

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when 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

STATE RETIREMENT SYSTEM BOARD

- 1. Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 1, Social Security Division; Retirement System; Defined Benefit Plan
Section numbers: R2-8-101, R2-8-102, R2-8-103, R2-8-105, R2-8-124, and R2-8-125
(The ASRS may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**
The Governor's Regulatory Review Council approved a Five-year Review Report on November 7, 2000. The proposed rulemaking will address the issues identified in the Report with regard to R2-8-101, R2-8-102, R2-8-103, R2-8-105, R2-8-124, and R2-8-125. The listed rules will be repealed because they are either preempted by federal law, are unnecessary, or are obsolete. The Article will be amended to reflect the subject matter contained in the Article.
The agency docket number:
2003-02
- 3. A citation to all published notices relating to the proceedings:**
Notice of Rulemaking Docket Opening: 8 A.A.R. 4423, October 18, 2002
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Susanne Dobel, Manager, External Operations
Address: Arizona State Retirement System
3300 N. Central Avenue, 14th Floor
Phoenix, AZ 85012
Telephone: (602) 240-2039
Fax: (602) 240-5303
E-mail: susanned@asrs.state.az.us
or
Name: Nancy O. Johnson, Rules Coordinator
Address: Arizona State Retirement System
3300 N. Central Avenue, 14th Floor
Phoenix, AZ 85012
Telephone: (602) 308-5172
Fax: (602) 240-5303
E-mail: nancyj@asrs.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 ASRS will accept written comments at the locations listed in item #4 until the close of record, which has not yet been determined. The ASRS has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

STATE RETIREMENT SYSTEM BOARD

- 1. Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 2, State Retirement Defined Contribution Program
Section numbers: R2-8-201, R2-8-202, R2-8-203, R2-8-204, R2-8-205, R2-8-206, and R2-8-207 (The Department may add, delete, or modify additional Sections as necessary.)

2. The subject matter of the proposed rules:

The new Article 2 deals specifically with the Defined Contribution Program and implements, by rule, a procedure for applying annual actuarial losses, if any, to non-retired, retired, and beneficiary System members' accounts or benefits under Laws 1999, Ch. 66, § 24(B)(3). The new Article 2 will also provide a procedure for applying gains and losses to retired System member's and their beneficiaries' benefits under Laws 1999, Ch. 66, § 24(B)(4), should the Board elect to make distributions under that subsection of Session Law. Finally, Article 2 will specify:

1. How contributions are paid out to members who terminate their membership prior to retirement,
2. How lump-sum benefits are paid out to non-retired member's beneficiaries, and
3. The ratio of guaranteed to non-guaranteed benefits for a partial lump-sum distribution if a System member elects a partial lump-sum distribution.

The agency docket number:

2003-01

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

Notice of Rulemaking Docket Opening: 8 A.A.R. 4423, October 18, 2002

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

Name: Susanne Dobel, Manager, External Operations

Address: Arizona State Retirement System
3300 N. Central Avenue, 14th Floor
Phoenix, AZ 85012

Telephone: (602) 240-2039

Fax: (602) 240-5303

E-mail: susanned@asrs.state.az.us

or

Name: Nancy O. Johnson, Rules Coordinator

Address: Arizona State Retirement System
3300 N. Central Avenue, 14th Floor
Phoenix, AZ 85012

Telephone: (602) 308-5172

Fax: (602) 240-5303

E-mail: nancyj@asrs.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 ASRS will accept written comments at the locations listed in item #4 until the close of record, which has not yet been determined. The ASRS has not scheduled any oral proceedings at this time.

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

To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF PHARMACY

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Article and its heading: 1, Administration
Section numbers: R4-23-101, R4-23-103, R4-23-104, R4-23-105, R4-23-106, R4-23-107, R4-23-108, and R4-23-109

- 2. The subject matter of the proposed rules:**
The Board's five-year rule review in September 2002 identified R4-23-101 and R4-23-103 through R4-23-109 for amending. These Sections deal with the processes and procedures of formal hearings conducted by the Board. The proposed rules will amend the Sections to increase clarity, conciseness, and understandability. R4-23-109 will be amended to correct an inconsistency with statutory language regarding the number of days a party is allowed to request a rehearing of a Board decision. The amended rules will include format, style, and grammar changes necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

The agency docket number:

R0305

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

None

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

Name: Dean Wright, Compliance Officer

Address: Arizona Board of Pharmacy
4425 W. Olive, Suite 140
Glendale, AZ 85302

Telephone: (623) 463-2727, ext. 131

Fax: (623) 934-0583

E-mail: rxcop@msn.com

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

Written comments: The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m.

Oral comments: Monday through Friday, 8:30 a.m. to 4:30 p.m.

Arizona Board of Pharmacy
4425 W. Olive, Suite 140
Glendale, AZ 85302

Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.

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

None

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 16, Department of Health Services
Occupational Licensing
Articles and their headings: 2, Licensing Audiologists and Speech-language Pathologists
3, Licensing Hearing Aid Dispensers
Section numbers: R9-16-203, R9-16-204, R9-16-206, R9-16-303, and R9-16-307
(The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**
A.R.S. § 36-1908, as amended by Laws 2003, Ch. 249, § 1, effective September 18, 2003, expressly authorizes the Department to prescribe and collect fees related to the licensing of hearing aid dispensers, audiologists, and speech-language pathologists. For each type of fee included in the statute, the Department will establish cost-based fees for hearing aid dispensers, audiologists, and speech-language pathologists.
The agency docket number:
RE-014-03
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Michael Beaghtler, Program Manager
Address: Arizona Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Avenue, 4th Floor
Phoenix, AZ 85007
Telephone: (602) 364-3046
Fax: (602) 364-4769
E-mail: beaghtlm@hs.state.az.us
or
Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 202
Phoenix, AZ 85007
Telephone: (602) 542-1264
Fax: (602) 364-1150
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:**
Written comments will be accepted at the locations listed in item #4 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 on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
GRIEVANCE SYSTEM

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 34, Arizona Health Care Cost Containment System
Grievance System
Articles and their headings: 1, Grievance System Process for a State Fair Hearing Request for Eligibility
2, Grievance System Process for an Enrolled Person
3, Grievance System Process for a Person Not Enrolled
4, Grievance System Process for a Provider
Section numbers: R9-34-100 through R9-34-112, R9-34-200 through R9-34-224, R9-34-300 through R9-34-324, and R9-34-400 through R9-34-410
(Additional Sections may be added, deleted, or modified as necessary.)
- 2. The subject matter of the proposed rules:**
AHCCCS is promulgating rules for the Grievance System to clarify current processes and to comply with BBA requirements for a state grievance system.
- 3. A citation to all published notices relating to the proceedings:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**
Name: Barbara Ledder
Address: AHCCCS
Office of Legal Assistance
701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4580
Fax: (602) 253-9115
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Administration will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m., at the address indicated in item #4. A public hearing will be scheduled with the Notice of Proposed Rulemaking.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
The Administration anticipates filing a Notice of Proposed Rulemaking in October 2003.