

IDAHO ADMINISTRATIVE BULLETIN

April 6, 2011 -- Volume 11-4

Idaho Department of Administration
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IDAHO ADMINISTRATIVE BULLETIN

Table of Contents

April 6, 2011 -- Volume 11-4

<i>PREFACE</i>	3
<i>IDAPA 17 - INDUSTRIAL COMMISSION</i>	
<i>17.02.09 - Medical Fees</i>	
Docket No. <i>17-0209-1101</i>	
Notice of Rulemaking - Adoption of Temporary Rule	14
<i>SECTIONS AFFECTED INDEX</i>	16
<i>LEGAL NOTICE - SUMMARY OF PROPOSED RULEMAKINGS</i>	17
<i>CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES</i>	18
<i>SUBJECT INDEX</i>	38

Preface

The Idaho Administrative Bulletin is a monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all administrative rulemaking documents in Idaho. All official rulemaking notices, official rule text, executive orders of the Governor, all legislative documents affecting rules, and any other documents required by law are published in the Bulletin.

State agencies are required to provide public notice of all proposed rulemaking actions and must invite public input once proposed rulemaking has been initiated. The public receives notice of proposed rulemaking actions through the Idaho Administrative Bulletin and a Public Notice (legal notice) that publishes in specific newspapers throughout the state. The legal notice provides reasonable opportunity for the public to participate when a proposed rule publishes in the Bulletin. Interested parties can submit written comments to the agency or request public hearings of the agency if none have been scheduled. Such submissions or requests must be presented to the agency within the time and manner specified in the individual "Notice of Rulemaking" for each proposed rule that is published in the Bulletin. After the comment period closes, the agency considers fully all information submitted regarding the proposed rule. Comment periods and public hearings are not provided for when the agency adopts a temporary or pending rule.

CITATION TO THE IDAHO ADMINISTRATIVE BULLETIN

The Bulletin is cited by year and issue number. For example, Bulletin **09-1** refers to the first Bulletin issued in calendar year **2009**; Bulletin **10-1** refers to the first Bulletin issued in calendar year **2010**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **10-1** refers to January 2010; Volume No. **10-2** refers to February 2010; and so forth. Example: The Bulletin published in January 2010 is cited as Volume **10-1**. The December 2009 Bulletin is cited as Volume **09-12**.

RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is published once a year and is a compilation or supplemental compilation of all final and enforceable administrative rules in effect in Idaho. In an effort to provide the reader with current, enforceable rules, temporary rules are also published in the Administrative Code. Temporary rules and final rules approved by the legislature during the legislative session, and published in the monthly Idaho Administrative Bulletin, supplement the Administrative Code. Negotiated, proposed, and pending rules are only published in the Bulletin and **not** printed in the Administrative Code.

To determine if a particular rule remains in effect, or to determine if a change has occurred, the reader should refer to the **Cumulative Rulemaking Index of Idaho Administrative Rules**, printed in each Bulletin.

THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho's administrative rulemaking process, governed by the Administrative Procedure Act, Title 67, Chapter 52, Idaho Code, comprises five distinct activities: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings involve all five. At a minimum, a rulemaking includes proposed, pending and final rulemaking. Many rules are adopted as temporary rules when they meet the required statutory criteria and agencies often engage in negotiated rulemaking at the beginning of the process to facilitate consensus building in controversial or complex rulemakings. In the majority of cases, the process begins with proposed rulemaking and ends with the final rulemaking. The following is a brief explanation of each type of administrative rule.

NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested parties and the agency seek consensus on the content of a rule. Agencies are encouraged, and in some cases required, to engage in this rulemaking activity whenever it is feasible to do so. Publication of a “Notice of Intent to Promulgate - Negotiated Rulemaking” in the Administrative Bulletin by the agency is optional. This process should result in the formulation of a proposed or temporary rule, or both.

PROPOSED RULEMAKING

A proposed rulemaking is an action by an agency wherein the agency is proposing to amend or repeal an existing rule or to adopt a new rule. Prior to the adoption, amendment, or repeal of a rule, the agency must publish a “Notice of Rulemaking - Proposed Rule” in the Bulletin. This notice must include:

- a) the specific statutory authority (from Idaho Code) for the rulemaking including a citation to a specific federal statute or regulation if that is the basis of authority or requirement for the rulemaking;
- b) a statement in nontechnical language of the substance of the proposed rule, including a specific description of any fee or charge imposed or increased;
- c) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided, however, that notwithstanding Section 67-5231, Idaho Code, the absence or accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or enforceability of the rule.
- d) the text of the proposed rule prepared in legislative format;
- e) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- f) the manner in which persons may make written comments on the proposed rule, including the name and address of a person in the agency to whom comments on the proposal may be sent;
- g) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- h) the deadline for public (written) comments on the proposed rule.

All proposed rulemakings that are submitted for publication in the Bulletin that would impose a fee or charge must be accompanied by a cost/benefit analysis that is prepared by the agency. This cost/benefit analysis must estimate, as reasonably as possible, the costs to the agency to implement the rule and the estimated costs that would be borne by citizens or the private sector. This analysis is filed with the Director of LSO who then forwards it to the appropriate germane joint subcommittee assigned to review the promulgating agency’s proposed rules.

When incorporating by reference, the notice of proposed rulemaking must include a brief synopsis detailing the need to incorporate by reference any additional materials into the rule. The agency must also provide information regarding access to the incorporated materials. At a minimum, and when available, the agency must provide an electronic link to the documents that can be accessed on a website or post this information on its own website, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s website.

As stated, the text of the proposed rule must be published in the Bulletin. After meeting the statutory rulemaking criteria for a proposed rule, the agency may proceed to the pending rule stage. A proposed rule does not have an assigned effective date, even when published in conjunction with a temporary rule, and therefore, is not enforceable. An agency may vacate (terminate) a rulemaking after the publication of a proposed rule if it decides, for whatever reason, not to proceed further to finalize the rulemaking. The publication of a “Notice of Vacation of Proposed Rulemaking” in the Bulletin officially stops the formal rulemaking process.

TEMPORARY RULEMAKING

Temporary rules may be adopted only when the governor finds that it is necessary for:

- a) protection of the public health, safety, or welfare; or
- b) compliance with deadlines in amendments to governing law or federal programs; or
- c) conferring a benefit.

If a rulemaking meets one or more of the above legal criteria and the governor finds it is necessary that a rule become effective before it has been submitted to the legislature for review and approval and without allowing for any public input, the agency may proceed and adopt a temporary rule. The law allows that agency to make a temporary rule immediately effective upon adoption. However, a temporary rule that imposes a fee or charge may be adopted only if the governor finds that the fee or charge is necessary to avoid an immediate danger which justifies the imposition of the fee or charge.

A temporary rule expires at the conclusion of the next succeeding regular legislative session unless the rule is extended by concurrent resolution, is replaced by a final rule, or expires under its own terms.

State law requires that the text of both a proposed rule and a temporary rule be published in the Administrative Bulletin. In cases where the text of the temporary rule is the same as the proposed rule, the rulemaking can be done concurrently as a proposed/temporary rule. Combining the rulemaking allows for a single publication of the text.

An agency may, at any time, rescind a temporary rule that has been adopted and is in effect. If the temporary rule is being replaced by a new temporary rule or if it has been published concurrently with a proposed rule that is being vacated, the agency, in most instances, will rescind the temporary rule.

PENDING RULEMAKING

A pending rule is a rule that has been adopted by an agency under regular rulemaking procedures and remains subject to legislative review before it becomes a final, enforceable rule.

When a pending rule is published in the Bulletin, the agency is required to include certain information in the "Notice of Rulemaking Pending Rule." This includes:

- a) a statement giving the reasons for adopting the rule;
- b) a statement of any change between the text of the proposed rule and the pending rule with an explanation of the reasons for any changes;
- c) the date the pending rule will become final and effective and a statement that the pending rule may be rejected, amended or modified by concurrent resolution of the legislature;
- d) an identification of any portion of the rule imposing or increasing a fee or charge and a statement that this portion of the rule shall not become final and effective unless affirmatively approved by concurrent resolution of the legislature;
- (e) the specific statutory authority for the rulemaking including a citation to the specific section of the Idaho Code that has occasioned the rulemaking, or the federal statute or regulation if that is the basis of authority or requirement for the rulemaking; and
- (f) a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year when the pending rule will become effective; provided however, that notwithstanding section 67-5231, Idaho Code, the absence or

accuracy of a fiscal impact statement provided pursuant to this subsection shall not affect the validity or the enforceability of the rule.

