

IDAHO ADMINISTRATIVE BULLETIN

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DOCKET NO. 02-0403-9801

NOTICE OF TEMPORARY RULE

EFFECTIVE DATE: These temporary rules are effective January 12, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules. The action is authorized pursuant to Sections 25-207 and 25-601, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the rulemaking:

USDA has identified six counties in western Wyoming as a Brucellosis surveillance area. The state of Wyoming has concurred with this designation and is promulgating rules to require testing of cattle and domestic bison that change ownership or are removed from the surveillance area. The purpose of this rule is to support Wyoming's efforts to achieve the necessary surveillance and to assure that cattle and domestic bison imported into Idaho from the surveillance area are tested for Brucellosis. The rule will also clarify which cattle and domestic bison are test eligible.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(a) and 67-5226(1)(c), Idaho Code, the governor has found that temporary adoption of the rule is appropriate for the following reasons:

The Department does not currently have authority in rules to require testing of any cattle or domestic bison from states or areas that have been designated by USDA as a Brucellosis Free state or area. This rule is necessary to protect the public health, safety, or welfare, and confers a benefit to all citizens of the state by assuring that Brucellosis does not enter the state since Brucellosis can affect humans.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary and proposed rule, contact Dr. Bob Hillman, Idaho State Department of Agriculture, at (208) 332-8540.

DATED this 12th day of January, 1998.

Patrick A. Takasugi, Director
Idaho State Department of Agriculture
P.O. Box 790
Boise, Idaho 83701-0790
(208) 332-8500
(208) 334-4623 FAX

TEXT OF DOCKET NO. 02-0403-9801

210. LAWS AND REGULATIONS GOVERNING THE ANIMALS ENTERING THE STATE OF IDAHO. Definitions of terms used herein. For the purpose of this chapter the following words and phrases shall have the following meaning: (12-10-84)

01. Definitions. (6-1-94)

a. Cattle. Shall mean any bovine of dairy or beef breeding. This definition shall include bison. (12-10-84)

- b. Feeder Animals. Animals to be fed for slaughter only. (12-10-84)
- c. Slaughter Animals. Animals of any kind for immediate slaughter, or those consigned for slaughter within fourteen (14) days of date of shipment. (12-10-84)
- d. Animals. The term includes horses, mules and asses, cattle, sheep, goats, swine, dogs, cats, poultry, rodents, game animals, bison, domestic fur bearing animals, and birds. (12-10-84)
- e. Livestock. Shall mean cattle, swine, horses, mules and/or asses. (12-10-84)
- f. Poultry. The term shall mean chickens, turkeys, ducks, geese, guinea fowl, pigeons and pheasants (domestic fowls). (12-10-84)
- g. Official Calfhood Vaccinate: (12-10-84)
- i. Female cattle of any breed or female bison vaccinated while from four (4) months to twelve (12) months of age one-hundred twenty (120) through three-hundred sixty-five (365) days) with a reduced dose of Strain 19 vaccine, or female cattle of any breed or female bison vaccinated with an approved dose of Brucella Abortus Strain RB-51 or other approved Brucellosis vaccine, by an approved official of the state of origin. (3-20-97)
- ii. Female cattle which were officially calfhood vaccinated in accordance with previous provisions set forth by the UM&R shall be declared official calfhood vaccinates. (12-10-84)
- iii. Evidence of vaccination shall be an official tattoo in the right ear of the animal. Tattoo symbols must be clearly legible to the naked eye in ordinary daylight without use of artificial light or other aids. Retattooing or reidentification of official vaccinates is acceptable for entry into Idaho, provided a permit is obtained from the Bureau of Animal Health for importation of the retattooed animals. (3-20-97)
- h. Brucellosis Test Eligible Cattle. (12-10-84)
- i. Officially Strain 19 and RB-51 vaccinated female cattle of dairy breeds which are over twenty (20) months of age. ~~(3-20-97)~~(1-12-98)T
- ii. Officially Strain 19 and RB-51 vaccinated female cattle of beef breeds which are over twenty-four (24) months of age and officially Strain 19 vaccinated female bison which are over twenty-four (24) months of age. ~~(3-20-97)~~(1-12-98)T
- iii. Officially Strain 19 and RB-51 vaccinated females of dairy breeds which are under twenty (20) months of age if parturient or post parturient. ~~(3-20-97)~~(1-12-98)T
- iv. Officially Strain 19 and RB-51 vaccinated females of beef breeds or bison which are under twenty-four (24) months of age if parturient or post parturient. ~~(3-20-97)~~(1-12-98)T
- v. Intact males of beef or dairy breed or bison which are over eighteen (18) months of age. (3-20-97)
- i. Non-Vaccinated Animals. Non-vaccinated female cattle or bison shall not be imported into Idaho except as provided for in the following rules: (12-10-84)
- ij. Findings and Effective Date. The amendments to Section 210 will confer a benefit to the cattle industry by making a markedly improved vaccine, RB-51, available to protect cattle and bison from brucellosis. The amendments bring Idaho into compliance with USDA recommendations for use of the new vaccine. The amendments will clarify which cattle are test eligible and provide a mechanism to assure cattle imported into the state from brucellosis surveillance areas are tested negative to brucellosis prior to entry into the state or upon arrival at specifically approved livestock markets in the state. ~~(3-20-97)~~(1-12-98)T
- k. Brucellosis Surveillance Area or High Risk Areas. Any area of a state that has been identified by USDA/APHIS/VS or other state animal health officials as an area that poses a greater risk for transmission of

brucellosis than would be expected based upon the official classification of the state. (1-12-98)T

02. Official Health Certificate (Certificate of Veterinary Inspection), Other Official Certificate or Permit Required. For the purposes of Subsection 210, a Health Certificate and a Certificate of Veterinary Inspection are equivalent. (3-20-97)

a. Certificate of Veterinary Inspection, Other Approved Certificate or Permit. Unless otherwise specifically provided in the rules of this chapter, all animals transported or moved into the state of Idaho shall be accompanied by an official certificate of veterinary inspection, other approved certificate, a permit, or both a certificate and a permit, which shall be attached to the waybill or be in the possession of the driver of the vehicle or person in charge of the animals. (3-20-97)

b. When Permits Are Needed, Etc. (7-1-93)

i. Permits are required on all cattle of dairy breeds from Class Free, A, B, and C states. (7-1-93)

ii. Permits are required on cattle from Class B and C states and scabies-infested states. (7-1-93)

iii. Permits are required on all cattle and bison which are to be moved from a brucellosis surveillance area or a brucellosis high risk area into the state of Idaho. (1-12-98)T

~~iii~~iv. Permits are required on all beef breeding bulls from Class Free, A, B and C states. (7-1-93)

~~iv~~v. Permits are required on any livestock not meeting Idaho requirements. (7-1-93)

~~v~~vi. Permits are required for all sheep entering the state of Idaho. (7-1-93)

