian aide:
      - i. The employer's name, address, e-mail address, and telephone number;
      - ii. The name, title, e-mail address, and telephone number of a contact individual for the employer;
      - iii. The applicant's position and description of responsibilities; and
      - iv. The months and years of employment;
    - g. If an applicant meets the eligibility requirement in R9-16-402(A)(3), the following for each active military service assignment during the five years the applicant held a military job position in the field of environmental health:
      - i. The military branch name, address, e-mail address, and telephone number;
      - ii. The name, title, e-mail address, and telephone number of a contact individual from the military branch;
      - iii. The applicant's military job position and description of responsibilities; and
      - iv. The months and years of active military service assignments;
    - h. If an applicant meets the eligibility requirement in R9-16-402(A)(4), the following for a sanitarian licensed in another state or jurisdiction:
      - i. The state, county, and city that issued the applicant's current license as a sanitarian;
      - ii. The testing organization that administered the sanitarian examination;



- iii. The name of the sanitarian examination;
- iv. The sanitarian examination administration date;
- v. The number of sanitarian examination questions;
- vi. The sanitarian examination score;
- vii. The other eligibility requirement in R9-16-402(A)(1), ~~(2), or (3)~~ through (A)(3) met by the applicant; and
- viii. As applicable, the information required in subsection (B)(1)(e), (f), or (g);
- i. ~~Whether an applicant who is eligible according to subsection (B)(1)(e) through (g) has passed a sanitarian examination administered by a training organization approved by the Department.~~ If an applicant meets the eligibility requirement in R9-16-402(A)(5), the following for an official notice from a Department-approved testing organization that contains a sanitarian examination test results with a score of 70% or more an applicant shall provide the following information:
  - i. The name of the testing organization center;
  - ii. The date the sanitarian examination was completed;
  - iii. The sanitarian examination score; and
  - iv. As applicable, the information required in subsection (B)(1)(e), (f), or (g);
- j. Whether the applicant is or has been licensed as a sanitarian in another state or jurisdiction;
- k. Whether the applicant has had an application for licensure as a sanitarian denied in a state or jurisdiction;
- l. If the applicant has had an application for licensure as a sanitarian denied, the:
  - i. Reason for denial;
  - ii. Date of the denial; and
  - iii. Name, address, and telephone number of the licensing agency that denied the applicant's application;
- m. Whether the applicant has had a license as a sanitarian suspended or revoked by a state or jurisdiction or entered into a consent agreement with a state or jurisdiction;
- n. If the applicant has had a license as a sanitarian suspended or revoked or entered into a consent agreement, the:
  - i. Reason for the suspension, revocation, or consent agreement;
  - ii. Date of the suspension, revocation, or consent agreement; and
  - iii. Name, address, and telephone number of the licensing agency that suspended, revoked, or entered into a consent agreement with the applicant;
- o. Whether the applicant has been convicted of a felony or a misdemeanor related to the functions of the applicant's employment or occupation as a sanitarian in this state or another state;
- p. If the applicant has been convicted of a felony or a misdemeanor in subsection (o):
  - i. The date of the conviction,
  - ii. The state or jurisdiction of the conviction,
  - iii. An explanation of the crime of which the applicant was convicted, and
  - iv. The disposition of the case;
- q. Whether the applicant agrees to allow the Department to submit supplemental requests for additional information or documentation in R9-16-407;
- r. An attestation that:
  - i. The applicant authorizes the Department to verify all information provided in the application packet, and
  - ii. The information submitted as part of the application packet is true and accurate; and
- s. The applicant's signature and date of signature;
- 2. In addition to the application in subsection (B)(1), the following:
  - a. A copy of applicant's Social Security card;
  - b. Proof of U.S. citizenship or alien status according to A.R.S. § 41-1080;
  - c. If applicable, a copy of an applicant's sanitarian license issued by another state or jurisdiction;
  - d. If an official transcript is issued by a college or university from outside of the United States or its territories, documentation from a third party evaluation service verifying equivalent credits identified in subsection ~~(e)~~ (B)(1)(e);
  - e. If applicable, a letter verifying an applicant's start and end dates of employment for each employer identified in subsection (B)(1)(f);
  - f. If applicable, a letter verifying an applicant's start and end dates of the military job position for each active military service assignment identified in subsection (B)(1)(g);
  - g. If applicable, documentation of the completed sanitarian examination, including the sanitarian examination test results, from the ~~Department approved testing organization center~~ or jurisdiction that administered the sanitarian examination required by another state or jurisdiction in subsection (B)(1)(h); and
  - h. If applicable, a copy of the official notice from a ~~Department approved testing organization center~~ in subsection (B)(1)(i); and
- 3. The nonrefundable \$25 application fee.
- C. If an official transcript documents natural science semester credit hours identified in subsection (B)(1)(e), an applicant shall instruct the college or university to send the official transcript to the Department.
- D. The Department shall review an application packet for an applicant to take a sanitarian examination according to R9-16-407 and Table 4.1.
- E. The Department shall review a sanitarian examination for an applicant licensed by another state or jurisdiction for approval for the applicant to practice as a registered environmental health sanitarian according to R9-16-407 and Table 4.1.
- F. ~~The Department shall:~~
  - 1. Administer the sanitarian examination at least four times each calendar year;
  - 2. By January 1 of each calendar year, provide the annual sanitarian examination schedule;