Agencies are required to republish the text of the rule when substantive changes have been made to the proposed rule. An agency may adopt a pending rule that varies in content from that which was originally proposed if the subject matter of the rule remains the same, the pending rule change is a logical outgrowth of the proposed rule, and the original notice was written so as to assure that members of the public were reasonably notified of the subject. It is not always necessary to republish all the text of the pending rule. With the permission of the Rules Coordinator, only the Section(s) that have changed from the proposed text are republished. If no changes have been made to the previously published text, it is not required to republish the text again and only the "Notice of Pending Rulemaking" is published.

FINAL RULEMAKING

A final rule is a rule that has been adopted by an agency under the regular rulemaking procedures and is in effect and enforceable.

No pending rule adopted by an agency will become final and effective until it has been submitted to the legislature for review. Where the legislature finds that an agency has violated the legislative intent of the statute under which the rule was made, a concurrent resolution may be adopted to reject the rulemaking or any part thereof. A "Notice of Final Rule" must be published in the Bulletin for any rule that is rejected, amended, or modified by the legislature showing the changes made. A rule reviewed by the legislature and not rejected, amended or modified becomes final with no further legislative action. No rule shall become final and effective before the conclusion of the regular or special legislative session at which the rule was submitted for review. However, a rule that is final and effective may be applied retroactively, as provided in the rule.

AVAILABILITY OF THE ADMINISTRATIVE CODE AND BULLETIN

Internet Access - The Administrative Code and Administrative Bulletin are available on the Internet at the following address: <http://adminrules.idaho.gov>

SUBSCRIPTIONS AND DISTRIBUTION

For subscription information and costs, please contact the Department of Administration, Office of the Administrative Rules Coordinator, 650 W. State Street, Room 100, Boise, Idaho 83720-0306, telephone (208) 332-1820.

The Idaho Administrative Code - annual subscription on CD-ROM. The Code is an annual compilation of all final administrative rules and all enforceable temporary rules and also includes all executive orders of the Governor that have published in the Bulletin, all legislative documents affecting rules, a table of contents, reference guides, and a subject index.

The Idaho Administrative Bulletin - annual subscription available on individual CD-ROM sent out monthly. The Bulletin is an official monthly publication of the State of Idaho and is available for purchase on CD-ROM only. Yearly subscriptions or individual CD-ROM's are available for purchase.

Internet Access - The Administrative Code and Administrative Bulletin, and many other rules-related documents are available on the Internet at the following address: <http://adminrules.idaho.gov>

HOW TO USE THE IDAHO ADMINISTRATIVE BULLETIN

Rulemaking documents produced by state agencies and published in the **Idaho Administrative Bulletin** are organized by a numbering system. Each state agency has a two-digit identification code number known as the “**IDAPA**” number. (The “IDAPA” Codes are listed in the alphabetical/numerical index at the end of this Preface.) Within each agency there are divisions or departments to which a two-digit “TITLE” number is assigned. There are “CHAPTER” numbers assigned within the Title and the rule text is divided among major sections with a number of subsections. An example IDAPA number is as follows:

IDAPA 38.05.01.200.02.c.ii.

“**IDAPA**” refers to Administrative Rules in general that are subject to the Administrative Procedures Act and are required by this act to be published in the Idaho Administrative Code and the Idaho Administrative Bulletin.

“**38.**” refers to the Idaho Department of Administration

“**05.**” refers to Title **05**, which is the Department of Administrations’s Division of Purchasing

“**01.**” refers to Chapter **01** of Title 05, “Rules of the Division of Purchasing”

“**200.**” refers to Major Section **200**, “Content of the Invitation to Bid”

“**02.**” refers to Subsection 200.02.

“**c.**” refers to Subsection 200.02.c.

“**ii.**” refers to Subsection 200.02.c.ii.

DOCKET NUMBERING SYSTEM

Internally, the Bulletin is organized sequentially using a rule docketing system. All rulemaking actions (documents) are assigned a “DOCKET NUMBER.” The “Docket Number” is a series of numbers separated by a hyphen “-”, (**38-0501-1001**). The docket numbers are published sequentially by IDAPA designation (e.g. the two-digit agency code). The following example is a breakdown of a typical rule docket number:

“DOCKET NO. 38-0501-1001”

“**38-**” denotes the agency’s **IDAPA** number; in this case the Department of Administration.

“**0501-**” refers to the **TITLE AND CHAPTER** numbers of the agency rule being promulgated; in this case the Division of Purchasing (**TITLE 05**), Rules of the Division of Purchasing (**Chapter 01**).

“**1001**” denotes the year and sequential order of the docket being published; in this case the numbers refer to the first rulemaking action published in **calendar year 2010**. A subsequent rulemaking on this same rule chapter in calendar year 2010 would be designated as “**1002**”. The docket number in this scenario would be 38-0501-**1002**.

Within each Docket, only the affected sections of chapters are printed. (See **Sections Affected Index** in each Bulletin for a listing of these.) The individual sections affected are printed in the Bulletin sequentially (e.g. Section “200” appears before Section “345” and so on). Whenever the sequence of the numbering is broken the following statement will appear:

(BREAK IN CONTINUITY OF SECTIONS)

INTERNAL AND EXTERNAL CITATIONS TO ADMINISTRATIVE RULES IN THE CODE AND BULLETIN

When making a citation to another Section or Subsection of a rule that is part of the same rule, a typical internal citation may appear as follows:

“...as found in Section 201 of these rules.” OR “...in accordance with Subsection 201.06.c. of these rules.”

The citation may also include the IDAPA, Title, or Chapter number, as follows”

“...in accordance with IDAPA 38.05.01.201...”

“38” denotes the IDAPA number of the agency.

“05” denotes the TITLE number of the rule.

“01” denotes the Chapter number of the rule.

“201” denotes the main Section number of the rule to which the citation refers.

Citations made within a rule to a different rule chapter (external citation) should also include the name of the Department and the name of the rule chapter being referenced, as well as the IDAPA, Title, and Chapter numbers. The following is a typical example of an external citation to another rule chapter:

“...as outlined in the Rules of the Department of Administration, IDAPA 38.04.04, “Rules Governing Capitol Mall Parking.”

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2011

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
11-1	January 2011	*November 19, 2010	January 5, 2011	January 26, 2011
11-2	February 2011	January 14, 2011	February 2, 2011	February 23, 2011
11-3	March 2011	February 11, 2011	March 2, 2011	March 23, 2011
11-4	April 2011	March 11, 2011	April 6, 2011	April 27, 2011
11-5	May 2011	April 8, 2011	May 4, 2011	May 25, 2011
11-6	June 2011	May 13, 2011	June 1, 2011	June 22, 2011
11-7	July 2011	June 10, 2011	July 6, 2011	July 27, 2011
11-8	August 2011	July 8, 2011	August 3, 2011	August 24, 2011
11-9	September 2011	August 5, 2011	September 7, 2011	September 28, 2011
11-10	October 2011	**August 31, 2011	October 5, 2011	October 26, 2011
11-11	November 2011	October 7, 2011	November 2, 2011	November 23, 2011
11-12	December 2011	November 4, 2011	December 7, 2011	December 28, 2011

BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2012

Vol. No.	Monthly Issue of Bulletin	Closing Date for Agency Filing	Publication Date	21-day Comment Period End Date
12-1	January 2012	*November 25, 2011	January 4, 2012	January 25, 2012
12-2	February 2012	January 13, 2012	February 1, 2012	February 22, 2012
12-3	March 2012	February 10, 2012	March 7, 2012	March 28, 2012
12-4	April 2012	March 11, 2012	April 4, 2012	April 25, 2012
12-5	May 2012	April 6, 2012	May 2, 2012	May 23, 2012
12-6	June 2012	May 11, 2012	June 6, 2012	June 27, 2012
12-7	July 2012	June 8, 2012	July 4, 2012	July 25, 2012
12-8	August 2012	July 6, 2012	August 1, 2012	August 22, 2012
12-9	September 2012	August 3, 2012	September 5, 2012	September 28, 2012
12-10	October 2012	**August 31, 2012	October 3, 2012	October 24, 2012
12-11	November 2012	October 5, 2012	November 7, 2012	November 28, 2012
12-12	December 2012	November 2, 2012	December 5, 2012	December 26, 2012

****Last day to submit a proposed rulemaking before moratorium begins and last day to submit a pending rule to be reviewed by the legislature.***

*****Last day to submit a proposed rule in order to have the rulemaking completed and submitted for review by legislature.***

ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS	
IDAPA 01	Accountancy , Board of
IDAPA 38	Administration , Department of
IDAPA 44	Administrative Rules Coordinator , Office of the
IDAPA 02	Agriculture , Idaho Department of
IDAPA 40	Arts , Idaho Commission on the
IDAPA 03	Athletic Commission
IDAPA 04	Attorney General , Office of the
IDAPA 53	Barley Commission , Idaho
IDAPA 51	Beef Council , Idaho
IDAPA 07	Building Safety , Division of Electrical Board (07.01) Plumbing Board (07.02) Building Codes & Manufactured Homes (07.03) Building Code Advisory Board (07.03.01) Public Works Contractors License Board (07.05) Uniform School Building Safety (07.06) HVAC Board (07.07)
IDAPA 43	Canola and Rapeseed Commission , Idaho
IDAPA 28	Commerce , Idaho Department of
IDAPA 06	Correction , Board of
IDAPA 19	Dentistry , Board of
IDAPA 08	Education , State Board of and State Department of
IDAPA 10	Engineers and Land Surveyors , Board of Professional
IDAPA 58	Environmental Quality , Department of
IDAPA 12	Finance , Department of
IDAPA 13	Fish and Game , Department of
IDAPA 14	Geologists , Board of Registration for Professional

ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS	
IDAPA 15	Governor, Office of the Idaho Commission on Aging (15.01) Idaho Commission for the Blind and Visually Impaired (15.02) Idaho Forest Products Commission (15.03) Division of Human Resources and Personnel Commission (15.04) Idaho Liquor Division (15.10) Idaho Emergency Communications Commission (15.06) Emergency Response Commission (15.13)
IDAPA 48	Grape Growers and Wine Producers Commission, Idaho
IDAPA 16	Health and Welfare, Department of
IDAPA 41	Health Districts, Public
IDAPA 45	Human Rights Commission
IDAPA 17	Industrial Commission
IDAPA 18	Insurance, Department of
IDAPA 05	Juvenile Corrections, Department of
IDAPA 09	Labor, Idaho Department of
IDAPA 20	Lands, Department of
IDAPA 30	Libraries, Commission for
IDAPA 52	Lottery Commission, Idaho State
IDAPA 22	Medicine, Board of
IDAPA 23	Nursing, Board of

**ALPHABETICAL INDEX OF STATE AGENCIES
AND CORRESPONDING IDAPA NUMBERS**

IDAPA 24	Occupational Licenses, Board of (24.20) Acupuncture, Board of (24.17) Architectural Examiners, Board of (24.01) Barber Examiners, Board of (24.02) Chiropractic Physicians, Board of (24.03) Contractors Board, Idaho (24.21) Cosmetology, Board of (24.04) Counselors and Marriage and Family Therapists, Licensing Board of Professional (24.15) Dentistry, Board of (24.16) Drinking Water and Wastewater Professionals, Board of (24.05) Driving Businesses Licensure Board, Idaho (24.25) Landscape Architects, Board of (24.07) Liquefied Petroleum Gas Safety Board, Idaho State (24.22) Midwifery, Idaho Board of (24.26) Morticians, State Board of (24.08) Nursing Home Administrators, Board of Examiners of (24.09) Occupational Therapy Licensure Board (24.06) Optometry, State Board of (24.10) Physical Therapy Licensure Board (24.13) Podiatry, State Board of (24.11) Psychologist Examiners, Idaho State Board of (24.12) Real Estate Appraiser Board (24.18) Residential Care Facility Administrators, Board of Examiners of (24.19) Social Work Examiners, State Board of (24.14) Speech and Hearing Services Licensure Board (24.23)
IDAPA 25	Outfitters and Guides Licensing Board
IDAPA 50	Pardons and Parole, Commission for
IDAPA 26	Parks and Recreation, Department of
IDAPA 27	Pharmacy, Board of
IDAPA 11	Police, Idaho State
IDAPA 29	Potato Commission, Idaho
IDAPA 55	Professional-Technical Education, Division of
IDAPA 59	Public Employee Retirement System of Idaho (PERSI)
IDAPA 31	Public Utilities Commission
IDAPA 56	Rangeland Resources Commission, Idaho
IDAPA 33	Real Estate Commission, Idaho
IDAPA 34	Secretary of State, Office of the
IDAPA 57	Sexual Offender Classification Board
IDAPA 49	Shorthand Reporters Board, Idaho Certified
IDAPA 60	Soil and Water Conservation Commission, Idaho State

ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS	
IDAPA 36	Tax Appeals, Board of
IDAPA 35	Tax Commission, State
IDAPA 39	Transportation Department, Idaho
IDAPA 54	Treasurer, Office of the State
IDAPA 21	Veterans Services, Division of
IDAPA 46	Veterinary Medical Examiners, Board of
IDAPA 47	Vocational Rehabilitation, Division of
IDAPA 37	Water Resources, Department of
IDAPA 42	Wheat Commission

IDAPA 17 - INDUSTRIAL COMMISSION

17.02.09 - MEDICAL FEES

DOCKET NO. 17-0209-1101

NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

EFFECTIVE DATE: The effective date of the temporary rule is the adjournment date (*sine die*) of the First Regular Session of the 61st Legislative Session 2011. This temporary rule will remain in effect until it is replaced by the final rule, which becomes effective January 1, 2012 as provided in Section 67-5224(5), Idaho Code, and as promulgated under rulemaking Docket No. 17-0209-1001.

AUTHORITY: In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 72-508, 72-720, 72-721, 72-722, 72-723, and 72-803, Idaho Code.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule:

The Commission has adopted and the legislature has approved a new chapter, IDAPA 17.02.09, which will be effective upon *sine die* adjournment of the 2011 legislative session. This new chapter contains the workers' compensation medical fee rules previously found in IDAPA 17.02.08, which has now been repealed and re-written. However, the hospital and ambulatory surgery center provisions now found in Chapter 17.02.09, Section 032 of the new final rule will not go into effect until January 1, 2012. This temporary rule re-adopts without substantive changes the same reimbursement standards for hospitals and ambulatory surgery centers found in the repealed Chapter 17.02.08, Section 031. This temporary rule re-promulgates those standards under Section 032 of this rule and these standards remain in effect until they are replaced by the new final rule Section 032 on January 1, 2012 as promulgated under Docket No. 17-0209-1001.

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

Upon *sine die* adjournment of the 2011 Legislative Session, IDAPA 17.02.08, containing the medical fee rules for hospitals and ambulatory surgery centers (ASCs), will be repealed and replaced by a newly re-written chapter. The new reimbursement standards for hospitals and ambulatory surgery centers are now found in IDAPA 17.02.09, Section 032, but they will not become effective until January 1, 2012, to allow providers and payers time to prepare for the new standard. In the interim, this temporary rule re-adopts, without substantive change, those standards previously contained in the repealed IDAPA 17.02.08, Section 031, to provide a reimbursement standard for hospitals and ASCs until the January 1, 2012, effective date of the new IDAPA 17.02.09, Section 032.

FEE SUMMARY: Pursuant to Section 67-5226(2), the Governor has found that the fee or charge being imposed or increased is justified and necessary to avoid immediate danger and the fee is described herein: N/A

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the temporary rule, contact Patti Vaughn, Medical Fee Analyst, at 334-6084.

DATED this March 7, 2011.

Mindy Montgomery, Director
Industrial Commission
700 South Clearwater Lane
PO Box 83720
Boise, ID 83720-0041
Phone: 208-334-6000
Fax: 208-334-5145

THE FOLLOWING IS THE TEMPORARY RULE TEXT OF DOCKET NO. 17-0209-1101

032. ACCEPTABLE CHARGES FOR MEDICAL SERVICES PROVIDED BY HOSPITALS AND AMBULATORY SURGERY CENTERS UNDER THE IDAHO WORKERS' COMPENSATION LAW.

Pursuant to Section 72-508 and Section 72-803, Idaho Code, the Commission hereby adopts the following rule for determining acceptable charges for medical services provided by hospitals and ambulatory surgery centers under the Idaho Workers' Compensation Law. (sine die)T

01. Acceptable Charge. Payors shall pay providers the acceptable charge for medical services provided by hospitals and ambulatory surgery centers. (sine die)T

02. Adoption of Standards for Hospitals and ASCs. The following standards shall be used to determine the acceptable charge for hospitals and ambulatory surgery centers. (sine die)T

a. For hospitals with greater than one hundred (100) acute care beds: Eighty-five percent (85%) of the appropriate inpatient charge. (sine die)T

b. For hospitals with one hundred (100) acute care beds or less: Ninety percent (90%) of the appropriate inpatient charge. (sine die)T

c. For ambulatory surgery centers (ASCs) and hospital outpatient charges: Eighty percent (80%) of the appropriate charge. (sine die)T

d. Surgically implanted hardware shall be reimbursed at the rate of actual cost plus fifty percent (50%). (sine die)T

e. The Commission shall determine the appropriate charge for hospital and ASC services that are disputed based on all relevant evidence in accordance with the procedures set out in Subsection 034.10 of this rule. (sine die)T

Sections Affected Index

IDAPA 17 - INDUSTRIAL COMMISSION

17.02.09 - Medical Fees

Docket No. **17-0209-1101**

032. Acceptable Charges For Medical Services Provided By Hospitals And Ambulatory Surgery Centers Under The Idaho Workers' Compensation Law.	15
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LEGAL NOTICE

Summary of Proposed Rulemakings

PUBLIC NOTICE OF INTENT TO PROPOSE OR PROMULGATE NEW OR CHANGED AGENCY RULES

The following agencies of the state of Idaho have published the complete text and all related, pertinent information concerning their intent to change or make the following rules in the latest publication of the state Administrative Bulletin.

