

# IDAHO ADMINISTRATIVE BULLETIN

February 4, 2015 -- Volume 15-2

Idaho Department of Administration  
All Rights Reserved  
Printed in the United States of America



The Idaho Administrative Bulletin is published monthly by the Office of Administrative Rules, Department of Administration, Statehouse Mail, Boise, Idaho 83720-0306, pursuant to Title 67, Chapter 52, Idaho Code.

C.L. "Butch" Otter, Governor  
Teresa Luna, Director, Department of Administration  
Dennis Stevenson, Administrative Rules Coordinator  
Bradley Hunt, Administrative Rules Specialist  
Jason Shaw, Regulatory Analyst and Publishing Specialist

# IDAHO ADMINISTRATIVE BULLETIN

## Table of Contents

February 4, 2015 -- Volume 15-2

<b>PREFACE</b> .....	3
<b>IDAPA 08 - STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION</b>	
08.02.03 - Rules Governing Thoroughness	
Docket No. <b>08-0203-1501</b>	
Notice of Rulemaking - Adoption of Temporary Rule .....	13
<b>IDAPA 13 - IDAHO DEPARTMENT OF FISH AND GAME</b>	
13.01.09 - Rules Governing the Taking of Game Birds in the State of Idaho	
Docket No. <b>13-0109-1501</b>	
Notice of Intent to Promulgate Rules - Negotiated Rulemaking .....	19
<b>IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE</b>	
16.02.01 - Rules of the Idaho Time Sensitive Emergency System Council	
Docket No. <b>16-0201-1401 (New Chapter - Fee Rule)</b>	
Notice of Rulemaking - Adoption of Temporary Rule .....	21
<b>SECTIONS AFFECTED INDEX</b> .....	34
<b>LEGAL NOTICE - SUMMARY OF PROPOSED RULEMAKINGS</b> .....	36
<b>CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES</b> .....	37
<b>SUBJECT INDEX</b> .....	57

# Preface

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Department of Administration, that is published pursuant to Section 67-5203, Idaho Code. The Bulletin is a compilation of all official rulemaking notices, official rule text, executive orders of the Governor, and all legislative documents affecting rules that are statutorily required to be published in the Bulletin. It may also include other rules-related documents an agency may want to make public through the Bulletin.

State agencies are required to provide public notice of all rulemaking actions and must invite public input. This is done through negotiated rulemaking procedures or after proposed rulemaking has been initiated. The public receives notice that an agency has initiated proposed rulemaking procedures through the Idaho Administrative Bulletin and a legal notice (Public Notice of Intent) that publishes in authorized 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 may 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 - Proposed Rule” for each proposed rule that is published in the Bulletin.

Once the comment period closes, the agency considers fully all comments and information submitted regarding the proposed rule. Changes may be made to the proposed rule at this stage of the rulemaking, but changes must be based on comments received and must be a “logical outgrowth” of the proposed rule. The agency may now adopt and publish the pending rule. A pending rule is “pending” legislative review for final approval. The pending rule is the agency’s final version of the rulemaking that will be forwarded to the legislature for review and final approval. 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 identified by the calendar year and issue number. For example, Bulletin **13-1** refers to the first Bulletin issued in calendar year **2013**; Bulletin **14-1** refers to the first Bulletin issued in calendar year **2014**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **13-1** refers to January 2013; Volume No. **13-2** refers to February 2013; and so forth. Example: The Bulletin published in January 2014 is cited as Volume **14-1**. The January 2015 Bulletin is cited as Volume **15-1**.

## RELATIONSHIP TO THE IDAHO ADMINISTRATIVE CODE

The **Idaho Administrative Code** is an electronic-only, online compilation of all final and enforceable administrative rules of the state of Idaho that are of full force and effect. Any temporary rule that is adopted by an agency and is of force and effect is codified into the Administrative Code upon becoming effective. All pending rules that have been approved by the legislature during the legislative session as final rules and any temporary rules that are extended supplement the Administrative Code. These rules are codified into the Administrative Code upon becoming effective. Because proposed and pending rules are not enforceable, they are published in the Administrative Bulletin only and cannot be codified into the Administrative Code until approved as final.