- 3. If a scheduled sanitarian examination requires rescheduling, provide a notice at least 14 calendar days before a scheduled sanitarian examination date in subsection (2) occurs that includes information about the revised sanitarian examination; and
  - 4. By January 1 of each calendar year, provide a list of Department-approved testing organizations.
- G.F.** An applicant approved to take a sanitarian examination shall:
- 1. Determine whether the applicant will take a sanitarian examination administered by the Department or administered by a testing organization approved by the Department;
    - a. If the applicant determines to take a sanitarian examination administered by the Department, the applicant shall:
      - i. Submit a nonrefundable \$140 sanitarian examination fee to the Department at least 30 calendar days before taking a scheduled sanitarian examination;
      - ii. Take a scheduled sanitarian examination administered by the Department, and
      - iii. Submit the completed sanitarian examination to the Department; or
    - b. If the applicant determines to take a sanitarian examination administered by a testing organization approved by the Department, the applicant shall:
      - i.1. Select a testing organization center from the Department approved list,
      - ii.2. Take a scheduled sanitarian examination administered by the testing organization center, and
      - iii.3. Pass the sanitarian examination with a score of 70% or more and submit a copy of the applicant's official notice from the testing organization that contains the sanitarian examination test results to the Department, and
  - 2. Take the sanitarian examination within 6 months after the date the applicant received the notice of approval to take the sanitarian examination.
  - 3. Pass the sanitarian examination with a score of 70% or more.
- H.G.** The Department shall review a sanitarian examination an application packet for approval for an applicant to practice as a registered environmental health sanitarian according to R9-16-407 and Table 4.1.
- I.H.** An applicant, who does not submit a sanitarian examination or a copy of an official notice from a testing organization sanitarian examination test results to the Department in subsection (G)(F) within 6 months after the date that the applicant received the notice of approval to take the sanitarian examination, shall submit a new application packet according to R9-16-405(B).
- J.I.** An applicant, who submits a sanitarian examination or a copy of an official notice from a testing organization sanitarian examination test results to the Department in subsection (G)(F) within 6 months after the date that the applicant received the notice of approval to take the sanitarian examination and does not score 70% or more, shall:
- 1. Have 12 months from the date of the approval letter the applicant received from the Department to resubmit a sanitarian examination or provide a copy of an official notice from a testing organization sanitarian examination test results in subsection (G)(F); and
  - 2. Comply with subsections subsection (G)(1)(a) or (b) (F)(1) through (F)(3) to retake the sanitarian examination.