~~vi~~vii. Permits are required on all swine entering the state of Idaho except swine consigned directly to a recognized slaughter establishment and swine from stage IV or V states/areas consigned to specifically approved livestock markets. (1-10-94)

c. Where Permits May Be Obtained. (12-10-84)

i. Livestock other than sheep. Requests for permits shall be directed to the Idaho Bureau of Animal Health, P.O. Box 7249, Boise, Idaho 83707; telephone (208) 332-8540, and shall set forth the following information: name and address of consignor, number and description of animals, origin of shipment, destination of shipment, proposed date of shipment, mode of transportation, and name and address of Idaho consignee. (3-20-97)

ii. Sheep permits: Requests for permits shall be directed to the Idaho Sheep Commission, 802 West Bannock, Room 205, P.O. Box 2596, Boise, Idaho, 83701; telephone (208) 334-3115. (12-10-84)

03. Animals Exposed to Disease or Originating in a Quarantined Area. No animals affected with or which have been recently exposed to any infectious, contagious, or communicable disease, or which originate in a quarantined area shall be transported or moved into the state of Idaho unless a permit for such entry is first obtained from the Idaho Bureau of Animal Health, except such animals in classifications allowed interstate shipment under specified requirements of the United States Department of Agriculture may move without permit if in compliance with CFR requirements. (3-20-97)

04. Quarantine Imposed When No Certificate or Permit Issued. Animals entering the state of Idaho without a valid certificate of veterinary inspection or other approved certificate, and a permit, if required, shall be held in quarantine at the risk and expense of the owner until released by an authorized representative of the Idaho Bureau of Animal Health. Such animals when found to be not in compliance with health certificate requirements may be ordered slaughtered, removed from the state or confined to a quarantined feedlot. (3-20-97)

05. Official Certificate of Veterinary Inspection and Other Approved Certificates -- Form -- Contents -- Period of Validity. An official certificate of veterinary inspection and other approved certificates are legible records attesting the animal covered thereby meets the requirements of the state of Idaho. The certificate shall be

accomplished on an official form of the state of origin, be approved by its livestock sanitary official and be issued by an approved accredited veterinarian. An equivalent form of the U.S. Department of Agriculture issued by a federal inspector of the Veterinary Services is acceptable in lieu of a certificate of veterinary inspection or other approved certificate. (3-20-97)

- a. Official Certificate of Veterinary Inspection. Such certificate shall contain: (3-20-97)
 - i. Name and address of the consignor and consignee; (12-10-84)
 - ii. Origin of shipment; (12-10-84)
 - iii. Final destination; (12-10-84)
 - iv. Accurate description and identification of each animal if required; (12-10-84)
 - v. Purposes for which they are shipped; and (12-10-84)
 - vi. Method of transportation. (12-10-84)
- b. Other Approved Certificates. (3-20-97)
 - i. Extended Validity Equine Certificates. Provided there is a written agreement between the Bureau of Animal Health and the chief livestock sanitary official of the state of origin, equidae from other states may enter the state of Idaho for shows, rides or other equine events and return on an extended validity equine certificate under a state system of equine certification acceptable to the Bureau of Animal Health and the state of origin. (3-20-97)
 - (1) An extended validity equine certificate shall be valid for only one animal. Each animal shall have a separate certificate. (3-20-97)
 - (2) Extended validity equine certificates shall contain the following information: (3-20-97)
 - (a) Name and address of the owner. (3-20-97)
 - (b) Location at which the animal is stabled, housed, pastured or kept, if different from that of the owner. (3-20-97)
 - (c) An accurate description and identification of the animal. (3-20-97)
 - (d) Date of veterinary inspection. (3-20-97)
 - (e) Dates and results of EIA or other required tests or vaccinations. (3-20-97)
 - (f) Signature of inspecting veterinarian. (3-20-97)
 - (3) Extended validity equine certificates shall be valid for no longer than six (6) months from date the blood sample is collected for the EIA test by the animal health official or accredited veterinarian. If EIA testing is not required the certificate shall be valid no longer than six (6) months from the date of inspection for the certificate. (3-20-97)
 - (4) Recipients of extended validity equine certificates shall submit a completed travel itinerary to the Bureau of Animal Health within ten (10) working days of the end of the six (6) month period of validity of the certificate. The travel itinerary shall provide a listing of all travel into the state of Idaho, including travel dates, purpose for travel and destinations, during the period of validity of the certificate. (3-20-97)
 - (5) Extended validity equine certificates may be canceled at any time by the Bureau of Animal Health in the event of serious or emergency disease situations or for non-compliance with the provisions of these rules. (3-20-97)

c. Health Status. The certificate shall indicate the health status of the animals involved including dates and results of inspection and of tests and vaccinations, if any, required by the state of Idaho. (3-20-97)

d. Mailing Certificate. A copy of the certificate shall be mailed immediately to the Idaho Bureau of Animal Health, P.O. Box 7249, Boise, Idaho 83707. (3-20-97)

e. Certificate For Sheep and Goats. Health certificates and permits covering sheep and goats: See separate section on sheep. (12-10-84)

f. Period of Certificate Validity. Certificates of veterinary inspection shall be valid for no longer than thirty (30) days after the date of inspection. Extended validity equine certificates shall be valid for no longer than six (6) months from the date the blood sample was collected for the EIA test, if an EIA test is required. If an EIA test is not required, the certificate is valid for no longer than six (6) months from the date of inspection. (3-20-97)

g. Restrictions. No certificate of veterinary inspection or extended validity equine certificate shall be issued unless it is compliant in all respects with the requirements of the state of Idaho. (3-20-97)

06. Who May Inspect. Accredited veterinarians who are approved by the chief livestock sanitary official of the state of origin and federal veterinarians in the employ of the U.S. Department of Agriculture. (12-10-84)

07. Permits -- Contents -- Period of Validity. (12-10-84)

a. Request For Permits. Request for permits to admit animals other than sheep and goats into the state of Idaho shall be directed to the Idaho Bureau of Animal Health, P.O. Box 7249, Boise, Idaho, and shall be requested pursuant to the following requirements, and when the official health rules cannot be met at the point of origin. (12-10-84)

b. Permit Request Requirements. The request for such a permit shall set forth the following information: (12-10-84)

i. Name and address of the consignor and consignee; (12-10-84)

ii. Number and kind of animals; (12-10-84)

iii. Origin of shipments; (12-10-84)

iv. Final destination; (12-10-84)

v. Purpose of shipment; and (12-10-84)

vi. Method of shipment. (12-10-84)

c. Period of Validity. Permits shall be valid for no longer than fifteen (15) days from the date of issuance unless otherwise specified. (12-10-84)

08. To Whom May Animals Be Consigned. All animals transported or moved into the state shall be consigned to an individual residing in Idaho or to a legal entity authorized by law to do business in the state. (12-10-84)

09. Diversion of Animals After Shipment. No person consigning, transporting or receiving animals in the state of Idaho shall authorize, order or carry out diversion of such animals to a destination or consignee other than set forth on the health certificate or permit without notifying the Bureau of Animal Health of the Department of Agriculture within seventy-two (72) hours of the diversion. (12-10-84)

10. Where Brucellosis Agglutination Tests Shall Be Made. All brucellosis agglutination tests of

animals which are intended for shipment into the state of Idaho shall be made in the following: (12-10-84)

- a. Laboratories. State-federal approved laboratories. (12-10-84)
- b. Commercial Laboratories. Commercial laboratories operated under the supervision of the United States Department of Agriculture and approved by the state of origin. (12-10-84)
- c. Veterinarians. By veterinarians approved by the livestock sanitary officials of the state of origin to make such tests. (12-10-84)