To determine if a particular rule remains in effect or whether any amendments have been made to the rule, refer to the **Cumulative Rulemaking Index**. Link to it on the Administrative Rules homepage at [adminrules.idaho.gov](http://adminrules.idaho.gov).

## 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 distinct rulemaking actions: negotiated, proposed, temporary, pending and final rulemaking. Not all rulemakings incorporate or require all of these actions. 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 must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. 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 rule.

## NEGOTIATED RULEMAKING

Negotiated rulemaking is a process in which all interested persons and the agency seek consensus on the content of a rule through dialogue. Agencies are required to conduct negotiated rulemaking whenever it is feasible to do so.

The agency files a “Notice of Intent to Promulgate - Negotiated Rulemaking” for publication in the Administrative Bulletin inviting interested persons to contact the agency if interested in discussing the agency’s intentions regarding the rule changes. This process is intended to result in the formulation of a proposed rule and the initiation of regular rulemaking procedures. One result, however, may also be that regular (proposed) rulemaking is not initiated and no further action is taken by the agency.

## **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 for or is occasioning 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) if any document is incorporated by reference in the proposed rule, a brief written synopsis of why the incorporation is needed must be included in the notice of proposed rulemaking, along with a link to the electronic version of the incorporated material or information on how it can be obtained.
- e) the text of the proposed rule prepared in legislative format;
- f) the location, date, and time of any public hearings the agency intends to hold on the proposed rule;
- g) 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;
- h) the manner in which persons may request an opportunity for an oral presentation as provided in Section 67-5222, Idaho Code; and
- i) the deadline for public (written) comments on the proposed rule.

Any proposed rulemaking that is 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 Legislative Services Office 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 web site or post this information on its own web site, or both. This link can be placed into the rule and activated once it is posted on the Coordinator’s web site.

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 adopt the pending rule. Because a proposed rule is not enforceable, it has no effective date, even when published in conjunction with a temporary rule that is of full force and effect. 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 determines that it is necessary that a rule become effective prior to receiving legislative authorization and without allowing for any public input, the agency may proceed and adopt a temporary rule. The law allows an 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 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.

The statute that regulates rulemaking in Idaho requires that the text of all proposed rulemakings publish in the Bulletin in order for the rulemaking to be valid. This is true for all temporary rules as well. In most cases, the agency wants the temporary rule to also become a final rule and in most of these cases, the temporary rule and the proposed rule text is identical. In this event, both rulemakings may be promulgated concurrently, however, they remain separate rulemaking actions. The rulemaking is published in the Bulletin as a temporary/proposed rule. Combining the rulemaking allows for a single publication of the text in the Bulletin.

An agency may, at any time, rescind a temporary rule that has been adopted and is in effect. The agency must publish a notice of rescission to effectively rescind the temporary rule. 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 pending 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 sections or their subparts 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 Rulemaking - Adoption of Pending Rule" is published.

### **FINAL RULEMAKING**

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

No pending rule adopted by an agency becomes final and effective until it has been submitted to the legislature for review and approval. Where the legislature finds that an agency has violated the legislative intent of the authorizing statute, a concurrent resolution may be adopted to reject the rulemaking in whole or in part. A "Notice of Rulemaking - Final Rule" and the final codified text must be published in the Bulletin for any rule that is partially rejected by concurrent resolution of the legislature. Unless rejected by concurrent resolution, a pending rule that is reviewed by the legislature becomes final and effective at the end of the session in which it is reviewed without any further legislative action. All pending rules that are approved by concurrent resolution become final and effective upon adoption of the concurrent resolution unless otherwise stated. In no event can a pending rule 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: [adminrules.idaho.gov](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: [adminrules.idaho.gov](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 schematic. 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 that are further subdivided into 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. Each rulemaking that is filed with the Coordinator is assigned a “DOCKET NUMBER.” The docket number is a series of numbers separated by a hyphen “-”, (**38-0501-1401**). Rulemaking dockets are published sequentially by IDAPA number (the two-digit agency code) in the Bulletin. The following example is a breakdown of a typical rule docket number:

### **“DOCKET NO. 38-0501-1401”**

“**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**).