**R9-16-407. Time-frames**

- A. The overall time-frame begins, for:
  - 1. A sanitarian examination approval, on the date the Department receives an application packet in R9-16-405;
  - 2. An environmental health sanitarian registration approval, on the date the Department receives an official notice for an the applicant's sanitarian examination test result results administered by:
    - a. A testing organization center described in R9-16-405(B)(1)(i) or (G)(F), or
    - b. A testing organization or jurisdiction that administered the sanitarian examination required by another state or jurisdiction described in R9-16-405(B)(1)(h);
  - 3. A continuing education deferral approval, on the date the Department receives the continuing education deferral request in R9-16-404; and
  - 4. A renewal registration approval, on the date the Department receives a renewal application packet in R9-16-406.
- B. The applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame. The substantive review time-frame and the overall time-frame may not be extended by more than 25% of the overall time-frame.
- C. Within the administrative completeness review time-frame in Table 4.1, the Department shall:
  - 1. Provide a notice of administrative completeness to an applicant; or
  - 2. Provide a notice of deficiencies to an applicant, including a list of the missing information or documents.
- D. If the Department provides a notice of deficiencies to an applicant:
  - 1. The administrative completeness review time-frame and the overall time-frame are suspended after the date of the notice of deficiencies until the date the Department receives the missing information or documents from the applicant;
  - 2. If the applicant submits the missing information or documents to the Department within the time-frame in Table 4.1, the substantive review time-frame resumes on the date the Department receives the missing information or documents; and
  - 3. If the applicant does not submit the missing information or documents to the Department within the time-frame in Table 4.1, the Department shall consider the application or the request withdrawn.
- E. If the Department issues a registration or notice of an approval during the administrative completeness review time-frame, the Department may not issue a separate written notice of administrative completeness.
- F. Within the substantive review time-frame specified in Table 4.1, the Department:
  - 1. Shall approve an:
    - a. Applicant's request for registration as an environmental health sanitarian or
    - b. Applicant, who did not score 70% or more on the sanitarian examination, to resubmit a sanitarian examination according to R9-16-405(J) R9-16-405(I);
  - 2. Shall deny an applicant's request for registration as an environmental health sanitarian;
  - 3. May make a written comprehensive request for additional information or documentation; and
  - 4. May make supplemental requests for additional information and documentation if agreed to by the applicant.



- G. If the Department provides a written comprehensive request for additional information or documentation or a supplemental request to the applicant:
  - 1. The substantive review time-frame and overall time-frame are suspended from the date of the written comprehensive request or supplemental request until the date the Department receives the information and documents requested; and
  - 2. The applicant shall submit to the Department the information and documents listed in the written comprehensive request within 15 calendar days after the date of the written comprehensive request or supplemental request.
- H. The Department shall issue:
  - 1. An approval to an applicant who submits:
    - a. An application packet to take a sanitarian examination that complies with the requirements in R9-16-405;
    - b. An application packet and a sanitarian examination with a score of 70% or more from a testing organization approved by the Department center that complies with the requirements in R9-16-405;
    - c. An application packet and a sanitarian examination test results from the testing organization or jurisdiction that administered the sanitarian examination that complies with the requirements in R9-16-405;
    - d. A continuing education deferral request that complies with the requirements in R9-16-404; and
    - e. An application for renewal registration that complies with the requirements R9-16-406; or
  - 2. A denial to an applicant, including the reason for the denial and the appeal process in A.R.S. Title 41, Chapter 6, Article 10, if:
    - a. The applicant does not submit all of the information and documentation listed in a written comprehensive request or supplemental request for additional information or documentation; or
    - b. The applicant does not comply with A.R.S. § 36-136.01 and this Article.

**Table 4.1. Time-frames (in calendar days)**

Type of Approval	Statutory Authority	Overall Time-frame	Administrative Completeness Review Time-frame	Time to Respond to Deficiency Notice	Substantive Review Time-frame	Time to Respond to Written Comprehensive Request
Sanitarian Examination (R9-16-405)	A.R.S. § 36-136.01(B)	150	30	30	120	15
Initial Registration (R9-16-405)	A.R.S. § 36-136.01(B)	<del>35</del> 40	<del>5</del> 10	15	30	15
Registration by Reciprocity (R9-16-405)	A.R.S. § 36-136.01(C)	150	30	30	120	15
Deferred Continuing Education (R9-16-404)	A.R.S. § 36-136.01(E)	45	30	15	15	15
Renewal Registration (R9-16-406)	A.R.S. § 36-136.01(D)	75	60	15	15	15



