

## 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

#### DEPARTMENT OF ADMINISTRATION

1. **Title and its heading:** 2, Administration  
**Chapter and its heading:** 11, Department of Administration – Public Buildings Maintenance  
**Article and its heading:** 3, Solicitation  
**Section Numbers:** R2-11-309
2. **Subject matter of the proposed rule:**  
R2-11-309 identifies the types of state programs that are exempt from Article 3. This rulemaking proposes to add a new subsection applicable to solicitation provisions for recognized associations comprised principally of employees of state government.
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: Claudia Smith, Human Resources Consultant  
Address: ADOA Human Resources  
100 N. 15th Ave., Suite 261  
Phoenix, AZ 85007  
Telephone: (602) 542-4894  
Fax: (602) 542-2796  
E-mail: Claudia.Smith@ad.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: 8:00 a.m. to 5:00 p.m., Monday through Friday  
Oral comments: 8:00 a.m. to 5:00 p.m., Wednesday through Friday
6. **A timetable for agency decisions or other action in the proceeding:**  
The projected timetable for approval is November 2004.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF HEALTH SERVICES

1. **Title and its heading:** 9, Health Services  
**Chapter and its heading (if applicable):** 6, Department of Health Services – Communicable Diseases  
**Articles and their heading (if applicable):** 7, Vaccine Preventable Diseases  
**Section numbers:** R9-6-701, R9-6-702, R9-6-704, Table 1 and Table 2. The Department may add, delete, or modify additional Sections as necessary.
2. **The subject matter of the proposed rules:**  
The purpose of this rulemaking is to add the varicella vaccine to the list of required immunizations for child care or school entry. The Department is also making clarifications to the Article. The rules for required immunizations for child care or school entry are in the *Arizona Administrative Code*, Title 9, Chapter 6, Article 7. The Department is amending the definitions in R9-6-701 to reflect the changes made to the Article. R9-6-702 and Tables 1 and 2 will be amended to add the varicella vaccine requirement. R9-6-704 will be amended to clarify a citation and to add to the list of those individuals who may sign an electronic version of a child's immunization record. The amended rules will conform to current statutory authority, rulemaking format and style requirements, industry practice, and departmental policy. The Department may add, delete, or modify additional Sections as necessary.  
**The agency docket number, if applicable:**  
RE-001-04
3. **A citation to all published notices relating to the proceedings:**  
None

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

Name: Andie Denious, M.S., R.N., Manager, Immunization Services

Address: Department of Health Services  
Arizona Immunization Program Office  
150 N. 18th Ave., Suite 120  
Phoenix, AZ 85007

Telephone: (602) 364-3626

Fax: (602) 364-3285

E-mail: edeniou@hs.state.az.us

Name: Kathleen Phillips, Rules Administrator

Address: Department of Health Services  
1740 W. Adams St., 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:**

The Department will accept written comments 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**

**DEPARTMENT OF HEALTH SERVICES**

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

8, Department of Health Services – Food, Recreational, and Institutional Sanitation

**Article and its heading:**

1, Food and Drink

**Sections numbers:**

R9-8-102 and R9-8-107. The Department may add, delete, or modify additional Sections as necessary.

**2. The subject matter of proposed rule:**

The purpose of this rulemaking is to implement Laws 2004, Ch. 51, effective August 25, 2004, which requires the Department to inspect retail dairy products sold for human consumption. In *Arizona Administrative Code*, Title 9, Chapter 1, Article 1, the Department has exempted milk and milk products from inspection. The Department is amending the rules to be consistent with the statutory authority. The amended rules will also conform to current rulemaking format and style requirements, industry practice, and departmental policy. The Department may add, delete, or modify additional Sections as necessary.

**The agency docket number, if applicable:**

RE-009-04

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

None

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

Name: Robert Gomez, Manager, Food Safety and Environmental Services

Address: Arizona Department of Health Services  
Office of Environmental Health  
Bureau of Epidemiology and Disease Control  
150 N. 18th Ave., Suite 430  
Phoenix, AZ 85007

Telephone: (602) 364-3130

Fax: (602) 364-3146

E-mail: gomezr@hs.state.az.us

or

**Notices of Rulemaking Docket Opening**

Name: Kathleen Phillips, Rules Administrator  
Address: Department of Health Services  
1740 W. Adams St., Suite 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:**

The Department will accept written comments until close of the 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**

**DEPARTMENT OF INSURANCE**

- 1. Title and its heading:** 20, Commerce, Banking, and Insurance  
**Chapter and its heading:** 6, Department of Insurance  
**Article and its heading:** 4, Types of Insurance Companies  
**Section Numbers:** R20-6-405

**2. Subject matter of the proposed rule:**

In 2000, the legislature passed SB 1330. Under SB 1330, effective July 1, 2001, all authority for regulation of Health Care Service Organizations (HCSOs) was consolidated under the Arizona Department of Insurance (ADOI). The principal effect of the consolidated regulatory structure is to bring new responsibilities to the Department. The Department will write rules to define basic health service, make and maintain determinations and enforce rules that establish whether an HCSO provides for basic health care services and whether it constitutes an effective mechanism to achieve an effective health care plan. At the same time, ADOI will amend or repeal the requirements currently under R20-6-405. ADOI will also retain authority to review, approve, suspend or revoke certificates of authority for HCSOs.

**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: Margaret L. McClelland  
Address: Department of Insurance  
2910 N. 44th St., Suite 210  
Phoenix, AZ 85018  
Telephone: (602) 912-8456  
Fax: (602) 912-8452

**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 during a public comment period that will be noticed in the publication of the proposed rulemaking. The Department will schedule oral proceedings, within the statutorily mandated time-frame, to be noticed in the *Arizona Administrative Register*.

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

The Department expects to file a Notice of Proposed Rulemaking in 2004.