There are no proposed rules being promulgated or published in this month's Bulletin.

Please refer to the Idaho Administrative Bulletin, [April 6, 2011, Volume 11-4](#), for all rulemaking notices and for the text of temporary, proposed and final rules, public hearings and negotiated rulemaking meeting schedules, Governor's executive orders, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at the county law libraries or online.

To view the Bulletin or Code, or for information on purchasing the Bulletin and other rules publications, visit our website at adminrules.idaho.gov or call (208) 332-1820 or write the Dept. of Administration, Office of the Administrative Rules Coordinator, 650 W. State St., Room 100, Boise, ID 83720-0306.

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Idaho Department of Administration
Office of the Administrative Rules Coordinator*

July 1, 1993 -- Present

CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*This online index provides a history of all agency rulemakings from 1993 to the present.
It tracks all rulemaking activities on each chapter of rules and includes negotiated,
temporary, proposed, pending and final rules, public hearing notices,
vacated rulemaking notices, and executive orders of the Governor.*

ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES

*Idaho Department of Administration
Office of the Administrative Rules Coordinator*

March 29, 2010 -- April 6, 2011

*(eff. *PLR) - Final Rule Adoption Date Pending Legislative Review And Approval*

(eff. date)L - Denotes Adoption by Legislative Action

(eff. date)T - Temporary Rule Effective Date

SCR # - denotes the number of a Senate Concurrent Resolution (Legislative Action)

HCR # - denotes the number of a House Concurrent Resolution (Legislative Action)

*(This Abridged Index includes rules promulgated before March 29, 2010 that have not been
adopted as final rules and all rulemakings being promulgated after March 29, 2010 - Sine Die.)*

IDAPA 02 -- DEPARTMENT OF AGRICULTURE

(Rules of the Idaho State Soil and Water Conservation Commission have been moved from IDAPA 02 and re-indexed under IDAPA 60 pursuant to House Bill 576 - Session Law 279 - 2010 Legislative Session)

60-0000-1001 Notice of Legislative Action Creating the Idaho State Soil and Water Conservation Commission - House Bill 576, Session Law 279, Bulletin Vol. 10-9 (eff. 7-1-10)

02.01.04, Rules Governing the Idaho Preferred TM Promotion Program

02-0104-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7

02-0104-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0104-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

02.02.14, Rules for Weights and Measures

02-0214-1001 Proposed Rulemaking, Bulletin Vol. 10-8

02-0214-1001 Adoption of Pending Rule, Bulletin Vol. 10-10 (eff. *PLR 2011)

02.04.08, Rules Governing Grade A Milk and Milk Products

02-0408-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 10-1-10)T

02-0408-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.09, Rules Governing Methods of Making Sanitation Ratings of Milk Shippers

02-0409-1001 Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-8 (eff. 10-1-10)T

02-0409-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.10, Procedures Governing the Cooperative State-Public Health Service/Food and Drug Administration Program for Certification of Interstate Milk Shippers

02-0410-1001 Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-8 (eff. 10-1-10)T

02-0410-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.11, Rules Governing Evaluation of Milk Laboratories

02-0411-1001 Temporary and Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-8 (eff. 10-1-10)T

02-0411-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.13, Rules Governing Raw Milk

02-0413-1001 Proposed Rulemaking, Bulletin Vol. 10-9

02-0413-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.14, Rules Governing Dairy Waste

02-0414-0902 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-10

02.04.19, Rules Governing Domestic Cervidae

02-0419-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0419-1001 Public Hearing, Bulletin Vol. 10-11

02-0419-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.21, Rules Governing the Importation of Animals

02-0421-1001 Notice of Temporary Rulemaking, Bulletin Vol. 10-6 (eff. 4-15-10)T

02-0421-1002 Proposed Rulemaking, Bulletin Vol. 10-10

02-0421-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.04.29, Rules Governing Trichomoniasis

02-0429-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0429-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

02.06.02, Rules Pertaining to the Idaho Commercial Feed Law

02-0602-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0602-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

02.06.10, Rules Governing the Potato Cyst Nematode (*Globodera pallida*)

02-0610-0901 Temporary and Proposed Rule, Bulletin Vol. 09-12 (eff. 10-1-09)T

02-0610-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5

02-0610-0901 Adoption of Pending Rule, Bulletin Vol. 10-10

02.06.12, Rules Pertaining to the Idaho Commercial Fertilizer Law

02-0612-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0612-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

02.06.13, Rules Relating to Rapeseed Production and Establishment of Rapeseed Districts in the State of Idaho

02-0613-0801 Notice of Intent to Promulgate Rules - Request for Written Comments, Bulletin Vol. 08-9

02-0613-0801 Notice of Intent to Promulgate Rules - Request for Written Comments, Bulletin Vol. 08-10

02-0613-0801 Notice of Intent to Promulgate Rules - Request for Written Comments, Bulletin Vol. 08-11

02.06.16, Crop Residue Disposal Rules

02-0616-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10

02-0616-1001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 10-12 (eff. *PLR 2011)

02.06.33, Organic Food Products Rules

02-0633-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0633-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

02.06.41, Rules Pertaining to the Soil and Plant Amendment Act of 2001

02-0641-1001 Proposed Rulemaking, Bulletin Vol. 10-10

02-0641-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 03 -- STATE ATHLETIC COMMISSION

03.01.01, Rules of the State Athletic Commission

03-0101-1001 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10

03-0101-1001 Adoption of Pending Rule (Fee Rule), Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 04 -- OFFICE OF THE ATTORNEY GENERAL

04.11.01, Idaho Rules of Administrative Procedure of the Attorney General

04-1101-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T

04-1101-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS

05.01.01, Rules for Contract Providers

05-0101-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-5 (eff. 3-29-10)T

05-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-8 (eff. *PLR 2011)

05.01.05, Rules for Reintegration Providers

05-0105-1001 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 10-11 (eff. 12-1-10)T

05-0105-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 12-1-10)T (eff. *PLR 2011)

IDAPA 06 -- STATE BOARD OF CORRECTION

06.01.01, Rules of the Board of Correction

06-0101-1001 Notice of Proclamation of Rulemaking, Bulletin Vol. 10-10 (eff. 11-5-10)

IDAPA 07 -- DIVISION OF BUILDING SAFETY

07.01.03, Rules of Electrical Licensing and Registration - General

07-0103-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T

07-0103-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

07.01.04, Rules Governing Electrical Specialty Licensing

07-0104-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T

07-0104-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

07.01.07, Rules Governing Continuing Education Requirements

07-0107-1001 Proposed Rulemaking, Bulletin Vol. 10-10

07-0107-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

07.02.05, Rules Governing Plumbing Safety Licensing

07-0205-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T

07-0205-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

07.03.01, Rules of Building Safety

07-0301-1001 Proposed Rulemaking, Bulletin Vol. 10-10

07-0301-1002 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10

07-0301-1001 Adoption of Pending Rule and Temporary Rule, Bulletin Vol. 10-12 (eff. 1-1-11)T (eff. *PLR 2011)

07-0301-1002 Adoption of Pending Rule (Fee Rule), Bulletin Vol. 10-12 (eff. *PLR 2011)

07.03.11, Rules Governing Manufactured/Mobile Home Industry Licensing

07-0311-1001 Proposed Rulemaking, Bulletin Vol. 10-10

07-0311-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

07.04.02, Safety Rules for Elevators, Escalators, and Moving Walks

07-0402-1001 Proposed Rulemaking, Bulletin Vol. 10-10

07-0402-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

07.07.01, Rules Governing Installation of Heating, Ventilation, and Air Conditioning Systems

07-0701-1001 Proposed Rulemaking, Bulletin Vol. 10-10

07-0701-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 08 -- STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION

08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools

08-0111-1001 Proposed Rulemaking, Bulletin Vol. 10-10

08-0111-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

08.02.02, Rules Governing Uniformity - State Board of Education Rules

08-0202-1001 Proposed Rulemaking, Bulletin Vol. 10-6

08-0202-1002 Proposed Rulemaking, Bulletin Vol. 10-10

- 08-0202-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0202-1004** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-11-10)T
- 08-0202-1001** Vacation of Proposed Rule, Bulletin Vol. 11-1
- 08-0202-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0202-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0202-1004** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