“**1401**” 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 2014**. A subsequent rulemaking on this same rule chapter in calendar year 2014 would be designated as “**1402**”. The docket number in this scenario would be 38-0501-**1402**.

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)**

**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2014**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
14-1	January 2014	<b>*November 29, 2013</b>	January 1, 2014	January 22, 2014
14-2	February 2014	January 10, 2014	February 5, 2014	February 26, 2014
14-3	March 2014	February 7, 2014	March 5, 2014	March 26, 2014
14-4	April 2014	March 7, 2014	April 2, 2014	April 23, 2014
14-5	May 2014	April 4, 2014	May 7, 2014	May 28, 2014
14-6	June 2014	May 9, 2014	June 4, 2014	June 25, 2014
14-7	July 2014	June 6, 2014	July 2, 2014	July 23, 2014
14-8	August 2014	July 11, 2014	August 6, 2014	August 27, 2014
14-9	September 2014	August 8, 2014	September 3, 2014	September 24, 2014
14-10	October 2014	<b>**August 29, 2014</b>	October 1, 2014	October 22, 2014
14-11	November 2014	October 10, 2014	November 5, 2014	November 26, 2014
14-12	December 2014	November 7, 2014	December 3, 2014	December 24, 2014

**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2015**

<b>Vol. No.</b>	<b>Monthly Issue of Bulletin</b>	<b>Closing Date for Agency Filing</b>	<b>Publication Date</b>	<b>21-day Comment Period End Date</b>
15-1	January 2015	<b>*November 28, 2014</b>	January 7, 2015	January 28, 2015
15-2	February 2015	January 9, 2015	February 4, 2015	February 25, 2015
15-3	March 2015	February 6, 2015	March 4, 2015	March 25, 2015
15-4	April 2015	March 6, 2015	April 1, 2015	April 22, 2015
15-5	May 2015	April 3, 2015	May 6, 2015	May 27, 2015
15-6	June 2015	May 8, 2015	June 3, 2015	June 24, 2015
15-7	July 2015	June 5, 2015	July 1, 2015	July 22, 2015
15-8	August 2015	July 10, 2015	August 5, 2015	August 26, 2015
15-9	September 2015	August 7, 2015	September 2, 2015	September 23, 2015
15-10	October 2015	<b>**August 28, 2015</b>	October 7, 2015	October 28, 2015
15-11	November 2015	October 9, 2015	November 4, 2015	November 25, 2015
15-12	December 2015	November 6, 2015	December 2, 2015	December 23, 2015

***\*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.***

<b>ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS</b>	
<b>IDAPA 01</b>	<b>Accountancy</b> , Board of
<b>IDAPA 38</b>	<b>Administration</b> , Department of
<b>IDAPA 44</b>	<b>Administrative Rules Coordinator</b> , Office of the
<b>IDAPA 02</b>	<b>Agriculture</b> , Idaho Department of
<b>IDAPA 40</b>	<b>Arts</b> , Idaho Commission on the
<b>IDAPA 03</b>	<b>Athletic Commission</b>
<b>IDAPA 04</b>	<b>Attorney General</b> , Office of the
<b>IDAPA 53</b>	<b>Barley Commission</b> , Idaho
<b>IDAPA 51</b>	<b>Beef Council</b> , Idaho
<b>IDAPA 07</b>	<b>Building Safety</b> , 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)
<b>IDAPA 43</b>	<b>Canola and Rapeseed Commission</b> , Idaho
<b>IDAPA 28</b>	<b>Commerce</b> , Idaho Department of
<b>IDAPA 06</b>	<b>Correction</b> , Board of
<b>IDAPA 19</b>	<b>Dentistry</b> , Board of
<b>IDAPA 08</b>	<b>Education</b> , State Board of and State Department of
<b>IDAPA 10</b>	<b>Engineers and Land Surveyors</b> , Board of Professional
<b>IDAPA 58</b>	<b>Environmental Quality</b> , Department of
<b>IDAPA 12</b>	<b>Finance</b> , Department of
<b>IDAPA 13</b>	<b>Fish and Game</b> , Department of
<b>IDAPA 14</b>	<b>Geologists</b> , Board of Registration for Professional