NOTICES OF RULEMAKING DOCKET OPENING

This section of the Arizona Administrative Register contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING
DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS
INSURANCE DIVISION

[R20-151]

- 1. Title and its heading: 20, Commerce, Financial Institutions, and Insurance
Chapter and its heading: 6, Department of Insurance and Financial Institutions - Insurance Division
Article and its heading: 15, Mental Health Parity and Addiction Equity Act
Section numbers: R20-6-1501 (Sections may be added, deleted or modified, as necessary)

- 2. The subject matter of the proposed rule: The federal Mental Health Parity and Addiction Equity Act (MHPAEA) generally prevents health insurance issuers that provide mental health or substance use disorder (MH/SUD) benefits from, among other things, imposing less favorable benefit limitations on MH/SUD benefits than on medical/surgical benefits. State insurance authorities, the U.S. Department of Health and Human Services, and the U.S. Department of Labor (U.S. DOL) have jurisdiction over applicable individual and group health insurance policies. MHPAEA regulations establish standards related to insurers' application of financial requirements (e.g., deductibles and co-payments), quantitative treatment limitations (e.g., visit limits), and nonquantitative treatment limitations (e.g., step therapy, prior authorization). Health insurers cannot apply financial requirements or quantitative treatment limitations (QTL) to MH/SUD policy benefits that are more restrictive than the predominant financial requirements or treatment limitations that apply to substantially all medical/surgical benefits. Nor can health insurers impose nonquantitative treatment limitations (NQTL) with respect to MH/SUD benefits in any classification unless the processes, strategies, evidentiary standards, or other factors used in applying the NQTL to MH/SUD benefit classifications are comparable to those used with medical surgical/benefits classifications.

The Department of Insurance and Financial Institutions (Department) will issue rules regarding the standards and tools insurers must follow when reporting information to the Department pursuant to A.R.S. § 20-3502(F)(2). The Department will create a new Article 15 (currently reserved) titled "Mental Health Parity and Addiction Equity Act" in Title 20, Chapter 6.

- 3. A citation to all published notices relating to the proceeding: Not applicable

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

Name: Mary Kosinski
Address: Department of Insurance and Financial Institutions
100 N. 15th Ave., Suite 261
Phoenix, AZ 85007-2630
Telephone: (602) 364-3476
E-mail: mary.kosinski@difi.az.gov

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

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



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## NOTICES OF PUBLIC INFORMATION

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Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the Register.

Because of the variety of Notices of Public Information, the Office of the Secretary of State has not established a specific publishing format for these notices. We do however require agencies to use a numbered list of questions and answers and follow our filing requirements by presenting receipts with electronic and paper copies.

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### NOTICE OF PUBLIC INFORMATION STATE BOARD OF ACCOUNTANCY

[M20-37]

**1. Title of the substantive policy statements and the substantive policy statement numbers by which the substantive policy statements are referenced:**

#2018-001 Expiration of a CPA Certificate Due to Non-Registration or Non-Compliance with CPE Requirements  
#2018-002 Requirements Related to Requesting and Maintaining Retired Status

**2. The public information relating to the substantive policy statements:**

Effective September 3, 2020, the Arizona State Board of Accountancy (Board) is rescinding the substantive policy statements specified in item 1. The substantive policy statements are no longer necessary. The Board may issue new substantive policy statements or guidance documents related to the topics in the rescinded substantive policy statements if necessary.