08.02.03, Rules Governing Thoroughness - State Board of Education Rules

- 08-0203-1001** Adoption of Temporary Rule, Bulletin Vol. 10-1 (eff. 11-9-09)T (Expires Sine Die 2011)
- 08-0203-1001** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 08-0203-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0203-1002** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0203-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 08-0203-1004** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-11-10)T
- 08-0203-1001** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 7-1-10)T (eff. *PLR 2011)
- 08-0203-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0203-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 08-0203-1004** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 11-17-10)T (eff. *PLR 2011)

IDAPA 09 -- DEPARTMENT OF LABOR**09.01.04, Unemployment Insurance Benefit Fraud and Overpayment Rules**

- 09-0104-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0104-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

09.01.06, Rules of the Appeals Bureau

- 09-0106-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0106-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

09.01.30, Unemployment Insurance Benefits Administrative Rules

- 09-0130-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0130-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

09.01.35, Unemployment Insurance Tax Administrative Rules

- 09-0135-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 09-0135-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

**IDAPA 10 -- IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS****10.01.01, Rules of Procedure**

- 10-0101-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-6
- 10-0101-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 10-0101-1001** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

10.01.02, Rules of Professional Responsibility

- 10-0102-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-6
- 10-0102-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 10-0102-1001** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

IDAPA 11 -- IDAHO STATE POLICE

11.03.01, Rules Governing Alcohol Testing, Idaho State Forensic Laboratory

- 11-0301-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 9-1-10)T
11-0301-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

11.05.01, Rules Governing Alcohol Beverage Control

- 11-0501-0902** Temporary Rulemaking, Bulletin Vol. 09-11 (9-1-09)T
11-0501-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
11-0501-0902 Proposed Rulemaking, Bulletin Vol. 10-11
11-0501-0902 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

11.10.01, Rules Governing Idaho Public Safety and Security Information System

- 11-1001-1001** Proposed Rulemaking, Bulletin Vol. 10-10
11-1001-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

11.11.01, Rules of the Idaho Peace Officer Standards and Training Council (POST)

- 11-1101-1001** Temporary Rulemaking, Bulletin Vol. 10-3 (eff. 1-12-10)T
11-1101-1001 Proposed Rulemaking, Bulletin Vol. 10-10
11-1101-1002 Proposed Rulemaking, Bulletin Vol. 10-10
11-1101-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
11-1101-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

11.11.02, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Detention Officers

- 11-1102-1001** Proposed Rulemaking, Bulletin Vol. 10-10
11-1102-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

11.11.03, Rules of the Idaho Peace Officer Standards and Training Council for Juvenile Probation Officers

- 11-1103-1001** Proposed Rulemaking, Bulletin Vol. 10-10
11-1103-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

11.11.04, Rules of the Idaho Peace Officer Standards and Training Council for Correctional Officers and Adult Probation and Parole Officers

- 11-1104-1001** Proposed Rulemaking, Bulletin Vol. 10-10
11-1104-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

11.11.05, Rules of the Idaho Peace Officer Standards and Training Council for Idaho Department of Juvenile Corrections Direct Care Staff

- 11-1105-1001** Proposed Rulemaking, Bulletin Vol. 10-10
11-1105-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

11.11.06, Rules of the Idaho Peace Officer Standards and Training Council for Misdemeanor Probation Officers

- 11-1106-1001** Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
11-1106-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

***IDAPA 13 -- IDAHO FISH AND GAME COMMISSION AND
THE IDAHO DEPARTMENT OF FISH AND GAME******13.01.02, Public Safety - Idaho Fish and Game Commission***

- 13-0102-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T
13-0102-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13.01.04, Rules Governing Licensing

- 13-0104-1001** Proposed Rulemaking, Bulletin Vol. 10-9
13-0104-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0104-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13-0104-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13.01.06, Classification and Protection of Wildlife

13-0106-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0106-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13.01.07, Rules Governing the Taking of Upland Game Animals

13-0107-1001P Notice of Proclamation, Bulletin Vol. 11-1

13.01.08, Rules Governing the Taking of Big Game Animals in the State of Idaho

13-0108-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0108-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13-0108-1002P Notice of Proclamation, Bulletin Vol. 11-1

13.01.09, Rules Governing the Taking of Game Birds in the State of Idaho

13-0109-1001 Proposed Rulemaking, Bulletin Vol. 10-9

13-0109-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0109-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13-0109-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13-0109-1003P Notice of Proclamation, Bulletin Vol. 11-1

13-0109-1004P Notice of Proclamation, Bulletin Vol. 11-1

13.01.10, Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife

13-0110-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0110-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13.01.14, Rules Governing Falconry

13-0114-1001P Notice of Proclamation, Bulletin Vol. 11-1

13.01.16, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals

13-0116-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0116-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-18-10)T

13-0116-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13-0116-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

13-0116-1003P Notice of Proclamation, Bulletin Vol. 11-1

13.01.17, Rules Governing the Use of Bait for Taking Big Game Animals

13-0117-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-12-10)T

13-0117-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 15 -- OFFICE OF THE GOVERNOR

Executive Orders of the Governor

Executive Order No. **2010-01** Bulletin Vol. 10-4

Executive Order No. **2010-03** Bulletin Vol. 10-6

Executive Order No. **2010-05** Bulletin Vol. 10-6

Executive Order No. **2010-07** Bulletin Vol. 10-6

Executive Order No. **2010-09** Bulletin Vol. 10-11

Executive Order No. **2010-11** Bulletin Vol. 10-11

Executive Order No. **2010-02** Bulletin Vol. 10-6

Executive Order No. **2010-04** Bulletin Vol. 10-6

Executive Order No. **2010-06** Bulletin Vol. 10-6

Executive Order No. **2010-08** Bulletin Vol. 10-6

Executive Order No. **2010-10** Bulletin Vol. 10-11

Executive Order No. **2010-12** Bulletin Vol. 10-11

Division of Human Resources and Personnel Commission

IDAPA 28.01.01, "Rules of the Idaho Personnel Commission" were transferred to the Division of Human Resources and Personnel Commission under the Office of the Governor effective July 1, 1999 and redesignated as IDAPA 15.04.01/

15.04.01, Rules of the Division of Human Resources and Personnel Commission

- 15-0401-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 15-0401-1002 Proposed Rulemaking, Bulletin Vol. 10-10
- 15-0401-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 15-0401-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 16 -- DEPARTMENT OF HEALTH AND WELFARE**16.02.02, Rules of the Emergency Medical Services (EMS) Physician Commission**

- 16-0202-1001 Proposed Rulemaking, Bulletin Vol. 10-7
- 16-0202-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

16.02.03, Rules Governing Emergency Medical Services

- 16-0203-0901 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5
- 16-0203-0901 Temporary and Proposed Rulemaking, Bulletin Vol. 09-10 (eff. 7-1-09)T
- 16-0203-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 16-0203-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9
- 16-0203-1002 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0203-1003 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-9
- 16-0203-1001 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12
- 16-0203-1002 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12
- 16-0203-1003 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12
- 16-0203-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-3

16.02.06, Quality Assurance for Idaho Clinical Laboratories

- 16-0206-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-5
- 16-0206-1001 Proposed Rulemaking, Bulletin (Chapter Repeal) Vol. 10-8
- 16-0206-1002* Proposed Rulemaking, Bulletin (Chapter Rewrite) Vol. 10-8
 - *Changes chapter name from: "Rules Governing Quality Assurance for Idaho Clinical Laboratories"
 - to: "Quality Assurance for Idaho Clinical Laboratories"
- 16-0206-1001 Adoption of Pending Rule, (Chapter Repeal) Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0206-1002 Adoption of Pending Rule, (Chapter Rewrite) Bulletin Vol. 11-1 (eff. *PLR 2011)

16.02.08, Vital Statistics Rules

- 16-0208-1001 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-9
- 16-0208-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.02.11, Immunizations Requirements for Children Attending Licensed Day Care Facilities in Idaho

- 16-0211-1001 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0211-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.02.13, State of Idaho Drinking Water Laboratory Certification Program

- 16-0213-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-5
- 16-0213-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9
- 16-0213-1002* Proposed Rulemaking (Chapter Rewrite - Fee Rule), Bulletin Vol. 10-9
 - *Changes chapter name from: "Rules Governing Certification of Idaho Water Quality Laboratories"
 - to: "State of Idaho Drinking Water Laboratory Certification Program"
- 16-0213-1001 Adoption of Pending Fee Rule (Chapter Repeal), Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0213-1002 Adoption of Pending Fee Rule (Chapter Rewrite), Bulletin Vol. 11-1 (eff. *PLR 2011)

16.02.15, Immunization Requirements for Idaho School Children

- 16-0215-1001 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0215-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.03.01, Eligibility for Health Care Assistance for Families and Children