11. Duties of Carrier Regarding Health Certificates of Permits. All owners and operators of railroads, trucks, airplanes, or other conveyances used in the transportation of animals into or within the state of Idaho shall assure themselves each consignment or shipment is in conformity with the applicable statutes and rules of the state of Idaho, and that each consignment is accompanied by an official health certificate or by a permit, or by both, where so required and issued by the authorized livestock sanitary official. Such health certificate or permit, or both, shall be attached to the waybill accompanying the shipment or be in the possession of the attendant in charge of the animals. (12-10-84)

12. Sanitary Condition of Cars, Trucks and Airplanes. All railroad cars, trucks, airplanes, or other conveyances used in the transportation of animals shall be maintained in a clean and sanitary condition. (12-10-84)

13. Disinfection of Cars, Trucks and Airplanes. All owners and operators of railroad cars, trucks, airplanes, or other conveyances which have been used for movement of animals infected with or exposed to any infectious, contagious, or communicable disease shall have such cars, trucks, airplanes or other conveyances thoroughly cleaned and disinfected under official supervision by any accredited veterinarian or federal or state livestock inspector or Bureau of Animal Health designated employee, at the point of destination or by permit from the sanitary officials, may be moved to some other point for cleaning and disinfecting. (12-10-84)

14. General Duties of Carrier. All owners and operators of railroads, trucks, airplanes, or other conveyances shall conform to all rules and statutes of the state of Idaho in transporting or moving any animals into, within or through the state of Idaho. (12-10-84)

15. Importation of Cattle into Idaho. Cattle may enter the state of Idaho provided they are transported or moved in conformity with Section 010 through Subsection 020.09, as revised in 1984, and are accompanied by an official health certificate attesting they are free from evidence of any infectious, contagious, or communicable disease, or exposure thereto, or by a permit, or both. (3-20-97)

- a. General Requirements. (9-14-89)
 - i. An official health certificate is required by statute on all livestock imported into the state. (9-14-89)
 - ii. The following classes of cattle shall have a permit for entry prior to importation: (9-14-89)
 - (1) All intact male and female cattle of dairy breeds not consigned directly to slaughter or to a quarantined feedlot. (9-14-89)
 - (2) All beef breed bulls not consigned directly to slaughter or to a quarantined feedlot. (9-14-89)
 - (3) All cattle from Class B or Class C states. (9-14-89)
 - (4) All cattle from brucellosis surveillance areas or brucellosis high risk areas. (1-12-98)T
 - (45) Cattle of any classification that do not meet all other entry requirements. (9-14-89)
 - iii. All cattle entering Idaho shall be subject to a post-entry inspection by personnel authorized by the Bureau of Animal Health to perform such inspections. (9-14-89)

- b. Brucellosis Entry Requirements. (9-14-89)
- i. All female cattle entering Idaho shall have been officially brucellosis calfhood vaccinated, except: (12-10-84)
- (1) Calves under four (4) months of age. (12-10-84)
- (2) Cattle consigned directly to slaughter (or to a specifically approved stockyard for sale to slaughter). (12-10-84)
- (3) Vaccination eligible heifers may, by permit, be consigned to a specifically approved stockyard or other specified destination where they shall be vaccinated. (12-10-84)
- (4) Cattle consigned directly to Federal Quarantined or Idaho Registered Quarantined Feedlot (or consigned to specifically approved stockyard for sale to such feedlots). (12-10-84)
- ii. Brucellosis test requirements. (12-10-84)
- (1) All test eligible cattle from Class A state shall have been tested negative within thirty (30) days of importation. (12-10-84)
- (2) All test eligible cattle from Class B or C states shall have been tested negative within thirty (30) days of importation and shall be quarantined on arrival and subjected to a retest forty-five (45) to one-hundred twenty (120) days post entry. (12-10-84)
- (3) Test eligible cattle from Class A states which border Idaho may be consigned to a specifically approved Idaho stockyard and be tested before cattle lose identity as to origin. (12-10-84)
- (4) Test eligible cattle from Class B or C states which border Idaho may be consigned to a specifically approved Idaho stockyard and be tested on arrival. Test must be completed before cattle lose identity as to origin, prior to sale. These cattle shall be quarantined to new owners' premises and undergo a second test forty-five (45) to one-hundred twenty (120) days post entry. (12-10-84)
- (5) Test eligible cattle which are not official brucellosis calfhood vaccinates (bulls, etc.) which originate in Class C areas or states shall be tested as provided by UM&R and CFR prior to movement from Class C area or state, and shall be quarantined to new owners premises and undergo a retest forty-five (45) to one-hundred twenty (120) days post entry. (The pre-entry testing shall consist of a herd test at least sixty (60) days prior to movement and a retest not more than thirty (30) days prior to movement). (12-10-84)
- (6) Test eligible cattle from brucellosis surveillance areas or brucellosis high risk areas shall be tested negative to an official brucellosis test within thirty (30) days before importation into Idaho or shall be consigned to a specifically approved livestock market where they shall be tested prior to sale. (1-12-98)T
- ~~(6)~~ Exceptions to test requirement: (12-10-84)
- (a) Cattle from Class Free states except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T
- (b) Cattle from certified free herd in Class Free, A, B, C states except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T
- (c) Cattle consigned directly to slaughter from Class A state. (12-10-84)
- (d) Cattle consigned directly to slaughter from the farm or ranch of origin in a Class B or C state if shipped under movement permit. (12-10-84)

(e) Cattle from other than the farm or ranch of origin in a Class B or C state consigned directly to slaughter or a Federal Quarantined Feedlot if "S" branded prior to shipment and are accompanied by VS 1-27 or "S" brand permit except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T

(f) Cattle from Class A state if consigned directly to Federal Quarantined Feedlot or Idaho Registered Quarantined Feedlot or to a specifically approved stockyard for sale to Federal Quarantined Feedlot or Idaho registered Quarantined Feedlot, or directly to slaughter at a recognized slaughter establishment except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T

(g) Cattle from a farm or ranch of origin in a Class B or C state which are consigned directly to a specifically approved stockyard for sale to slaughter if such cattle are accompanied by a movement permit except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T

(h) Cattle other than from a farm or ranch of origin in a Class B or C state are consigned directly to a specifically approved stockyard for sale to slaughter or Federal Quarantined Feedlot if such cattle are "S" branded prior to shipment and are accompanied by a VS 1-27 or an "S" brand permit except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T

