

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
Articles and their heading: 1, Retirement System; Defined Benefit Plan
4, Practice and Procedure
Section numbers: R2-8-121, R2-8-401 through R2-8-405 (The Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rules:**
The rulemaking will repeal R2-8-121, Hearings, because it does not conform with current law or current rulemaking standards. The new Article will provide definitions for the Article and provide procedures for appealing an appealable agency action. The rules will specify:

 - a. The procedure for making the appeal,
 - b. The decision making procedure by the Board, and
 - c. The review and rehearing procedure.

The agency docket number, if applicable:
2003-03
- 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 rule:**

Name: Susanne Dobel, Manager, External Operations
Address: State Retirement System Board
3300 N. Central, 14th Fl.
Phoenix, AZ 85012
Telephone: (602) 240-2039
Fax: (602) 246-6113
E-mail: susanned@asrs.state.az.us
or
Name: Nancy O. Johnson, Rules Coordinator
Address: State Retirement System Board
3300 N. Central, 14th Fl.
Phoenix, AZ 85012
Telephone: (602) 308-5172
Fax: (602) 264-6113
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 Department will accept written comments at the locations listed in paragraph four 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.

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
Articles and their heading: 3, Employee Member Eligibility; Withdrawal of Contributions
Section numbers: R2-8-301 through R2-8-315 (The Department may add, delete, or modify additional Sections as necessary.)
2. **The subject matter of the proposed rules:**
A.R.S. § 38-727 identifies ASRS membership eligibility and A.R.S. § 38-740 identifies the circumstances under which contributions may be withdrawn. These rules:
 1. Provide clarification regarding who is an ASRS member;
 2. Specify the process for enrolling in the ASRS;
 3. Identify the benefits of membership in the ASRS;
 4. Define dual employment, and specify under what circumstances contributions must be paid when employed by more than one ASRS employer;
 5. Specify member's responsibilities;
 6. Specify the conditions under which contributions may be withdrawn prior to retirement; and
 7. Provide the process for withdrawing contributions
- The agency docket number, if applicable:**
2003-06
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 rule:**
Name: Susanne Dobel, Manager, External Operations
Address: Arizona State Retirement System
3300 N. Central, 14th Fl.
Phoenix, AZ 85012
Telephone: (602) 240-2039
Fax: (602) 246-6113
E-mail: susanned@asrs.state.az.us
or
Name: Nancy O. Johnson, Rules Coordinator
Address: Arizona State Retirement System
3300 N. Central, 14th Fl.
Phoenix, AZ 85012
Telephone: (602) 308-5172
Fax: (602) 264-6113
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 Department will accept written comments at the locations listed in paragraph four 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

BOARD OF PHARMACY

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 23, Board of Pharmacy
Articles and their headings: 1, Administration
4, Professional Practices (As part of this rulemaking, the Board may

Notices of Rulemaking Docket Opening

Section numbers: add, delete, or modify additional Articles as necessary).
R4-23-110 and R4-23-402 (As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary).

2. Subject matter of the proposed rule:

At the May 12, 2004 Board meeting, Board President Dennis McAllister formed a Patient Counseling Task Force. The task force was charged with reviewing the exiting counseling rule and then to seek methods to improve and increase patient counseling by amending the rule. The proposed rules contain the final recommendations presented by the task force at the August 11, 2004 Board meeting. R4-23-110 will be amended by adding a new definition for "care-giver." R4-23-402 will be amended with the recommendations of the task force. The recommendations include: replacing the term "patient's agent" with "patient's care-giver;" reducing the number of specific circumstances that require counseling to occur from five to three; modifying the four required aspects of oral consultation; adding a new subsection requiring documentation that oral consultation did or did not occur and providing an exception for not providing oral consultation; minor changes to the subsection that specifies those aspects of patient consultation that may be provided to a patient through exercise of a pharmacist's professional judgment; and changes to the subsection that details what a pharmacist shall do if a patient refuses oral consultation. The rules will include format, style, and grammar necessary to comply with the current rules of the Secretary of State and Governor's Regulatory Review Council.

