

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

[R08-283]

- 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: 2, Hospitals
Section numbers: R9-10-201, R9-10-202, R9-10-203, R9-10-234 (Sections may be added, deleted, and modified as necessary.)

2. The subject matter of the proposed rule:

Currently, a hospital designates a specific area of the hospital to be used to provide one specific organized service. To better meet the needs of patients, hospitals would like to provide more than one organized service in a designated area of the hospital. This rulemaking is amending the rules to allow a hospital to designate multi-organized service units that will provide more than one organized service in a specific designated area of the hospital. The rulemaking also adds a definition of “continuing care nursery” to clarify which services may be provided in a multi-organized service unit.

The rulemaking updates several outdated statutory references and the rulemaking removes an unclear provision in R9-10-203 regarding informed consent.

The Department may make further changes to the rules for clarity, to remove or modify outdated language, or to update references and citations.

The agency docket number, if applicable:

RE-021-08

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

Notice of Proposed Rulemaking: 14 A.A.R. 3477, September 5, 2008 (*in this issue*)

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

Name: Kathleen Phillips, Administrative Counsel and Rules Administrator

Address: Department of Health Services
1740 W. Adams St., Suite 200
Phoenix, AZ 85007

Telephone: (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 Licensing
150 N. 18th Ave.
Phoenix, AZ 85007

Telephone: (602) 364-2841

Fax: (602) 364-4764

E-mail: mccannk@azdhs.gov

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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.

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

See the Notice of Proposed Rulemaking in this issue.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES

LOAN REPAYMENT

[R08-286]

1. Title and its heading:

9, Health Services

Chapter and its heading:

15, Department of Health Services – Loan Repayment

Article and its headings:

4, Behavioral Health Practitioners Loan Repayment Program

Section number:

R9-15-401 through R9-15-421 (Sections may be added, deleted, and modified as necessary.)

2. The subject matter of the proposed rule:

A.R.S. § 36-2175 established the behavioral health practitioners loan repayment program (BHPLRP). This program will pay part of the education loans of a participating “behavioral health practitioner,” as defined in A.R.S. § 36-2175(L). In accordance with statutory requirements and the rulemaking format and style requirements of the Office of the Secretary of State, the Arizona Department of Health Services (Department) is making rules for the BHPLRP.

The agency docket number:

RE-020-08

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: Kathleen Phillips, Administrative Counsel and Rules Administrator

Address: Department of Health Services
1740 W. Adams St., Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

or

Name: Victoria Navarra, Chief

Address: Department of Health Services
Division of Behavioral Health Services
Division of Compliance
150 N. 18th Ave., Second Floor
Phoenix, AZ 85007

Telephone: (602) 364-4660

Fax: (602) 364-4762

E-mail: navarrv@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 at the addresses 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

Notices of Rulemaking Docket Opening

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES
OCCUPATIONAL LICENSING

[R08-281]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 16, Department of Health Services – Occupational Licensing
Article and its heading: 1, Licensing of Midwifery
Section numbers: R9-16-101 through R9-16-103, Exhibit B, Exhibit C, R9-16-104, R9-16-1-5, Exhibit D, and R9-1-6-105.01 (Sections may be added, deleted or modified as necessary.)

2. The subject matter of the proposed rules:

The Arizona Department of Health Services (Department) is revising its rules for the licensing and regulation of midwives consistent with the five-year-review report approved by the Governor’s Regulatory Review Council on November 7, 2006.

The Department’s revision of the midwifery rules will be done in two separate rulemakings. This first rulemaking project revises the midwife licensing rules, including continuing education. The second rulemaking project will revise the midwife practice rules, R9-16-106 through R9-16-111.

The Department is proceeding with the first midwifery rulemaking project.

The agency docket number:

RE-019-08

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: Rohno Geppert, Program Manager

Address: Department of Health Services
Division of Licensing Services
Office of Special Licensing
150 N. 18th Ave., Suite 460
Phoenix, AZ 85007

Telephone: (602) 364-2079

Fax: (602) 364-4769

E-mail: gepperr@azdhs.gov

or

Name: Kathleen Phillips, Administrative Counsel and Rules Administrator

Address: Department of Health Services
1740 W. Adams St., Suite 200
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 at the addresses listed in item 4 until the close of record, which has not yet been determined. The oral proceeding schedule, at which the public may present oral comments, will be included in the Notice of Proposed Rulemaking.

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

The Department has not yet determined a timetable for submitting a Notice of Proposed Rulemaking.

Notices of Rulemaking Docket Opening

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

[R08-278]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 22, Arizona Health Care Cost Containment System – Administration
Article and its heading: 19, Freedom to Work
Section numbers: R9-22-1901 through R9-22-1922 (Sections may be added, deleted, and modified as necessary.)
- 2. The subject matter of the proposed rule:**
The proposed rule is a result of a five-year-rule review approved by the Governor’s Regulatory Review Council on August 5, 2008.
- 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 Administrative Legal Services
701 E. Jefferson St., Mail Drop 6200
Phoenix, AZ 85034
Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov
- 5. The time 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. 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 Notice of Proposed Rulemaking is intended to be filed immediately with the Notice of Rulemaking Docket or shortly thereafter in August 2008.

NOTICE OF RULEMAKING DOCKET OPENING
ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM
ARIZONA LONG-TERM CARE SYSTEM

[R08-277]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 28, Arizona Health Care Cost Containment System – Arizona Long-term Care System
Article and its heading: 13, Freedom to Work
Section numbers: R9-22-1301 through R9-22-1323 (Sections may be added, deleted, and modified as necessary.)
- 2. The subject matter of the proposed rule:**
The proposed rule is a result of a five-year-rule review approved by the Governor’s Regulatory Review Council on August 5, 2008.
- 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 Administrative Legal Services
701 E. Jefferson St., Mail Drop 6200
Phoenix, AZ 85034

Notices of Rulemaking Docket Opening

Telephone: (602) 417-4693
Fax: (602) 253-9115
E-mail: AHCCCSrules@azahcccs.gov

5. The time 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. 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 Notice of Proposed Rulemaking is intended to be filed immediately with the Notice of Rulemaking Docket or shortly thereafter in August 2008.