(i) Cattle from a farm or ranch of origin in a Class B or C state may be consigned to a Federal Quarantined Feedlot or to a specifically approved market for sale to a Federal Quarantined Feedlot without being "S" branded and without a VS 1-27 if such cattle are "S" branded upon arrival at the Federal Quarantined Feedlot. Such cattle must be accompanied by a movement permit except as specified in Subsection 210.15.b.ii.(6). ~~(12-10-84)~~(1-12-98)T

iii. All test eligible cattle entering Idaho, in addition to above requirements shall be individually identified on the health certificate. (12-10-84)

iv. Cattle not meeting these requirements shall not enter Idaho except by special permission of the Bureau of Animal Health. (12-10-84)

v. Grazing cattle from contiguous states which have traditionally been moved by permit into Idaho for seasonal grazing periods shall be moved only under special grazing permits issued jointly by the Bureau of Animal Health and officials of the contiguous state. Grazing permits shall be for one specified season only. Herd owners in order to be eligible to receive a grazing permit must file with the Bureau of Animal Health an approved herd plan to phase out all non-vaccinates in the herd within a designated period of time. The phase out of non-vaccinates shall be accomplished by March 1, 1988. The Bureau of Animal Health, in cooperation with the appropriate agency of the contiguous state, shall have the authority to impose a brucellosis herd test or tests on cattle entering for grazing purposes. This test requirement shall be evaluated on an annual basis by the Bureau of Animal Health and the animal health agency of the contiguous state. (12-10-84)

vi. Cattle may be imported into the state of Idaho in emergency situations under special permit from the Idaho Director of Agriculture, Idaho Administrator of the Division of Animal Industries or Idaho Chief of the Bureau of Animal Health. Cattle allowed entrance under this provision will be held separate and apart from Idaho cattle and will be quarantined for a specific time period to a specific area for grazing and/or feeding purposes. At the end of the quarantine time period the cattle will be returned to the state of origin, but must meet that state's import requirements prior to departure from Idaho; provided further, that should such cattle desire to remain in Idaho after the time period has expired, then such cattle must meet the same health and test requirements as would normally be required of any import cattle and this shall be done at the owner's expense. (12-10-84)

vii. Any animals imported in violation of these rules shall be placed under strict quarantine and consigned to immediate slaughter, removed from the state or to a Federal Quarantined Feedlot or Idaho Registered Quarantined Feedlot within fifteen (15) days, or such shipment shall be returned to the point of origin by the importer. (12-10-84)

viii. In addition to meeting the above requirements for entry, livestock imported into Idaho shall meet all requirements set forth in the CFR as revised in 1984 or as the 9 CFR is subsequently revised. Cattle exposed to or infected with brucellosis shall meet all requirements set forth in 9 CFR. (12-10-84)

- c. With Regard to Tuberculosis. Dairy and breeding cattle may enter the state of Idaho provided: (12-10-84)
- i. They originate in an Accredited Tuberculosis Free Herd, and an accredited herd number and date of last test are shown on the health certificate; or (12-10-84)
 - ii. They originate from a Bovine Tuberculosis Free Area and from a herd not under quarantine; or (12-10-84)
 - iii. They originate from a Modified Accredited area that has had no Tuberculosis positives within the past twelve (12) months; or (12-10-84)
 - iv. Cattle not meeting requirements in Subsections 280.03.a., 280.03.b., and 280.03.c. shall have been tested with negative results within thirty (30) days of shipment and originate in non-reactor herds; or (12-10-84)
 - v. Obtain a permit from Idaho Bureau of Animal Health and animals placed under quarantine for testing and compliance with entry requirements. (12-10-84)
- d. Scabies. (12-10-84)
- i. All cattle not known to be affected with Scabies consigned to Idaho from any state or area designated as a Scabies quarantined area are to be accompanied by a certificate of veterinary inspection from the state of origin indicating that such animals have been treated with an approved scabicide. Such cattle must be accompanied by an entry permit from the Idaho Division of Animal Industries. The only exceptions to the above requirements are as follows: (12-10-84)
 - (1) Cattle may be moved by permit from the Idaho Division of Animal Industries to an Idaho premise for treatment for Scabies within twenty-four (24) hours after arrival. Such cattle shall not be mixed or allowed to intermingle with resident cattle prior to official treatment. (12-10-84)
 - (2) Cattle may be shipped without permit directly to a federally inspected slaughter establishment. (12-10-84)
 - (3) Female cattle of dairy breeds over eighteen (18) months of age may be shipped into Idaho by permit, but without treatment for Scabies, but must have a hands-on inspection by an accredited veterinarian or state/federal livestock sanitary official to ascertain that the cattle are not infected. (12-10-84)
 - ii. Punishment for violation of rules. Any person, firm or corporation violating any of the provisions of these rules, shall be guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than one hundred dollars (\$100) nor more than five thousand dollars (\$5,000) for each offense, or by imprisonment in the county jail not exceeding six (6) months. (12-10-84)
- e. Trichomoniasis. The Certificate of Veterinary Inspection for bulls imported into Idaho shall contain a statement certifying that Trichomoniasis is not known to exist in the herd of origin, and: (9-14-89)
- i. The bull(s) are two (2) years of age or younger and have not serviced a cow; or (9-14-89)
 - ii. The bull(s) have been tested by culture for trichomoniasis within thirty (30) days of shipment and were negative to the test. (9-14-89)
 - iii. Exceptions to certification and testing: (9-14-89)
 - (1) Bulls consigned directly to slaughter at a recognized slaughter establishment. (9-14-89)
 - (2) Bulls consigned directly to a quarantined feedlot. (9-14-89)

16. Dogs and Cats. (12-10-84)
- a. Dogs. All dogs imported into the state of Idaho shall be accompanied by an official health certificate attesting that such dogs are apparently free from any infectious, contagious or communicable disease, and have been officially vaccinated against rabies. Officially vaccinated shall mean vaccinated in accordance with the current recommendations of the NASPHV compendium of Animal Rabies Vaccines. Puppies under three (3) months of age originating from a rabies quarantined area must have a permit from the Idaho Bureau of Animal Health prior to importation. (12-10-84)
- b. Cats. All cats imported into the state of Idaho shall be accompanied by an official health certificate attesting that such cats are apparently free from any infectious, contagious or communicable disease. Cats three (3) months of age or older shall have been vaccinated for rabies according to the recommendations of the current NASPHV Compendium on Rabies. (12-10-84)
17. Horses, Mules, Asses and Equidae. All horses, mules, asses and equidae which are to be transported or moved into the state of Idaho shall be accompanied by an official certificate of veterinary inspection or extended validity equine certificate, from the state of origin, stating that the equidae are free from evidence of any communicable disease and have completed Equine Infectious Anemia (EIA) test requirements, except as provided in this section. (3-20-97)
- a. Equine Infectious Anemia (EIA) Test Requirements. (3-20-97)
- i. An official EIA test is a blood test for EIA conducted by a USDA approved laboratory, within six (6) months of entry of the equidae into Idaho. (3-20-97)
- (1) Entry of equidae into Idaho shall not be allowed until the EIA test has been completed and reported negative. Equidae with tests "pending" are not acceptable. Equidae which test positive to the EIA test shall not be permitted entry into Idaho, except by special written permission from the Bureau of Animal Health. (3-20-97)
- (2) A nursing foal less than six (6) months of age accompanied by its EIA negative dam is exempt from the test requirements. (3-20-97)
- b. "Working horses" used for seasonal ranching purposes may be exempt from the requirements of this section if the horses have been included on a current grazing permit which has received prior approval from the Bureau of Animal Health and the chief livestock sanitary official in a western state which reciprocates with Idaho in honoring grazing permits. (3-20-97)
- c. Equids being moved directly to a USDA approved equine slaughter establishment may be exempted from EIA test requirements. (3-20-97)
- d. The Bureau of Animal Health may develop cooperative reciprocal agreements with neighboring states which exempt EIA testing requirements for movement of equidae between the cooperating states. (3-20-97)
- e. Findings and Effective Date. The amendments to Section 210 confer a benefit to the equine industry by protecting the equine industry against Equine Infectious Anemia and by providing a reasonable, effective mechanism for interstate movement of equidae among the states of the region. (3-20-97)
18. Poultry. (12-10-84)
- a. Health Certificate. Poultry may enter the state of Idaho without a health certificate if apparently healthy. (12-10-84)
- b. Psittacine Birds. Parakeets and other psittacine birds that will not be commercially exchanged in any manner may enter the state of Idaho without registration or health certificate if apparently healthy. All individuals commercially associated with all birds to be used as pets shall contact the Idaho State Department of Health & Welfare, Bureau of Preventive Medicine, Boise, Idaho, before transporting or moving birds into the state of Idaho. (12-10-84)