- 16-0301-1001 Proposed Rulemaking, Bulletin Vol. 10-7
- 16-0301-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. (4-1-09)T - (12-19-09)T - (1-1-10)T - (9-1-10)T)
- 16-0301-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0301-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0301-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)

16.03.03, Rules Governing Child Support Services

- 16-0303-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)

16.03.04, Rules Governing the Food Stamp Program in Idaho

- 16-0304-0902 Temporary Rulemaking, Bulletin Vol. 09-7 (eff. 6-1-09)T (Expires May 31, 2010)
- 16-0304-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5 (Expires 5-31-10)
- 16-0304-1001 Temporary Rulemaking, Bulletin Vol. 10-7 (eff. 6-1-10)T (Expires May 31, 2011)
- 16-0304-1002 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0304-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. (12-19-09)T - (1-1-10)T - (7-1-10)T - (10-1-10)T)
- 16-0304-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0304-1003 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0304-1004 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)

16.03.05, Rules Governing Eligibility for Aid to the Aged, Blind, and Disabled (AABD)

- 16-0305-0904 Temporary and Proposed Rulemaking, Bulletin Vol. 09-12 (eff. (1-1-10)T)
- 16-0305-0904 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 10-4 (eff. (1-1-10)T)
- 16-0305-0904 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 16-0305-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-6 (eff. 7-1-10)T
- 16-0305-1001 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 10-8
- 16-0305-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. (12-19-09)T - (1-1-10)T - (9-1-10)T)
- 16-0305-1002 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 10-10
- 16-0305-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0305-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0305-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)

16.03.08, Rules Governing Temporary Assistance for Families in Idaho

- 16-0308-1001 Proposed Rulemaking, Bulletin Vol. 10-5
- 16-0308-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0308-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. (1-1-11)T)

16.03.09, Medicaid Basic Plan Benefits

- 16-0309-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T
- 16-0309-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-8 (eff. 9-1-10)T
- 16-0309-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T
- 16-0309-1004 Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T - Expires June 30, 2011
- 16-0309-1002 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0309-1005 Notice of Agency Action Regarding The Adoption of Temporary Rules, Bulletin Vol. 10-11
- 16-0309-1001 Adoption of Pending and Amendment to Temporary Rule, Bulletin Vol. 10-12 (eff. (7-1-10)T, *PLR 2011)
- 16-0309-1005 Temporary Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T - Expires June 30, 2011
- 16-0309-1003 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.03.10, Medicaid Enhanced Plan Benefits

- 16-0310-0902 Temporary and Proposed Rulemaking, Bulletin Vol. 09-1 (eff. 1-1-09)T
- 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 108, Bulletin Vol. 09-6
- 16-0310-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 16-0310-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-5 (eff. 1-1-10)T
- 16-0310-1001 Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 10-7
- 16-0310-1002 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 16-0310-1002 Proposed Rulemaking, Bulletin Vol. 10-9

- 16-0310-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T
- 16-0310-1004 Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T (*Expires June 30, 2011*)
- 16-0310-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0310-1005 Temporary and Proposed Rulemaking, Bulletin Vol. 10-11 (eff. 11-1-10)T
- 16-0310-1006 Notice of Agency Action Regarding The Adoption of Temporary Rules, Bulletin Vol. 10-11
- 16-0310-1006 Temporary Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T - *Expires June 30, 2011*
- 16-0310-1007 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T
- 16-0310-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0310-1003 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0310-1101 Temporary Rulemaking, Bulletin Vol. 11-1 (eff. 9-1-10)T - (1-1-11)T - *Expires June 30, 2011*
- 16-0310-1102 Temporary Rulemaking, Bulletin Vol. 11-1 (eff. 10-1-10)T - *Expires June 30, 2011*

16.03.13, Consumer-Directed Services

- 16-0313-1001 Adoption of Temporary Rule, Bulletin Vol. 10-1 (eff. 1-1-10)T (*Expires 3-29-10*)
- 16-0313-1002 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 16-0313-1002 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0313-1002 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.03.19, Rules Governing Certified Family Homes

- 16-0319-1001 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0319-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.03.21, Developmental Disabilities Agencies (DDA)

- 16-0321-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-9
- 16-0321-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.03.22, Residential Care or Assisted Living Facilities in Idaho

- 16-0322-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0322-1001 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12

16.03.24, The Medically Indigent Program - Request for Medicaid Eligibility Determination

- 16-0324-1001 Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0324-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

16.04.11, Developmental Disabilities Agencies (DDA)

- 16-0411-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 16-0411-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9
- 16-0411-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0411-1101 Adoption of Temporary Rule, Bulletin Vol. 11-1 (eff. 1-1-11)T (*Expires 6-30-11*)

16.05.04, Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding

- 16-0504-1001 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0504-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.05.06, Criminal History and Background Checks

- 16-0506-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 5-1-10)T - (7-1-10)T
- 16-0506-1002 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0506-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 9-1-10)T (eff. *PLR 2011)
- 16-0506-1002 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.06.01, Child and Family Services

- 16-0601-1001 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0601-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.06.02, Rules Governing Standards for Child Care Licensing

- 16-0602-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0602-1002 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-7 (eff. 7-1-10)T
- 16-0602-1003 Proposed Rulemaking, Bulletin Vol. 10-9
- 16-0602-1001 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 11-1 (eff. 7-1-10)T (eff. *PLR 2011)
- 16-0602-1002 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 16-0602-1003 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

16.06.12, Rules Governing the Idaho Child Care Program (ICCP)

- 16-0612-1001 Temporary Rulemaking, Bulletin Vol.10-4 (eff. 1-1-10)T
- 16-0612-1001 Proposed Rulemaking, Bulletin Vol. 10-5
- 16-0612-1002 Proposed Rulemaking, Bulletin Vol. 10-10
- 16-0612-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
- 16-0612-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 16-0612-1003 Temporary and Proposed Rulemaking, Bulletin Vol. 10-12 (eff. 1-1-11)T

16.07.37, Children's Mental Health Services

- 16-0737-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-6 (eff. 5-1-10)T
- 16-0737-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

**16.07.50, Rules and Minimum Standards Governing Non-Hospital, Medically-Monitored Detoxification/
Mental Health Diversion Units**

- 16-0750-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (10-1-10)T
- 16-0750-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 17 -- INDUSTRIAL COMMISSION**17.02.03, Administrative Rules of the Industrial Commission Under the Worker's Compensation Law -
Security for Compensation**

- 17-0203-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 17-0203-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

**17.02.05, Administrative Rules of the Industrial Commission Under Worker's Compensation Law -
Industrial Commission**

- 17-0205-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 7-1-10)T
- 17-0205-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

17.02.08, Miscellaneous Provisions

- 17-0208-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 17-0208-1002 Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 10-10
- 17-0208-1001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0208-1002 Adoption of Pending Rule (Chapter Rewrite), Bulletin Vol. 11-1 (eff. *PLR 2011)

17.02.09, Medical Fees

- 17-0209-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 17-0209-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 17-0209-1101 Temporary Rulemaking, Bulletin Vol. 11-4 (eff. (Sine Die)T (*Expires under own terms on 12-31-2011*))

**17.02.10, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --
Security for Compensation - Insurance Carriers**

- 17-0210-1001 Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
- 17-0210-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --

Security for Compensation -- Self-Insured Employers

- 17-0211-1001** Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
17-0211-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

17.05.01, Rules Under the Crime Victims Compensation Act

- 17-0501-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 7-1-10)T
17-0501-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 18 -- DEPARTMENT OF INSURANCE***18.01.04, Rules Pertaining to Bail Agents***

- 18-0104-1001** Proposed Rulemaking (New Chapter), Bulletin Vol. 10-10
18-0104-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

18.01.05, Health Carrier External Review

- 18-0105-0901** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 09-12 (eff. 1-1-10)T
18-0105-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
18-0105-0901 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

18.01.25, Title Insurance and Title Insurance Agents and Escrow Officers

- 18-0125-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0125-1001 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12

18.01.30, Individual Disability and Group Supplemental Disability Insurance Minimum Standards Rule

- 18-0130-0901** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-5

18.01.47, Valuation of Life Insurance Policies Including the Introduction and Use of New Select Mortality Factors

- 18-0147-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0147-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

18.01.50, Adoption of the International Fire Code

- 18-0150-1001*** Proposed Rulemaking, Bulletin Vol. 10-10
18-0150-1001* Adoption of Pending Rule and Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. *PLR 2011, (1-1-11)T)
**Rulemaking changes chapter name to: "Adoption of the International Fire Code"
from: "Adoption of the 2006 International Fire Code"*

18.01.53, Continuing Education

- 18-0153-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0153-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

18.01.56, Rebates and Illegal Inducements to Obtaining Title Insurance Business

- 18-0156-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0156-1001 Vacation of Proposed Rulemaking, Bulletin Vol. 10-12

