

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 HEALTH SERVICES HEALTH CARE INSTITUTIONS: LICENSING

[R07-45]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 10, Department of Health Services – Health Care Institutions: Licensing
Article and its heading: 10, Outpatient Treatment Centers Providing Dialysis Services
Section numbers: R9-10-1001 through R9-10-1017 (The Department may add, delete, or modify additional Sections as necessary.)

- 2. The subject matter of the proposed rule:**
In R9-10-101(39), an outpatient treatment center is defined as “a health care institution class without inpatient beds that provides medical services for the diagnosis and treatment of patients.” An individual whose kidneys do not adequately filter the individual’s blood needs dialysis services to remove wastes and excess fluid from the patient’s blood. Currently, there are no licensing rules specific for outpatient treatment centers providing dialysis services. Facilities falling within this classification are regulated under R9-10-115, which provides general requirements for “unclassified health care institutions.” The Department plans to make rules that contain the specific requirements necessary to protect individuals receiving dialysis services at or from an outpatient treatment center providing dialysis services.

The agency docket number, if applicable:

RE-004-07

- 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: Kathleen Phillips, Rules Administrator and Administrative Counsel

Address: Department of Health Services
1740 W. Adams St., Ste. 200
Phoenix, AZ 85020

Phone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Kathy McCanna, Program Manager

Address: Department of Health Services
Division of Licensing Services
Office of Medical Facilities
150 N. 18th Ave.
Phoenix, AZ 85007

Phone: (602) 364-2841

Fax: (602) 364-4764

E-mail: mccannk@azdhs.gov

- 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, 8:00 a.m. to 5:00 p.m., at the addresses listed in item 4 until the close of record which has not yet been determined. The schedule for public hearings, at which oral comments may be presented, will be included in the notice of proposed rulemaking.

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

The Department plans to submit a notice of proposed rulemaking in March 2007.