19. Imported Swine. (1-10-94)
- a. Swine. Swine may enter the state of Idaho provided they meet the following brucellosis and pseudorabies requirements, and are accompanied by a certificate of veterinary inspection attesting that they have been inspected within thirty (30) days of date of shipment, that they are free from evidence of all infectious, contagious, or communicable diseases, or known exposure thereto during the preceding sixty (60) days, that they have not been vaccinated with any pseudorabies vaccine, and that they have not been fed raw garbage. Swine for immediate slaughter which are apparently healthy may enter the state of Idaho without a certificate of veterinary inspection, provided the applicable permit requirements are met and the swine are consigned directly to a recognized slaughter establishment, or to a specifically approved livestock market for sale to a recognized slaughter establishment. (1-10-94)
- b. Brucellosis Rules - Breeding Swine. Negative tests for brucellosis at a dilution of one to twenty-five (1:25) within thirty (30) days of entry or negative to Official Card Test, within thirty (30) days of entry, or originate from a validated brucellosis free herd or validated brucellosis free state. (7-1-93)
- c. Pseudorabies Import Rule. (1-10-94)
- i. Breeding Swine. Must have a permit for entry from the Idaho Division of Animal Industries and be individually identified by official ear tags or other approved techniques, and be shipped directly from a farm of origin or a market in a Stage IV or V state/area, or may be shipped directly from a qualified pseudorabies-negative herd. Such swine must be quarantined in isolation at destination and retested thirty to sixty (30-60) days following importation, or must have a negative official pseudorabies test within thirty (30) days prior to entry. Such swine must be quarantined in isolation and retested at destination thirty to sixty (30-60) days following importation. (1-10-94)
- ii. Feeder Pigs. Must have a permit for entry from the Idaho Division of Animal Industries and be identified by an official ear tag, approved legible ear tattoo or other approved techniques indicating the state and herd of origin, and be shipped directly from a farm of origin or a market in a Stage IV or V state/area, or be shipped directly from a qualified pseudorabies-negative herd, or Feeder pigs not meeting Subsection 300.03.b.ii. or 300.03.b.iii., must have a negative official pseudorabies test within thirty (30) days prior to entry. Such swine must be quarantined in isolation at destination and retested thirty to sixty (30-60) days following importation. (1-10-94)
- iii. Slaughter Swine. Infected or exposed swine shall be accompanied by a permit and may be shipped directly to a recognized slaughter establishment. Slaughter swine, which are not known to be infected or exposed, may be imported from a state/area with a program status up to and including Stage III, for movement directly to a recognized slaughter establishment, without permit. Slaughter swine from Stage IV or V state/area, which are not known to be infected or exposed, may be imported directly to recognized slaughter establishments or to specifically approved stockyards for sale to recognized slaughter establishments, without permit. (1-10-94)
20. Wild Animals. All wild animals and semi-wild animals not under domestication are under the supervision of the Idaho Department of Fish and Game and all matters pertaining to any restrictions governing their movement into the state of Idaho is under the supervision of the Fish and Game Department. (12-10-84)
21. Biologics. (12-10-84)
- a. Distribution Permit. By rule, serum, vaccines, bacterins and biological remedies of all kinds used as diagnostic agents or used in the treatment of diseases of livestock or poultry shall not be sold, distributed or used within the state of Idaho or imported into the state for sale, distribution or use unless such serum, vaccines, bacterins and biological remedies have been produced under a permit granted by the United States Department of Agriculture, Veterinary Service. (12-10-84)
- b. Shipping Virulent Blood or Living Virus. By rule, all manufacturers, dealers and distributors of biological products are hereby prohibited from shipping any virulent blood or living virus (brucella abortus vaccine) of any disease affecting livestock, dogs, or poultry into the state of Idaho, unless written permission shall first be obtained from the Idaho Division of Animal Industries and no living virus for use in animals or poultry shall be distributed or used within the state of Idaho unless permission in writing shall first be obtained from the Idaho

Division of Animal Industries at Boise for the distribution and use of the same. (12-10-84)

c. Labels. By rule no permit under Subsections 310.01 and 310.02 will be issued unless the product shall be contained in vessels bearing labels approved by the Idaho Bureau of Animal Health, properly identifying the product by proper name and description, bearing adequate directions for the use of the product, and bearing no statement, design, or device that may deceive the purchaser, or that is false or misleading in any particular.(12-10-84)

22. Domestic Fur-Bearing Animals. All domestic fur bearing animals which are transported or moved into the state of Idaho shall be accompanied by an official health certificate from the state of origin. (12-10-84)

23. Additional Provisions. In addition to the aforementioned provisions, the regulations as outlined in Title Nine (9), CFR, United States Department of Agriculture, Veterinary Services, governing the movement of livestock shall be adhered to. (12-10-84)

24. Violation of Rules. Pursuant to Titles 18, 25, 37, and 67, Idaho Code, a violation of the rules of the Idaho Department of Agriculture, Bureau of Animal Industry, shall constitute a misdemeanor. (9-6-61)

25. Actinomycosis - Lump Jaw - Public Livestock Markets. Any animal infected or affected with the disease known as actinomycosis and/or actinobacillosis, commonly referred to as "lump jaw", to the extent that the lesion is open and/or there is drainage therefrom, entering a Public Livestock Market shall be held only in the quarantine pen and sold only therefrom, and only in accordance with Subsection 190.01. (12-27-61)

26. Bison. (9-5-67)

a. Shipment. All shipments must be in compliance with Federal Interstate regulations. (9-5-67)

b. Permits. A permit is required from the Idaho Bureau of Animal Industry prior to importation of bison. (9-5-67)

IDAPA 11 - IDAHO STATE BRAND BOARD
11.02.01 - RULES OF THE IDAHO STATE BRAND BOARD
DOCKET NO. 11-0201-9801
NOTICE OF TEMPORARY RULE

EFFECTIVE DATE: These temporary rules are effective January 1, 1998.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section 25-11022, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

Animal Damage Control increased their fee from three to four cents per head on all livestock with the additional revenue going to fund existing programs and, hopefully, the dairy and feedlot operators needing assistance in handling their problems.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

To be in compliance with deadlines in amendments to governing law or Federal programs.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

Animal Damage Control's fee for this charge was three cents (\$.03) per head. It will increase to four cents (\$.04) per head. Increased revenue will be used to provide additional assistance to beef feedlots and dairy operations with recurring problems from starlings and magpies.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Larry A. Hayhurst, 208-884-7070.

DATED this 31st day of December, 1997.