**3. The name and address of agency personnel with whom persons may communicate regarding this notice of public information:**

Name: Monica L. Petersen, Executive Director  
Address: State Board of Accountancy  
100 N. 15th Ave., Suite 165  
Phoenix, AZ 85007  
Telephone: (602) 364-0870  
Fax: (602) 364-0903  
E-mail: [mpetersen@azaccountancy.gov](mailto:mpetersen@azaccountancy.gov)  
Website: [www.azaccountancy.gov](http://www.azaccountancy.gov)



GOVERNOR EXECUTIVE ORDER

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.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2020-02

Moratorium on Rulemaking to Promote Job Creation and Economic Development; Implementation of Licensing Reform Policies

[M20-01]

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**

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**REGISTER INDEXES**

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

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Abbreviations for rulemaking activity in this Index include:

**PROPOSED RULEMAKING**

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

**SUPPLEMENTAL PROPOSED RULEMAKING**

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

**FINAL RULEMAKING**

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

**SUMMARY RULEMAKING****PROPOSED SUMMARY**

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

**FINAL SUMMARY**

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

**EXPEDITED RULEMAKING****PROPOSED EXPEDITED**

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

**SUPPLEMENTAL EXPEDITED**

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

**FINAL EXPEDITED**

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

**EXEMPT RULEMAKING****EXEMPT**

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

**EXEMPT PROPOSED**

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

**EXEMPT SUPPLEMENTAL PROPOSED**

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

**FINAL EXEMPT RULEMAKING**

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

**EMERGENCY RULEMAKING**

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

**RECODIFICATION OF RULES**

RC = Recodified

**REJECTION OF RULES**

RJ = Rejected by the Attorney General

**TERMINATION OF RULES**

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

**RULE EXPIRATIONS**

EXP = Rules have expired

*See also “emergency expired” under emergency rulemaking*

**CORRECTIONS**

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R4-10-102.	PM-1655	R6-14-406.	FN-263	R7-2-1181.	FXM-597
R4-10-104.	PM-1655	R6-14-407.	FN-263	R7-2-1309.	FXN-66
R4-10-105.	PM-1655	R6-14-408.	FN-263		
R4-10-108.	PM-1655	R6-14-409.	FN-263	<b>Environmental Quality, Department of - Air Pollution Control</b>	
R4-10-110.	PM-1655	R6-14-410.	FN-263	R18-2-327.	PM-653
R4-10-111.	PM-1655	R6-14-411.	FN-263		
R4-10-112.	PM-1655	R6-14-412.	FN-263	<b>Environmental Quality, Department of - Hazardous Waste Management</b>	
R4-10-114.	PM-1655	R6-14-413.	FN-263	R18-8-260.	PM-1451
R4-10-201.	PM-1655	R6-14-414.	FN-263	R18-8-261.	PM-1451
R4-10-202.	PM-1655	R6-14-415.	FN-263	R18-8-262.	PM-1451
R4-10-203.	PM-1655	R6-14-416.	FN-263	R18-8-263.	PM-1451
R4-10-204.	PM-1655	R6-14-417.	FN-263	R18-8-264.	PM-1451
R4-10-205.	PM-1655	R6-14-501.	FN-263	R18-8-265.	PM-1451
R4-10-206.	PM-1655	R6-14-502.	FN-263	R18-8-266.	PM-1451
R4-10-206.1.	PM-1655	R6-14-503.	FN-263	R18-8-268.	PM-1451
R4-10-207.	PM-1655	R6-14-504.	FN-263	R18-8-270.	PM-1451
R4-10-208.	PM-1655	R6-14-505.	FN-263	R18-8-271.	PM-1451
R4-10-209.	PM-1655	R6-14-506.	FN-263	R18-8-273.	PM-1451
R4-10-210.	PN-1655	R6-14-507.	FN-263	R18-8-280.	PM-1451
R4-10-301.	PM-1655				
R4-10-302.	PM-1655	<b>Education, State Board of</b>		<b>Equalization, State Board of</b>	
R4-10-303.	PM-1655	R7-2-302.11.	FXM-966	R16-4-101.	PN-1679
R4-10-304.	PM-1655	R7-2-306.	FXM-66	R16-4-102.	PN-1679
R4-10-304.1.	PM-1655	R7-2-604.	FXM-66; FXM-1311	R16-4-103.	PN-1679
