

## 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

#### ARIZONA MEDICAL BOARD

[R05-231]

- 1. Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 16, Arizona Medical Board  
**Article and its heading:** 1, General Provisions  
**Section numbers:** 7, Office-based Surgery  
R4-16-101, R4-16-701, R4-16-702, R4-16-703, R4-16-704, R4-16-705,  
R4-16-706, R4-16-707, R4-16-708, and R4-16-709 (The Board may  
add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**  
Under its general rulemaking authority in A.R.S. §§ 32-1403(A)(8) and 32-1404(D), the Board will make this Article to establish standards of professional conduct as defined under A.R.S. § 32-1401(27)(tt) for the medical practice of office-based surgery under intravenous sedation.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel to whom persons may communicate regarding the rule:**  
Name: George R. Pavia, Rules/Policy Analyst  
Address: 9545 E. Doubletree Ranch Rd.  
Scottsdale, AZ 85258-5514  
Telephone: (480) 551-2769  
Fax: (480) 551-2828  
E-mail: gpavia@azmd.gov  
Please visit the Board web site to track progress of this rule and any other agency rulemaking matters at [www.azmd.gov](http://www.azmd.gov).
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
An interested person may deliver oral or written comment to the official listed in item #4 from 8 a.m. to 5 p.m., Monday through Friday except state holidays.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**  
To be determined

### NOTICE OF RULEMAKING DOCKET OPENING

#### ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM ADMINISTRATION

[R05-296]

- 1. Title and its heading:** 9, Health Services  
**Chapter and its heading:** 22, Arizona Health Care Cost Containment System – Administration  
**Article and its heading:** 1, Definitions  
**Section numbers:** R9-22-101, R9-22-114, and R9-22-115 (As part of this rulemaking  
AHCCCS may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**  
AHCCCS is amending the acute care rules to make the rules more clear, concise, and understandable.
- 3. A citation to all published notices relating to the proceeding:**  
None

*Arizona Administrative Register / Secretary of State*  
**Notices of Rulemaking Docket Opening**

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

Name: Linda Barry  
Address: AHCCCS  
Office of Legal Assistance  
701 E. Jefferson, Mail Drop 6200  
Phoenix, AZ 85034  
Telephone: (602) 417-4232  
Fax: (602) 253-9115  
E-mail: AHCCCSRules@azahcccs.gov

**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 a.m. to 5 p.m., at the address indicated in item #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.

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

The Administration anticipates filing a Notice of Proposed Rulemaking in August 2005.

**NOTICE OF RULEMAKING DOCKET OPENING**  
**DEPARTMENT OF HEALTH SERVICES**  
**ORAL HEALTH**

[R05-297]

**1. Title and its heading:**

9, Health Services

**Chapter and its heading:**

23, Department of Health Services – Oral Health

**Article and its heading:**

1, General Provisions  
2, Arizona Dental Sealant Program (New)  
3, Oral Health Services

**Section numbers:**

R9-23-101 through R9-23-306 (The Department may add, delete, or modify additional sections as necessary.)

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

The purpose of this rulemaking is to address the issues identified in the five-year review report submitted to the Governor's Regulatory Review Council (G.R.R.C.) in July 2001. The rules for oral health are in Title 9, Chapter 23, Articles 1 and 3. In the proposed rules, the Department is amending Articles 1 and 3 and adding one new Article to the Chapter.

The Department is amending the definitions in Article 1 to reflect the changes made in the Chapter. The new Article 2 contains the eligibility requirements, the application process, and the application prioritization criteria for the Arizona Dental Sealant Program. The Department is amending Article 3 to include the eligibility requirements, the application process, and the application prioritization criteria for the Arizona Fluoride Mouthrinse Program. The proposed rules will conform to current statutory authority, rulemaking format and style requirements, industry practice, and departmental policy.

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

RE-013-05

**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: Joyce Flieger, RDH, M.P.H.  
Chief, Office of Oral Health  
Address: Department of Health Services  
1740 W. Adams, Suite 205  
Phoenix, AZ 85007  
Telephone: (602) 542-1866  
Fax: (602) 542-2936  
E-mail: fliegej@azdhs.gov  
Or  
Name: Kathleen Phillips, Rules Administrator

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Address: Department of Health Services  
1740 W. Adams, Suite 202  
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

**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:**

None

**NOTICE OF RULEMAKING DOCKET OPENING**

**RADIATION REGULATORY AGENCY**

[R05-298]

- 1. Title and its heading:** 12, Natural Resources
- Chapter and its heading:** 1, Radiation Regulatory Agency
- Article and its heading:** 4, Standards for Protection Against Ionizing Radiation
- Section numbers:** R12-1-455

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

This rule will require all portable gauge licensees to have and maintain two levels of security to prevent unauthorized removal of a portable gauge from a transportation vehicle or storage location. The Nuclear Regulatory Commission is requiring all Agreement States adopt a similar security rule.

**The agency docket number, if applicable:** RMP-0057

**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: Aubrey Godwin

Address: Arizona Radiation Regulatory Agency  
4814 S. 40th St.  
Phoenix, AZ 85040

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

Written comments will be accepted 8:00 a.m. to 5:00 p.m., Monday through Friday.

**The time and place where oral comments may be made:**

Oral comments will be accepted at the Arizona Radiation Regulatory Agency, 4814 S. 40th St., Phoenix, AZ 85040 during a public hearing that will be noticed with the proposed rules in the *Register*.

**6. A timetable for agency decisions or other action on the proceeding, if known:** A timetable is not available at this time.