Larry A. Hayhurst
State Brand Inspector
Idaho State Brand Board
700 South Stratford
P. O. Box 1177
Meridian, ID 83680-3377
Phone 208-884-7070 - FAX 208-884-7097

TEXT OF DOCKET NO. 11-0201-9801

034. SCHEDULE OF FEES FOR THE IDAHO STATE BRAND BOARD.

01. Fees. Fees authorized by the State Brand Board and to be collected by the State Brand Inspector are as follows:

Fees Authorized And Collected By The State Brand Board		
Recording of a Brand	\$50.00	
Transfer of a Recorded Brand	\$50.00	
Renewal of a Recorded Brand (Every five years)	\$50.00	
Duplicate Brand Registration Certificate	\$ 1.50	
Ownership and Transportation Certificate	\$25.00	
Duplicate Ownership and Transportation Certificate	\$ 5.00	
Annual Inspection (Expires 12/31) Equine Or Bovine	\$ 5.00	
	CATTLE	HORSES
Brand Inspection (per head)	\$.75	\$ 1.50
Idaho Livestock to Pasture (per head)	\$.38	\$.75
Minimum Auction Fee	\$50.00	\$50.00
Minimum Field Brand Inspection Fee	\$ 3.00	\$ 3.00
Courtesy Brand Inspection	\$.75	\$ 1.50

Fees To Be Collected By The State Brand Inspector For Other State Agencies:	
Idaho Beef Council (per head)	\$1.00
Idaho Horse Board (per head)	\$1.00
Idaho Department of Agriculture:	
Animal Health (per head)	\$.22
Predator Control (per head)	\$.034

~~(3-20-97)(1-1-98)T~~

02. Due And Payable. Pursuant to Section 25-1152(5), Idaho Code, all brand inspection fees, and all other fees required to be collected by the Brand Inspector are due and payable at the time of inspection, except that livestock owners may make arrangements with a deputy brand inspector to pay for all accumulated brand inspection fees within each seven (7) day period. Failure to comply with this rule will cancel the previously approved schedule and shall make all fees immediately due and payable. ~~(7-1-93)(1-1-98)T~~

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.04 - RULES GOVERNING THE FOOD STAMP PROGRAM IN IDAHO
DOCKET NO. 16-0304-9706

NOTICE OF PENDING RULE AND AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: The amendments to the temporary rule are effective January 1, 1998. These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective on July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224 and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a pending rule and amended a temporary rule. The action is authorized pursuant to Section(s) 56-202 (b) and 39-106 (l), Idaho Code.

DESCRIPTIVE SUMMARY: The proposed rules have been amended for clarification to the definition of good cause in the rules, and are being amended pursuant to Section 67-5227, Idaho Code.

Only the sections that have changes are printed in this bulletin. The original text of the proposed and temporary rule was published in the December 3, 1997 Idaho Administrative Bulletin, Volume 97-12, pages 103 through 116.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule or the amendment to temporary rule, contact Patti Campbell, at (208) 334-5819.

DATED this 4th day of February, 1998.

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IDAPA 16
TITLE 03
Chapter 04

RULES GOVERNING THE FOOD STAMP PROGRAM IN IDAHO

**There are substantive changes
from the proposed rule text.**

**Only those sections that have changed from the
original proposed text are printed in this
Bulletin following this notice.**

**The complete original text was published in the
Idaho Administrative Bulletin, Volume 97-12, December 3, 1997,
pages 103 through 116.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1999 Idaho State Legislature
for final adoption.**

TEXT OF DOCKET NO. 16-0304-9706

230. JSAP PROGRAM COMPONENTS.

Before placement in a JSAP component, participants must negotiate and sign a JSAP agreement. Subsections 230.01 through 230.03 list JSAP program components. (1-1-98)T

01. Job Search. Participants must register for work with the Department of Labor, and actively search for employment. During the first two (2) months after Food Stamp approval, participants must complete at least twelve (12) hours of job search each month. After the first two (2) months, job search activity will be negotiated with the participant. Job search activities include job readiness activities. (1-1-98)T

02. Work Opportunities. Participants are assigned to Work Opportunities placements to learn practical expectations and demands of employment, and improve technical skills. Participants are not employed by the placement site. Participants are required to engage in Work Opportunities, up to the number of hours determined by dividing the monthly Food Stamp allotment by the Federal minimum wage. ~~Placement at a particular site must not exceed thirteen (13) weeks.~~ (1-1-98)T(1-1-98)T

03. Skills Training. Participants are assigned to skills training to improve basic skills and employability. Skills training includes, but is not limited to, the following: (1-1-98)T

- a. High School Education. High School or equivalent educational programs. (1-1-98)T
- b. Remedial Education. Remedial education programs to achieve a basic literacy level. (1-1-98)T
- c. English Language. Instructional programs in English as a second language. (1-1-98)T
- d. Self Employment. Programs designed to improve the self sufficiency of participants through self-employment. (1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

236. GOOD CAUSE.

~~Good cause is a valid reason for not meeting JSAP participation requirements. A mandatory participant may get a deferral from JSAP requirements, if the Department determines a valid reason exists.~~ (1-1-98)T(1-1-98)T

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.05 - RULES GOVERNING AID TO THE AGED, BLIND AND DISABLED

DOCKET NO. 16-0305-9705

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective on July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 39-106 (l) and 56-202 (b), Idaho Code.

DESCRIPTIVE SUMMARY: The pending rules are being adopted as proposed. The original text of the proposed rules was published in the December 3, 1997 Idaho Administrative Bulletin, Volume 97-12, pages 118 through 126.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Patti Campbell at, (208) 334-5819.

DATED this 4th day of February, 1998.

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IDAPA 16
TITLE 03
Chapter 05

RULES GOVERNING AID TO THE AGED, BLIND AND DISABLED

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-12, December 3, 1997,
pages 118 through 126.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1999 Idaho State Legislature for final adoption.**

**IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.09 - RULES GOVERNING MEDICAL ASSISTANCE**

DOCKET NO. 16-0309-9709

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective on July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 56-202 (b), 56-203 (g), and 56-203 (I), Idaho Code.

DESCRIPTIVE SUMMARY: The pending rules are being adopted as proposed. A clerical change was made to the effective date in Subsection 160.06.a.iii. and was amended to include a "T" after the date. A comma was deleted in Subsection 160.06.b.v.(2)(b). The original text of the proposed rules was published in the December 3, 1997 Administrative Bulletin, Volume 97-12, pages 128 through 134.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Beldon Ragsdale, at (208) 334-5795.

DATED this 4th day of February, 1998.

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**IDAPA 16
TITLE 03
Chapter 09**

RULES GOVERNING MEDICAL ASSISTANCE

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-12, December 3, 1997,
pages 128 through 134.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1999 Idaho State Legislature for final adoption.**

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.03.09 - RULES GOVERNING MEDICAL ASSISTANCE

DOCKET NO. 16-0309-9802

NOTICE OF TEMPORARY RULES

EFFECTIVE DATE: These temporary rules are effective January 1, 1997.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 56-202 (b) and 56-203 (g), Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

Temporary rule change will clarify the policy for eyeglass lens eligibility.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Temporary rules have been adopted in accordance with Section 67-5226, Idaho Code and are necessary in order to confer a benefit.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rules, contact Cindy Taylor at (208) 334-0631.

DATED this 4th day of February, 1998.