R4-10-305.	PM-1655			R16-4-104.	PN-1679
R4-10-306.	PM-1655	R7-2-604.03.	FXM-1311	R16-4-105.	PN-1679
R4-10-401.	PM-1655	R7-2-604.05.	FXM-1311	R16-4-106.	PN-1679
R4-10-402.	PM-1655	R7-2-614.	FXM-1311	R16-4-107.	PN-1679
R4-10-403.	PM-1655	R7-2-615.01.	FXN-595	R16-4-108.	PN-1679
R4-10-404.	PM-1655	R7-2-616.	FXM-1311	R16-4-109.	PN-1679
R4-10-405.	PM-1655	R7-2-619.	FXM-314	R16-4-110.	PN-1679
		R7-2-623.	FXN-1311	R16-4-111.	PN-1679
<b>Dispensing Opticians, Board of</b>		R7-2-1001.	FXM-597	R16-4-112.	PN-1679
R4-20-120.	FM-202	R7-2-1002.	FXM-597	R16-4-113.	PN-1679
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<b>Economic Security, Department of - Child Support Enforcement</b>		R7-2-1008.	FXM-597	R16-4-115.	PN-1679
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		R7-2-1022.	FXM-597	R16-4-117.	PN-1679
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R6-6-402.	P#-5; PM-5	R7-2-1031.	FXM-597	R20-4-1102.	EXP-382
R6-6-403.	PR-5; P#-5	R7-2-1042.	FXM-597		
R6-6-404.	PM-5	R7-2-1044.	FXM-597	<b>Game and Fish Commission</b>	
R6-6-405.	P#-5; PM-5	R7-2-1050.	FXM-597	R12-4-101.	PM-1729
		R7-2-1058.	FXM-597	R12-4-104.	PM-1729
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R6-14-301.	FN-263	R7-2-1069.	FXM-597	R12-4-106.	PM-1729
R6-14-302.	FN-263	R7-2-1087.	FXM-597	R12-4-107.	PM-1729
R6-14-303.	FN-263	R7-2-1101.	FXM-597	R12-4-108.	PM-1729
R6-14-304.	FN-263	R7-2-1102.	FXM-597	R12-4-110.	PM-1729
R6-14-305.	FN-263	R7-2-1105.	FXM-597	R12-4-107.	PM-1729
R6-14-306.	FN-263	R7-2-1108.	FXM-597	R12-4-108.	PM-1729
R6-14-307.	FN-263	R7-2-1117.	FXM-597	R12-4-110.	PM-1729
R6-14-308.	FN-263	R7-2-1122.	FXM-597	R12-4-113.	PM-1729
R6-14-309.	FN-263	R7-2-1131.	FXM-597	R12-4-114.	PM-1729
R6-14-310.	FN-263	R7-2-1133.	FXM-597	R12-4-115.	PM-1729
R6-14-311.	FN-263	R7-2-1142.	FXM-597	R12-4-116.	P#-1729; PN-1729
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		R7-2-1145.	FXM-597	R12-4-120.	PM-1729
		R7-2-1147.	FXM-597	R12-4-121.	PM-1729
		R7-2-1149.	FXM-597	R12-4-122.	PM-1729
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	PM-1729	R9-24-205.	PER-1274		FR-1516;
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R12-4-206.	PM-1117	<b>Health Services, Department of -</b>			FN-1516
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R12-4-208.	PM-1117	R9-5-101.	PM-401;		FR-1516;
R12-4-210.	PM-1117		FM-1265		FN-1516
R12-4-211.	PM-1117	R9-5-502.	PM-401;	R9-8-108.	PR-410; PN-410;
R12-4-212.	PR-1117		FM-1265		FR-1516;
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R12-4-217.	PM-1117	<b>Health Services, Department of -</b>		R9-8-109.	FN-1516
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R12-4-403.	PM-1791	Table 1.1.	PEM-1201	R9-8-111.	FN-1516
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R12-4-406.	PM-1791	R9-3-202.	PEM-1201	R9-8-112.	FN-1516
R12-4-407.	PM-1791	R9-3-203.	PEM-1201		PN-410;
R12-4-409.	PM-1791	R9-3-205.	PEM-1201	R9-8-113.	FN-1516
R12-4-410.	PM-1791	R9-3-206.	PEM-1201		PN-410;
R12-4-411.	PM-1791	R9-3-301.	PEM-1201	R9-8-114.	FN-1516
R12-4-413.	PM-1791	R9-3-302.	PEM-1201		PN-410;
R12-4-414.	PM-1791	R9-3-303.	PEM-1201	R9-8-115.	FN-1516
R12-4-417.	PM-1791	R9-3-304.	PEM-1201		PN-410;
R12-4-418.	PM-1791	R9-3-306.	PEM-1201	R9-8-116.	FN-1516
R12-4-420.	PM-1791	R9-3-308.	PEM-1201		PN-410;
R12-4-421.	PM-1791	R9-3-309.	PEM-1201	R9-8-117.	FN-1516
R12-4-422.	PM-1791	R9-3-401.	PEM-1201		PN-410;
R12-4-423.	PM-1791	R9-3-402.	PEM-1201	R9-8-118.	FN-1516
R12-4-424.	PM-1791	R9-3-403.	PEM-1201		PN-410;
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	FEM-1224	<b>Health Services, Department of -</b>			PN-1168;
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	FEM-1224	<b>tional Sanitation</b>			PM-879;
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	FEM-1224		FN-1516	R9-10-406.	PEM-1686
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R9-10-514.	XM-72	R9-16-202.	PER-129;		FER-835;