18.01.66, Director's Authority for Companies Deemed to Be in Hazardous Financial Condition

- 18-0166-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0166-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

18.01.77, Actuarial Opinion and Memorandum Rule

- 18-0177-1001** Proposed Rulemaking, Bulletin Vol. 10-9
18-0177-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

18.01.79, Recognition of Preferred Mortality Tables for Use In Determining Minimum Reserve Liabilities

- 18-0179-1001** Proposed Rulemaking, Bulletin Vol. 10-9

18-0179-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

IDAPA 19 -- BOARD OF DENTISTRY

19.01.01, Rules of the Idaho State Board of Dentistry

- 19-0101-1001 Proposed Rulemaking, Bulletin Vol. 10-10
19-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 20 -- DEPARTMENT OF LANDS

20.02.11, Timber Supply Stabilization Act of 1989 on State Forests

- 20-0211-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
20-0211-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

20.02.14, Rules for Selling Forest Products on State-Owned Endowment Lands

- 20-0214-1001 Proposed Rulemaking, Bulletin Vol. 10-10
20-0214-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

20.03.04, The Regulation of Beds, Waters, and Airspace over Navigable Lakes in the State of Idaho

- 20-0304-1001 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10
20-0304-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 23 -- BOARD OF NURSING

23.01.01, Rules of the Idaho Board of Nursing

- 23-0101-1001 Proposed Rulemaking, Bulletin Vol. 10-10
23-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
23-0101-1002 Adoption of Temporary Rule, Bulletin Vol. 10-12 (eff. 11-5-10)T

IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES

24.01.01, Rules of the Board of Architectural Examiners

- 24-0101-0902 Temporary and Proposed Rulemaking, Bulletin Vol. 09-12 (eff. 9-18-09)T
24-0101-0902 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
24-0101-0902 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24.02.01, Rules of the Board of Barber Examiners

- 24-0201-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-0201-1002 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 8-11-10)T
24-0201-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-0201-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24.03.01, Rules of the State Board of Chiropractic Physicians

- 24-0301-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-0301-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

24.06.01, Rules for the Licensure of Occupational Therapists and Occupational Therapy Assistants

- 24-0601-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 7-28-10)T
24-0601-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

24.08.01, Rules of the State Board of Morticians

- 24-0801-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-0801-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24.09.01, Rules of the Board of Examiners of Nursing Home Administrators

- 24-0901-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-0901-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24.13.01, Rules of the Physical Therapy Licensure Board

- 24-1301-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-10 (eff. 7-16-10)T
24-1301-1002 Proposed Rulemaking, Bulletin Vol. 10-10
24-1301-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
24-1301-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24.14.01, Rules of the State Board of Social Work Examiners

- 24-1401-1001 Proposed Rulemaking, Bulletin Vol. 10-10
24-1401-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

24.22.01, Rules of the Idaho Liquefied Petroleum Gas Safety Board

- 24-2201-1001 Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-10
24-2201-1001 Adoption of Pending Fee Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

24.25.01, Rules of the Idaho Driving Businesses Licensure Board

- 24-2501-0901 Temporary and Proposed Rulemaking, Bulletin Vol. 09-12 (eff. 10-30-09)T
24-2501-0901 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
24-2501-1001 Proposed Rulemaking (New Chapter - Fee Rule), Bulletin Vol. 10-10
24-2501-0901 Vacation of Proposed Rulemaking, Bulletin Vol. 10-11
24-2501-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

24.26.01, Rules of the Idaho Board of Midwifery

- 24-2601-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-7 (eff. 4-30-10)T
24-2601-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 26 -- DEPARTMENT OF PARKS AND RECREATION

26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities

- 26-0120-1001 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-8 (eff. 7-1-10)T
26-0120-1001 Adoption of Pending Fee Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

26.01.34, Idaho Protection Against Invasive Species Sticker Rules

- 26-0134-1001 Proposed Rulemaking, Bulletin Vol. 10-10
26-0134-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 27 -- BOARD OF PHARMACY

27.01.01, Rules of the Idaho State Board of Pharmacy

- 27-0101-1001 Proposed Rulemaking, Bulletin Vol. 10-10
27-0101-1002 Proposed Rulemaking, Bulletin Vol. 10-10
27-0101-1003 Proposed Rulemaking, Bulletin Vol. 10-10
27-0101-1004 Proposed Rulemaking, Bulletin Vol. 10-10
27-0101-1005 Temporary Rulemaking, Bulletin Vol. 10-11 (eff. 9-30-10)T
27-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
27-0101-1002 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
27-0101-1003 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
27-0101-1004 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 30 -- IDAHO COMMISSION FOR LIBRARIES

30.01.01, Rules of the Idaho Commission for Libraries Governing the Use of Commission Services

30-0101-1001 Temporary Rulemaking, Bulletin Vol. 11-2 (eff. 12-3-10)T

IDAPA 31 -- PUBLIC UTILITIES COMMISSION

31.01.01, Rules of Procedure of the Idaho Public Utilities Commission

31-0101-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-4

31-0101-1001 Proposed Rulemaking, Bulletin Vol. 10-7

31-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-10

31.11.01, Safety and Accident Reporting Rules for Utilities Regulated by Idaho Public Utilities Commission

31-1101-1001 Proposed Rulemaking, Bulletin Vol. 10-10

31-1101-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

31.71.03, Railroad Safety and Accident Reporting Rules

31-7103-1001 Proposed Rulemaking, Bulletin Vol. 10-10

31-7103-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 32 - ENDOWMENT FUND INVESTMENT BOARD

32.01.01, Rules Governing the Credit Enhancement Program for School Districts

32-0101-1001 Temporary Rulemaking (Fee Rule - New Chapter), Bulletin Vol. 10-5 (eff. 3-30-10)T

32-0101-1001 Proposed Rulemaking (Fee Rule - New Chapter), Bulletin Vol. 10-10

32-0101-1001 Adoption of Pending Fee Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 34 -- SECRETARY OF STATE

34.01.01, Fees for Automated Data Retrieval

34-0101-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10

34-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

34.01.02, Rules Governing Facsimile Service and Fees

34-0102-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10

34-0102-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

34.01.03, Rules Governing the Public Access Information System (PAIS)

34-0103-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10

34-0103-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

34.01.04, Rules Governing the Electronic Bulletin Board

34-0104-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10

34-0104-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

34.05.01, Rules Governing Farm Products Central Filing System

34-0501-1001 Proposed Rulemaking, Bulletin Vol. 10-9

34-0501-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

34.05.02, Rules Governing Liens in Crops, For Seed, and Farm Labor

- 34-0502-1001*** Proposed Rulemaking, Bulletin Vol. 10-9
- 34-0502-1001*** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
**Changes chapter name from: "Rules Governing Liens in Crops, For Seed, and Farm Labor"
to: "Rules Governing Liens in Crops for Seed or Liens in Crops for Farm Labor"*

34.05.04, Rules Governing Public Access to UCC Files

- 34-0504-1001** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-10
- 34-0504-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 35 -- STATE TAX COMMISSION**35.01.01, Income Tax Administrative Rules**

- 35-0101-1001** Temporary Rulemaking, Bulletin Vol. 10-9 (eff. 7-1-10)T - *Expires Sine Die 2011
- 35-0101-1002** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0101-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0101-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 35-0101-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

35.01.02, Idaho Sales and Use Tax Administrative Rules

- 35-0102-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-2
- 35-0102-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0102-1002** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0102-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 35-0102-1002** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

35.01.03, Property Tax Administrative Rules

- 35-0103-1001** Temporary Rulemaking, Bulletin Vol. 10-6 (eff. 1-1-10)T - *Expires Sine Die 2011
- 35-0103-1002** Proposed Rulemaking, Bulletin Vol. 10-9
- 35-0103-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0103-1002** Vacation of Proposed Rulemaking, Bulletin Vol. 11-1
- 35-0103-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

35.01.05, Motor Fuels Tax Administrative Rules

- 35-0105-1001** Temporary and Proposed Rulemaking, Bulletin Vol. 10-6 (eff. 7-1-10)T
- 35-0105-1002** Temporary Rulemaking, Bulletin Vol. 10-8 (eff. 7-1-10)T (*Expires Sine Die 2011*)
- 35-0105-1003** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0105-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)
- 35-0105-1003** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

35.02.01, Tax Commission Administration and Enforcement Rules

- 35-0201-1001** Proposed Rulemaking, Bulletin Vol. 10-10
- 35-0201-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

IDAPA 37 -- DEPARTMENT OF WATER RESOURCES**37.02.03, Water Supply Bank Rules**

- 37-0203-1001** Proposed Rulemaking (Fee Rule), Bulletin Vol. 10-9
- 37-0203-1001** Adoption of Pending Fee Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