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TEXT OF DOCKET NO. 16-0309-9802

122. VISION SERVICES.

The Department will pay for vision services and supplies in accordance with the guidelines and limitations listed below. All eyeglass frames and lenses provided to Medicaid recipients and paid for by the Medicaid Program will be purchased from the supplier designated by the Department. (7-1-97)

01. Eye Examinations. The Department will pay participating physicians and optometrists for one (1) eye examination during any twelve (12) month period for each eligible recipient to determine the need for glasses to correct a refractive error. Each eligible MA recipient, following a diagnosis of visual defects and a recommendation that eyeglasses are needed for correction of a refractive error, can receive eyeglasses within Department guidelines (see Section 100). (12-31-91)

02. Lenses. Lenses, single vision or bifocal, will be ~~provided~~ purchased by the Department when there is documentation that the correction need is equal to or greater than plus or minus one-half (.50) diopters, but not more often than once every four (4) years for eligible recipients. (~~10-29-92~~)(1-1-97)T

a. Polycarbonate lenses will be purchased only when there is clear documented evidence that the thickness of the plastic lenses precludes their use (prescriptions above plus or minus two (2) diopters of correction) and requires prior authorization by the Department or its designee. (1-1-98)T

b. Scratch resistant coating is required for all plastic and polycarbonate lenses. (1-1-97)T

c. Payment for tinted lenses will only be made when there is a diagnosis of albinism or in the case of other extreme medical conditions as defined by the Department. Prior authorization is required by the Department or its designee. (1-1-98)T

d. Contact lenses will be covered only with documentation that an extreme myopic condition requiring a correction equal to or greater than minus four (-4) diopters, cataract surgery, keratoconus, or other extreme conditions as defined by the Department that preclude the use of conventional lenses. Prior authorization is required by the Department or its designee. (1-1-98)T

03. Replacement Lenses. Replacement lenses ~~shall~~ may be purchased prior to the four (4) year limitation only with documentation of a major visual change as defined by the Department. ~~Statements of major visual change shall include documentation of a visual refraction change of at least one half (-.50) diopter plus or minus.~~ (1-1-98)T(1-1-98)T

04. Frames. Frames will be purchased according to the following guidelines: (1-1-98)T

a. One (1) set of frames will be purchased by the Department not more often than once every four (4) years for eligible recipients; (10-1-91)

b. Except when it is documented by the physician that there has been a major change in visual acuity that cannot be accommodated in lenses that will fit in the existing frames, new frames also may be authorized. (10-22-93)

05. Glasses. Replacement of broken, lost, or missing glasses shall be the responsibility of the recipient. (1-1-97)T

06. Payment for Non Covered Services. A Medicaid Provider may receive payment from a Medicaid recipient for vision services that are either not covered by the Idaho Medicaid State Plan, or include special features or characteristics that are desired by the recipient but are not medically necessary. Non covered items include Trifocal lenses, Progressive lenses, photo gray, and tint. (1-1-97)T

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.04.12 - RULES GOVERNING INDIVIDUAL AND FAMILY GRANT PROGRAM

DOCKET NO. 16-0412-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective on July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224 and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 56-202(b); 39-106(l), Idaho Code.

DESCRIPTIVE SUMMARY: The pending rules are being adopted as proposed. The original text of the proposed rules was published in the December 3, 1997 Administrative Bulletin, Volume 97-12, page 141.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Patti Campbell at (208) 334-5819.

DATED this 4th day of February, 1998.

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IDAPA 16
TITLE 04
Chapter 12

RULES GOVERNING INDIVIDUAL AND FAMILY GRANT PROGRAM

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-12, December 3, 1997, page 141.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1999 Idaho State Legislature for final adoption.**

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.04.12 - RULES GOVERNING INDIVIDUAL AND FAMILY GRANT PROGRAM
DOCKET NO. 16-0412-9702

NOTICE OF PENDING RULE AND AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: The amendments to the temporary rule are effective January 1, 1998. These rules have been adopted by the agency and are now pending review by the 1999 Idaho State Legislature for final adoption. The pending rule becomes final and effective on July 1, 1999, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224 and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a pending rule and amended a temporary rule. The action is authorized pursuant to Section(s) 56-202(b); 39-106(l), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and amending the existing temporary rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

The proposed rules have been amended to make typographical, transcriptional, and clerical corrections to the rules, and are being amended pursuant to Section 67-5227, Idaho Code. Rather than keep the temporary rules in place while the pending rules await legislative approval, the Department amended the temporary rules with the same revisions which have been made to the proposed rules.

Only the sections that have changes are printed in this bulletin. The original text of the proposed rules was published in the December 3, 1997 Administrative Bulletin, Volume 97-12, pages 142 through 146.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Patti Campbell, at (208) 334-5819.

DATED this 4th day of February, 1998.

Sherri Kovach
Administrative Procedures Coordinator
DHW - Legal Services Division
450 West State Street - 10th Floor
P.O. Box 83720
Boise, Idaho 83720-0036
Phone (208) 334-5564 Fax (208) 334-5548

IDAPA 16
TITLE 04
Chapter 12

RULES GOVERNING INDIVIDUAL AND FAMILY GRANT PROGRAM

**There are substantive changes from the proposed rule text
and these changes have been made to the temporary rule.**

Only those sections that have changed from the original proposed text are printed in this Bulletin following this notice.

The complete original text was published in the Idaho Administrative Bulletin, Volume 97-12, December, 1997, pages 142 through 146.

This rule has been adopted as Final by the Agency and is now pending review by the 1999 Idaho State Legislature for final adoption.

TEXT OF DOCKET NO. 16-0412-9702

003. ADMINISTRATIVE APPEAL.

The administrative appeal process is set forth in IDAPA 16.05.03 and Section 423(a) of Public Law 100-107, the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Any decision regarding eligibility for, form, or amount of assistance may be appealed within ~~ninety~~ sixty (60) days after the date the individual or family is notified of the award or denial of assistance. ~~(1-1-98)F(1-1-98)T~~

IDAPA 18 - DEPARTMENT OF INSURANCE
18.01.73 - RULE TO IMPLEMENT THE INDIVIDUAL HEALTH INSURANCE
AVAILABILITY ACT PLAN DESIGN

DOCKET NO. 18-0173-9701

NOTICE OF CORRECTION TO PENDING RULE

CORRECTION: The following notice corrects typographical errors made during the publication of this rule. The errors were made in the Subsection 18.01.73.011.13 of this rule. The text of the Subsection is being corrected and republished in this notice. The original proposed rule text was published in the October 1, 1997, Administrative Bulletin, Volume 97-10 on pages 107 through 114. All other text of the rule remains unchanged. These corrections are being done in conjunction with the Office of the Administrative Rules Coordinator.

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective upon adjournment of the legislature, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that this agency has corrected a rule. The action is authorized pursuant to Section 41-211, Idaho Code.

DESCRIPTIVE SUMMARY: The following Subsection is being reprinted to correct the word "of" to read "or" and to correct the word "on" to read "as." The Subsection is reprinted here in its corrected form.