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R9-10-1705.	PEM-1686	R9-16-208.	PEM-129;		FER-835;
R9-10-1903.	PEM-1686		FEM-816		FEN-835
R9-10-1909.	PEM-1686	R9-16-209.	PER-129;	R9-16-310.	PEM-148;
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			FEN-816		FEN-835
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			FER-816;		FER-835;
			FEN-816		FEN-835
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R9-17-403.	XM-734;		FER-816;	R9-16-315.	PER-148;
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R9-17-404.01.	XN-734		PEN-129;		FEN-835
R9-17-404.02.	XN-734		FER-816;	R9-16-316.	PER-148;
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R9-16-503.	PEM-165; FEM-852	R9-19-104.	PEM-891; FEM-1534	R4-34-607.	PM-529; FM-1509
R9-16-504.	PEM-165; FEM-852	R9-19-201.	PEM-891; FEM-1534	R4-34-701.	PM-529; FM-1509
R9-16-505.	PER-165; PEN-165; FER-852; FEN-852	R9-19-202.	PEM-891; FEM-1534	R4-34-702.	PM-529; FM-1509
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R9-16-623.	FM-351	R9-19-306.	PEM-891; FEM-1534	R4-34-805.	PM-529; FM-1509
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R9-7-102.	PEM-431; FEM-1067	R9-19-315.	PEM-891; FEM-1534	R4-19-102.	PM-1399
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R9-7-305.	PEM-431; FEM-1067	R20-5-507.	FM-311	R4-19-207.	PM-1399
R9-7-313.	PEM-431; FEM-1067	R20-5-601.	FM-373	R4-19-208.	PM-1399
R9-7-318.	PEM-431; FEM-1067	R20-5-601.01.	EXP-290	R4-19-209.	PM-1399
R9-7-448.	PEM-431; FEM-1067	R20-5-602.	FM-373	R4-19-210.	PM-1399
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R9-7-1303.	PM-1157	<b>Land Department, State</b>		R4-19-301.	PM-1399
R9-7-1304.	PM-1157	R12-5-101.	PM-1305	R4-19-304.	PM-1399
R9-7-1306.	PM-1157	R12-5-103.	PM-1305	R4-19-305.	PM-1399
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R9-7-1510.	PEM-431; FEM-1067	R12-5-106.	PM-1305	R4-19-505.	PM-1399
R9-7-1514.	PEM-431; FEM-1067	R12-5-107.	PM-1305	R4-19-506.	PM-1399
R9-7-1907.	PEM-431; FEM-1067	R12-5-201.	PM-1305	R4-19-507.	PM-1399
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A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/1	2/1	4/1	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/2	2/2	4/2	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/3	2/3	4/3	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/4	2/4	4/4	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/5	2/5	4/5	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/6	2/6	4/6	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/7	2/7	4/7	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/8	2/8	4/8	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/9	2/9	4/9	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/10	2/10	4/10	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/11	2/11	4/11	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/12	2/12	4/12	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/13	2/13	4/13	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/14	2/14	4/14	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/15	2/15	4/15	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/16	2/16	4/16	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
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1/18	3/18	2/18	4/18	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
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1/21	3/21	2/21	4/21	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/22	2/22	4/22	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/23	2/23	4/23	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
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1/27	3/27	2/27	4/27	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/28	2/28	4/28	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/29	2/29	4/29	3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/30			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	3/31			3/31	5/30			5/31	7/30		