37.03.10, Well Driller Licensing Rules

- 37-0310-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-7
- 37-0310-1001** Proposed Rulemaking, Bulletin Vol. 10-9

37-0310-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

37.03.11, Rules for Conjunctive Management of Surface and Ground Water Resources

37-0311-1101 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 11-2

37.03.13, The Water Management Rules

37-0313-9701 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 97-12

37-0313-9701 Proposed Rulemaking, Bulletin Vol. 98-10

37-0313-9701 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (2nd Notice), Bulletin Vol. 00-11

37.03.14, Transfers

37-0314-9801 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 98-5

37.03.15, Water Management Rules - Eastern Snake Plain Aquifer

37-0315-0001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 00-12

IDAPA 38 -- DEPARTMENT OF ADMINISTRATION

38.05.01, Rules of the Division of Purchasing

38-0501-1001 Proposed Rulemaking, Bulletin Vol. 10-10

38-0501-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 39 -- IDAHO TRANSPORTATION DEPARTMENT

39.03.22, Rules Governing Overlegal Permits for Extra-Length Vehicle Combinations

39-0322-1001 Temporary Rulemaking, Bulletin Vol. 10-3 (eff. 12-1-09)T

39-0322-1001 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5

39-0322-1001 Proposed Rulemaking, Bulletin Vol. 10-8

39-0322-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

IDAPA 41 -- PUBLIC HEALTH DISTRICTS

41.01.01, Rules of Panhandle Health District I

41-0101-0701 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 07-6

41.03.01, Rules of the Southwest District Health Department

41-0301-1001 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 10-9

41-0301-1001 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 44 -- OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR

44-0000-1001 Notice of Legislative Action Relating to the Removal of Obsolete Statutory Language Affecting Various Chapters of the Administrative Code, Senate Bill 1330a - Session Law Chapter 235, Bulletin Vol. 10-8

44.01.01, Rules of the Administrative Rules Coordinator

44-0101-1001 Temporary and Proposed Rulemaking, Bulletin Vol. 10-6 (eff. 7-1-10)T

44-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

IDAPA 46 -- IDAHO BOARD OF VETERINARY MEDICAL EXAMINERS

46.01.01, Rules of the State of Idaho Board of Veterinary Medicine

- 46-0101-1001** Proposed Rulemaking, Bulletin Vol. 10-10
46-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 49 -- CERTIFIED SHORTHAND REPORTERS BOARD**49.01.01, Rules of Procedure of the Idaho Certified Shorthand Reporters Board**

- 49-0101-1001** Proposed Rulemaking, Bulletin Vol. 10-10
49-0101-1001 Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

IDAPA 54 -- OFFICE OF THE STATE TREASURER**54.03.01, Idaho Unclaimed Property Administrative Rules**

- 54-0301-1000** Notice of Legislative Action Affecting the Office of the State Treasurer and the State Tax Commission and the Transfer of IDAPA 35.01.11, "Idaho Unclaimed Property Administrative Rules," from the State Tax Commission to the Office of the State Treasurer Pursuant to House Bill 680, Session Law Chapter 202. This Chapter has been moved and re-indexed under IDAPA 54.03.01, Office of the State Treasurer., Bulletin Vol. 10-11

IDAPA 58 -- DEPARTMENT OF ENVIRONMENTAL QUALITY

- 58-0000-1001** The Portneuf River TMDL Revision and Addendum (HUC 17040208), Bulletin Vol. 10-7
58-0000-1002 The Jordan Creek Subbasin Assessment and TMDLs (HUC ID17050108), Bulletin Vol. 10-7
58-0000-1003 The Upper and Lower Henry's Fork Total Maximum Daily Loads (TMDLs) (HUCS 17040202 & 17040203), Bulletin Vol. 10-8
58-0000-1004 The Tammany Creek Watershed TMDL Addendum (HUC ID17060103), Bulletin Vol. 10-12
58-0000-1005 The Hatwai Creek Subbasin Assessment and TMDLs (Lower Clearwater HUC ID17060306), Bulletin Vol. 10-12
58-0000-1006 The Lake Lowell TMDL: Addendum To The Lower Boise River Subbasin Assessment and TMDLs (HUC 17050114), Bulletin Vol. 10-12
58-0000-1101 Upper Snake Rock Subbasin TMDL (2000 & 2005) City of Twin Falls TSS Revision (HUC ID 17040212), Bulletin Vol. 11-2

58.01.01, Rules for the Control of Air Pollution in Idaho

- 58-0101-0904** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-10
58-0101-1001 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-6
58-0101-0904 Proposed Rulemaking, Bulletin Vol. 10-8
58-0101-1002 Proposed Rulemaking, Bulletin Vol. 10-8
58-0101-0904 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
58-0101-1002 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)
58-0101-1003 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-11
58-0101-1101 Proposed Rulemaking, Bulletin Vol. 11-1

58.01.02, Water Quality Standards

- 58-0102-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-4
58-0102-1001 Proposed Rulemaking, Bulletin Vol. 10-9
58-0102-1001 Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

58.01.04, Rules for Administration of Wastewater Treatment Facility Grants

- 58-0104-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-10

58.01.05, Rules and Standards for Hazardous Waste

- 58-0105-1001** Proposed Rulemaking, Bulletin Vol. 10-8
58-0105-1001 Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

58.01.08, Idaho Rules for Public Drinking Water Systems

- 58-0108-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 58-0108-1001** Adoption of Pending Rule, Bulletin Vol. 10-11 (eff. *PLR 2011)

58.01.12, Rules for Administration of Water Pollution Control Loans

- 58-0112-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-10

58.01.17, Rules for the Reclamation and Reuse of Municipal and Industrial Wastewater

- 58-0117-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-4
- 58-0117-1001** Proposed Rulemaking, Bulletin Vol. 10-9
- 58-0117-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

58.01.20, Rules for Administration of Drinking Water Loan Program

- 58-0120-0901** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 09-12 (eff. 12-2-09)T
- 58-0120-0901** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 58-0120-0901** Adoption of Pending Fee Rule, Bulletin Vol. 10-6 (eff. *PLR 2011)
- 58-0120-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-10

58.01.22, Rules for Administration of Planning Grants for Drinking Water Facilities

- 58-0122-1001** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 10-10

58.01.23, Rules of Administration Procedure Before the Board of Environmental Quality

- 58-0123-0901** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 09-9
- 58-0123-0901** Proposed Rulemaking, Bulletin Vol. 09-12
- 58-0123-0901** Adoption of Pending Rule, Bulletin Vol. 10-6 (eff. *PLR 2011)

IDAPA 59 -- PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)**59.01.02, Eligibility Rules of PERSI**

- 59-0102-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 59-0102-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

59.01.03, Contribution Rules of PERSI

- 59-0103-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 59-0103-1001** Adoption of Pending Rule, Bulletin Vol. 11-1 (eff. *PLR 2011)

59.01.04, Disability Rules of PERSI

- 59-0104-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 59-0104-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

59.01.05, Separation from Service Rules of PERSI

- 59-0105-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 59-0105-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)

59.01.06, Retirement Rules of PERSI

- 59-0106-0901** Temporary Rulemaking, Bulletin Vol. 09-3 (eff. 3-1-09)T
- 59-0106-0901** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 126, Bulletin Vol. 10-5
- 59-0106-1001** Proposed Rulemaking, Bulletin Vol. 10-8
- 59-0106-1001** Adoption of Pending Rule, Bulletin Vol. 10-12 (eff. *PLR 2011)
- 59-0106-0901** Rescission of Temporary Rule, Bulletin Vol. 11-3
- 59-0106-1101** Temporary Rulemaking, Bulletin Vol. 11-3 (eff. 2-1-11)T
- 59-0106-1102** Temporary Rulemaking, Bulletin Vol. 11-3 (eff. 3-1-11)T

IDAPA 60 -- IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

(Rules of the Idaho State Soil and Water Conservation Commission have been moved from IDAPA 02 and re-indexed under IDAPA 60. This action is being done pursuant to the legislative intent of House Bill 576 - Session Law 279 - 2010 Legislative Session)

(These rules were formerly indexed under the Department of Lands (IDAPA 20) and the Department of Agriculture (IDAPA 02) and were governed by the Soil Conservation Commission)

60-0000-1001 Notice of Legislative Action Affecting the Idaho Soil and Water Conservation Commission - House Bill 576, Session Law 279, Bulletin Vol. 10-9 (eff. 7-1-10)

60.05.04, Rules Governing Allocation of Funds to Conservation Districts

60-0504-1001 Temporary Rulemaking (New Chapter), Bulletin Vol. 10-9 (eff. 8-11-10)T

Subject Index

A

Acceptable Charges For Medical
Services Provided By Hospitals &
Ambulatory Surgery Centers Under
The Idaho Workers' Compensation
Law 15
Adoption of Standards for Hospitals &
ASCs 15