The agency docket number, if applicable:

R0406

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: Dean Wright, Compliance Officer

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

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

Fax: (623) 934-0583

E-mail: rxcop@cox.net

5. The time during which the agency will accept written comments:

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

The time and place where oral comments may be made:

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

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

Nature: Oral comments

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 in the proceeding:

None

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)

1. Title and its heading:

9, Health Services

Chapter and its heading:

22, Arizona Health Care Cost Containment System – Administration

Article and its heading:

7, Standards for Payments

Section numbers:

R9-22-712

2. The subject matter of the proposed rule:

The proposed rule changes will provide consistency to statute and clarify the existing rule language.

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 rule:

Name: Mariaelena Ugarte

Address: AHCCCS
Office of Legal Assistance

Notices of Rulemaking Docket Opening

701 E. Jefferson, Mail Drop 6200
Phoenix, AZ 85034

Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: proposedrules@ahcccs.state.az.us

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

AHCCCS 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 later to provide a forum for interactive discussion with interested parties.

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

AHCCCS anticipates filing a Notice of Proposed Rulemaking by January 2005.

NOTICE OF RULEMAKING DOCKET OPENING

GAME AND FISH COMMISSION

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 1, Definitions and General Provisions
Section numbers: R12-4-101, R12-4-104, R12-4-107, R12-4-115; (as part of this rulemaking, the Department may add, amend, delete, or renumber additional Sections as may become necessary).

- 2. The subject matter of the proposed rule:**
R12-4-101. Amendments related to definitions;
R12-4-104. Amendments related to application procedures for issuance of hunt permit-tags by drawing;
R12-4-107. Amendments related to bonus points; and
R12-4-115. Amendments related to supplemental hunts and hunter pool.

The agency docket number:

E

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: Mark E. Naugle
Address: Game and Fish Department
2221 W. Greenway Rd. DORR
Phoenix, AZ 85023
Telephone: (602) 789-3289
Fax: (602) 789-3677

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 Monday through Friday from 8:00 a.m. until 5:00 p.m. The schedule for oral proceedings is to be determined and will be published when scheduled.

6. The timetable for agency decisions or other action on the proceeding:

To be determined

NOTICE OF RULEMAKING DOCKET OPENING

GAME AND FISH COMMISSION

- 1. Title and its heading:** 12, Natural Resources
Chapter and its heading: 4, Game and Fish Commission
Article and its heading: 1, Definitions and General Provisions, and Article(s) yet to be determined
Section numbers: R12-4-114 and Sections yet to be determined

- 2. The subject matter of the proposed rule:**
Amendments related to the July 13, 2004, U.S. District Court Order in the matter of *Montoya v. Manning*, CIV98-0239 PHX RCB.

The agency docket number:

F

Notices of Rulemaking Docket Opening

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

Notice of Public Information: 3093 A.A.R. 10, August 6, 2004.

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

Name: Mark E. Naugle, Rules and Risk Manager

Address: Game and Fish Department
2221 W. Greenway Rd. DORR
Phoenix, AZ 85023

Telephone: (602)789-3289

Fax: (602)789-3677

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 Monday through Friday from 8:00 a.m. until 5:00 p.m. The schedule for oral proceedings is to be determined and will be published when scheduled.

6. The timetable for agency decisions or other action on the proceeding:

To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF REVENUE

1. Title and its heading:

15, Revenue

Chapter and its heading:

10, Department of Revenue – General Administration

Article and its heading:

I, Hearing Procedures

Section number:

R15-10-118

2. The subject matter of the proposed rule:

The Department is repealing this rule addressing burden of proof requirements in an administrative proceeding with the Department because its provisions will soon be superseded by or contained in Arizona Revised Statute § 42-1255.

The agency docket number:

04-10-01

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 rule:

Name: Dan Jensen, Analyst

Address: Tax Policy and Research Division
Department of Revenue
1600 W. Monroe
Phoenix, AZ 85007

Telephone: (602) 716-6377

Fax: (602) 716-7995

E-mail: JensenD@revenue.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:

To be published in the Notice of Proposed Rulemaking.

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

None