

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF MEDICAL EXAMINERS

1. **Title and its heading:** Title 4, Professions and Occupations
Chapter and its heading: Chapter 16, Board of Medical Examiners
Article and its heading: Article 1, General Provisions
Section numbers R4-16-103
2. **The subject matter of the proposed rules:**
The Arizona Board of Medical Examiners is amending R4-16-103 to interpret A.R.S. § 32-1426(C), added by Laws 1999, Ch. 218. Amended language in § 32-1426(C) is implemented by this rule amendment. Specifically the applicant seeking a BOMEX license pursuant to § 32-1426(C) must either: (1) provide proof of having passed an examination as identified at § 32-1426(A) less than 10 years prior to date of filing a license application with BOMEX, or (2) hold a current certification in an American Board of Medical Specialty (ABMS), or (3) take and pass the Special Purpose Licensing Examination (SPEX) exam.
3. **A citation to all published notices relating to the proceeding:** None published
4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Dominick Spatafora, Legislation and Regulatory Liaison
Address: 1651 East Morten, Suite 210
Phoenix, Arizona, 85020
Telephone Number: (602) 255-3751
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Submissions may be made to the Legislative and Regulatory Liaison at the above designated address until the close of the record, which is unknown at this time. The specific date for the close of record will be set forth in the Notice of Proposed Rulemaking to be filed with the Secretary of State and published in the *Register*.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
Unknown at this time.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES - COMMUNICABLE DISEASES

1. **Title and its heading:** Title 9, Health Services
Chapter and its heading: Chapter 6, Communicable Diseases
Article and its heading: Article 8, Assaults on Officers or Firefighters
Section Number(s): R9-6-801 and R9-6-802 (The Department may add, delete, or modify additional sections as necessary.)
2. **Subject matter of the proposed rule:**
The proposed rulemaking will add a new Article 8, titled "Assaults on Officers or Firefighters". The new Article 8 will include 2 new sections to implement A.R.S. § 13-1210. A.R.S. § 13-1210 provides a procedure whereby a law enforcement officer, correctional service officer, detention officer, private prison security officer, or firefighter or the officer or firefighter's employer can obtain a court-ordered test for the presence of blood-borne disease agents,

Arizona Administrative Register
Notices of Rulemaking Docket Opening

including the human immunodeficiency virus, in the blood of an individual charged in a criminal complaint for interfering with the official duties of the officer or firefighter by biting, scratching, spitting, or transferring blood or other bodily fluids on or through the skin or membranes of the officer or firefighter. A.R.S. § 13-1210 makes the Department of Health Services responsible for establishing the notification procedure to be used to provide such test results. The Department intends to create a definitions section and a section that describes the notification procedure to be used. The Department may add, delete, or modify additional sections as necessary.

The agency docket number: RE-014-99

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

None

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

Name: Christopher Brown
Address: Arizona Department of Health Services
Bureau of Epidemiology and Disease Control Services
3815 North Black Canyon Highway
Phoenix, AZ 85015
Telephone: (602) 230-5819
FAX Number: (602) 230-5973
E-mail: cbrown@hs.state.az.us

OR

Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
1740 West Adams, Room 410
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 542-1289
E-mail: kphilli@hs.state.az.us

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

The Department will accept written comments until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action in the proceeding:

None.

NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF TAX APPEALS - DIVISION TWO

- 1. Title and its heading:** Title 16, Tax Appeals
Chapter and its heading: Chapter 3, State Board of Tax Appeals - Division Two - Luxury, Transaction Privilege (Sales), Rental Occupancy, Use, Estate, Income
Article and its heading: Article 1, General Provisions
Section Number(s): R16-3-101 through R16-3-121

2. Subject matter of the proposed rule:

The Tax Appeals Board (Board) is updating and reorganizing its rules of procedure to conform to significant statutory changes and the attendant changes in the Board's practices. Beginning in August 1995, Division One of the Board became the State Board of Equalization. The State Board of Tax Appeals now comprises former Division

Arizona Administrative Register
Notices of Rulemaking Docket Opening

Two. The Board now hears appeals, not only from the Arizona Department of Revenue, but from the Office of Administrative Hearings, which was created effective October 1, 1995. Further, under certain circumstances defined by statute, a taxpayer before the Board may now be represented by a certified public accountant or by a person enrolled to practice before the United States Internal Revenue Service and recognized as an enrolled agent. The new rules incorporate changes proposed in the last five-year review report, which was submitted April 30, 1997 and approved by the Governor's Regulatory Review Council. The proposed rulemaking will entail the repeal and amendment of existing rules, in whole or in part, and the promulgation of new rules. There are substantial changes to the general provisions, including the addition of a new definitions section. Many of these changes include changing passive voice to active voice and changing the use of terms or phrases to conform to current rule-making style and format requirements.

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

None published.

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

Name: Ruben M. Medina, Executive Director

Address: 101 N. 1st Ave., #2340

Phoenix, AZ 85003

Telephone: (602) 528-3966

FAX Number: (602) 528-3956

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

The Board will accept written comments at the address above until the close of record, which has not yet been determined. The Board has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action in the proceeding:

Undetermined.