IDAPA 18.01.73.011.13.b.

b. For catastrophic plans: Dental care or treatment, except for injury sustained while insured under this policy, or as a result of nondental disease covered by the policy. ()

The pending rules are being adopted as proposed. The original text of the proposed rule was published in the October 1, 1997, Administrative Bulletin, Volume 97-10, pages 107 through 114, the pending rule was published January 7, 1998, Idaho Administrative Bulletin, Volume 98-1, page 280.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the correction to pending rule, contact James M. Alcorn, at (208)-334-4202.

Dated this 20th day of January, 1998.

James M. Alcorn, Director
Idaho Department of Insurance
700 West State Street - 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043
Telephone No. (208) 334-4250
Fax No. (208) 334-4398

IDAPA 20 - DEPARTMENT OF LANDS

20.03.02 - RULES GOVERNING EXPLORATION AND SURFACE MINING IN IDAHO

DOCKET NO. 20-0302-9701

NOTICE OF CORRECTION TO PENDING RULE

CORRECTION: The following notice corrects typographical, transcription and clerical errors made during the publication of this rule. The original proposed rule text was published in the September 3, 1997 Administrative Rule Bulletin, Volume 97-9 on pages 183 through 204. The pending rule was published in the Idaho Administrative Bulletin, December 3, 1997, Volume 97-12, page 155. All other text of the rule remains unchanged. This Correction of Pending Notice is being done in compliance with Section 67-5228, Idaho Code. This correction is being done in conjunction with the Office of Administrative Rules Coordinator.

EFFECTIVE DATE: These rules have been adopted by the agency and have been reviewed and approved by the 1998 Idaho State Legislature. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 47-1505(3).

DESCRIPTIVE SUMMARY: The following subsections are being reprinted to correct a typographical and transcription error.

IDAPA 20.03.02.001.04.b.

b. Surface mining operations, conducted by a public or governmental agency for maintenance, repair, or construction of a public highway, which disturb ~~less~~ more than two (2) acres, shall comply with the provisions of Section 069. ~~(10-21-97)()~~

IDAPA 20.03.02.070.05.g.

g. If an operator proposed proposes coarse and durable rock armor for reclamation of mine facilities, the director may, after considering the type, size, and potential environmental impact of the facility, require the operator to verify the ~~quantities~~ quantities, size, class, and durability of the materials which will be used for final reclamation and armoring. The operator may also be required to specify their plans to schedule, handle, and/or stockpile the coarse and durable materials to ensure that adequate ~~quantities~~ quantities of these materials are available during reclamation. ~~(10-21-97)()~~

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, September 3, 1997, Volume 97-9, pages 183 through 204, and the pending rule was published in the Idaho Administrative Bulletin, December 3, 1997, Volume 97-12, page 155.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact: Scott Nichols, Bureau Chief, Idaho Department of Lands - Bureau of Minerals, 954 West Jefferson Street, Boise, Idaho 83720, Telephone: (208) 334-0261.

Dated this 28th day of January 1998.

Stanley F. Hamilton, Director
Idaho Department of Lands
954 West Jefferson Street
P.O. Box 83720
Boise, Idaho 83720-0050
(208) 334-0200 – Telephone / (208) 334-3698 – Fax

IDAPA 25 - OUTFITTERS AND GUIDES LICENSING BOARD
25.01.01 - RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD
DOCKET NO. 25-0101-9701

NOTICE OF CORRECTION TO PENDING RULE

CORRECTION: This notice corrects an error made during the publication of this rule. The error was made in Section 25.01.01.058 of this rule. The text of the Section is being reprinted in this Notice in its correct form. The original temporary and proposed rule text was published in the October 1, 1997, Administrative Bulletin, Volume 97-10 on pages 198 through 214. The pending rule text was published in the January 7, 1998, Administrative Bulletin, Volume 98-1, pages 284 through 290. All other text of the rule remains unchanged. This correction is being done in conjunction with the Office of the Administrative Rules Coordinator.

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective upon adjournment of the legislature, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 36-2107(b) and (d), Idaho Code.

DESCRIPTIVE SUMMARY: Section 058 was inadvertently published as a "RESERVED" section. The Section is reprinted here with the correct text and reads as follows:

IDAPA 25.01.01.058

058. NUMBER OF OUTFITTERS AND GUIDES LIMITED.

Big Lost and Little Lost Rivers and the Big Wood and the Little Wood Rivers -- All reaches from headwaters to the termination of the flow of the Big Lost and the Little Lost Rivers and all reaches of the Big Wood and Little Wood Rivers are limited to a maximum of five (5) outfitters on both rivers combined. (5-1-95)

The pending rules are being adopted as proposed. The original text of the proposed rule was published in the October 1, 1997, Administrative Bulletin, Volume 97-10 on pages 198 through 214. The pending rule text was published in the January 7, 1998, Administrative Bulletin, Volume 98-1, pages 284 through 290. All other text of the rule remains unchanged.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the correction to pending rule, contact Dean Sangrey, Executive Director (208) 327-7380 - FAX (208) 327-7382.

DATED this 23rd day of January, 1998.

Dean Sangrey, Executive Director
Outfitters and Guides Licensing Board
1365 North Orchard, Suite 172
Boise, Idaho 83706
(208) 327-7380 - FAX (208) 327-7382

IDAPA 35 - STATE TAX COMMISSION
35.01.03 - PROPERTY TAX ADMINISTRATIVE RULES
DOCKET NO. 35-0103-9707
NOTICE OF CORRECTION TO PENDING RULES

CORRECTION: The following notice corrects a typographical error made during the publication of this rule. The error was made in the Subsection 35.01.03.127.03 of this rule. The text of the Subsection is being corrected and republished in this notice. The original proposed rule text was published in the October 1, 1997, Administrative Bulletin, Volume 97-10 on pages 287 through 289. The pending rule was published in the December 3, 1997, Idaho Administrative Bulletin, Volume 97-12, page 187. All other text of the rule remains unchanged. This correction is being done in conjunction with the Office of the Administrative Rules Coordinator.

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective upon adjournment of the legislature, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 63-105A, Idaho Code.

DESCRIPTIVE SUMMARY: The following Subsection is being reprinted to correct the "\$32,500" to "\$37,500" in both the table and the last sentence.

IDAPA 35.01.03.127.03

03. Calculation of the Exemption. The exemption is fifty percent (50%) of the "remediated land value". This exempt value is constant throughout the term of the exemption. The amount of the exemption shall never exceed the current market value of the land. For example:

<u>Land Value on January 1 (after remediation)</u>	≡	<u>\$200,000</u>
<u>Land Value on January 1 (before remediation)</u>	≡	<u>-\$125,000</u>
<u>Remediated Land Value</u>		<u>\$ 75,000</u>
<u>Exemption Ratio</u>	≡	<u>x 50%</u>
<u>Exempt Value</u>	≡	<u>\$ 37,500</u>

For the example cited, the value of thirty-seven thousand five hundred dollars (\$37,500) would be the exempted value for all seven (7) years. ()

The pending rules are being adopted as proposed. The original text of the proposed rule was published in the October 1, 1998, Administrative Bulletin, Volume 97-10, pages 287 through 289.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the correction to the pending rule, contact Alan Dornfest, at (208) 334-7530.

DATED this 28th day of January, 1998.

Alan Dornfest, Tax Policy Specialist
 State Tax Commission
 800 Park Blvd. Plaza IV
 P. O. Box 36, Boise, ID 83722
 (208) 334-7530/FAX (208) 334-7844

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