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30/21
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1/21	12/2	1/31/21
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2/21	12/3	2/1/21
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3/21	12/4	2/2/21
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4/21	12/5	2/3/21
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5/21	12/6	2/4/21
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7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23/21	12/24	2/22/21
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24/21	12/25	2/23/21
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25/21	12/26	2/24/21
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26/21	12/27	2/25/21
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27/21	12/28	2/26/21
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28/21	12/29	2/27/21
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29/21	12/30	2/28/21
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1/21



REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Table with 3 columns: Deadline Date (paper only) Friday, 5:00 p.m., Register Publication Date, Oral Proceeding may be scheduled on or after. Rows list dates from July 3, 2020 to January 22, 2021.



## GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year Review Reports and any adopted rule submitted to the Governor’s Regulatory Review Council. Council meetings and *Register* deadlines do not correlate. We publish these deadlines under A.R.S. § 41-1013(B)(15).

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council’s office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit <http://grrc.az.gov>.

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

[M19-118]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 7, 2020	<i>Tuesday</i> January 14, 2020
<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> January 28, 2020	<i>Tuesday</i> February 4, 2020
<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> February 18, 2020	<i>Tuesday</i> February 25, 2020	<i>Tuesday</i> March 3, 2020
<i>Tuesday</i> February 18, 2020	<i>Tuesday</i> March 24, 2020	<i>Tuesday</i> March 31, 2020	<i>Tuesday</i> April 7, 2020
<i>Tuesday</i> March 24, 2020	<i>Tuesday</i> April 21, 2020	<i>Tuesday</i> April 28, 2020	<i>Tuesday</i> May 5, 2020
<i>Tuesday</i> April 21, 2020	<i>Tuesday</i> May 19, 2020	<b>Wednesday</b> May 27, 2020	<i>Tuesday</i> June 2, 2020
<i>Tuesday</i> May 19, 2020	<i>Tuesday</i> June 23, 2020	<i>Tuesday</i> June 30, 2020	<i>Tuesday</i> July 7, 2020
<i>Tuesday</i> June 23, 2020	<i>Tuesday</i> July 21, 2020	<i>Tuesday</i> July 28, 2020	<i>Tuesday</i> August 4, 2020
<i>Tuesday</i> July 21, 2020	<i>Tuesday</i> August 18, 2020	<i>Tuesday</i> August 25, 2020	<i>Tuesday</i> September 1, 2020
<i>Tuesday</i> August 18, 2020	<i>Tuesday</i> September 22, 2020	<i>Tuesday</i> September 29, 2020	<i>Tuesday</i> October 6, 2020
<i>Tuesday</i> September 22, 2020	<i>Tuesday</i> October 20, 2020	<i>Tuesday</i> October 27, 2020	<i>Tuesday</i> November 3, 2020
<i>Tuesday</i> October 20, 2020	<i>Tuesday</i> November 17, 2020	<i>Tuesday</i> November 24, 2020	<i>Tuesday</i> December 1, 2020
<i>Tuesday</i> November 17, 2020	<i>Tuesday</i> December 22, 2020	<i>Tuesday</i> December 29, 2020	<i>Tuesday</i> January 5, 2021
<i>Tuesday</i> December 29, 2020	<i>Tuesday</i> January 19, 2021	<i>Tuesday</i> January 26, 2021	<i>Tuesday</i> February 2, 2021

\* Materials must be submitted by **5 PM** on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.