<b>ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS</b>	
<b>IDAPA 15</b>	<b>Governor, Office of the</b> 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 Military Division (Division of Homeland Security) (15.06)
<b>IDAPA 48</b>	<b>Grape Growers and Wine Producers Commission, Idaho</b>
<b>IDAPA 16</b>	<b>Health and Welfare, Department of</b>
<b>IDAPA 41</b>	<b>Health Districts, Public</b>
<b>IDAPA 45</b>	<b>Human Rights Commission</b>
<b>IDAPA 17</b>	<b>Industrial Commission</b>
<b>IDAPA 18</b>	<b>Insurance, Department of</b>
<b>IDAPA 05</b>	<b>Juvenile Corrections, Department of</b>
<b>IDAPA 09</b>	<b>Labor, Idaho Department of</b>
<b>IDAPA 20</b>	<b>Lands, Department of</b>
<b>IDAPA 30</b>	<b>Libraries, Commission for</b>
<b>IDAPA 52</b>	<b>Lottery Commission, Idaho State</b>
<b>IDAPA 22</b>	<b>Medicine, Board of</b>
<b>IDAPA 23</b>	<b>Nursing, Board of</b>

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

<b>IDAPA 24</b>	<b>Occupational Licenses, Board of (24.20)</b> 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)
<b>IDAPA 25</b>	<b>Outfitters and Guides Licensing Board</b>
<b>IDAPA 50</b>	<b>Pardons and Parole, Commission for</b>
<b>IDAPA 26</b>	<b>Parks and Recreation, Department of</b>
<b>IDAPA 27</b>	<b>Pharmacy, Board of</b>
<b>IDAPA 11</b>	<b>Police, Idaho State</b>
<b>IDAPA 29</b>	<b>Potato Commission, Idaho</b>
<b>IDAPA 55</b>	<b>Professional-Technical Education, Division of</b>
<b>IDAPA 59</b>	<b>Public Employee Retirement System of Idaho (PERSI)</b>
<b>IDAPA 31</b>	<b>Public Utilities Commission</b>
<b>IDAPA 56</b>	<b>Rangeland Resources Commission, Idaho</b>
<b>IDAPA 33</b>	<b>Real Estate Commission, Idaho</b>
<b>IDAPA 34</b>	<b>Secretary of State, Office of the</b>
<b>IDAPA 57</b>	<b>Sexual Offender Management Board</b>
<b>IDAPA 49</b>	<b>Shorthand Reporters Board, Idaho Certified</b>
<b>IDAPA 60</b>	<b>Soil and Water Conservation Commission, Idaho State</b>

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

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

**08.02.03 - RULES GOVERNING THOROUGHNESS**

**DOCKET NO. 08-0203-1501**

**NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is January 22, 2015.

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 33-20, Idaho Code, and Individuals with Disabilities Act (IDEA).

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

Each education agency shall develop an individualized education program (IEP) for each student who is eligible for special education. The IEP shall be implemented as soon as possible after it is developed. The total timeline from the determination that the student needs special education and related services to the date of implementation of the initial IEP shall not exceed thirty (30) calendar days.

The current IDAPA rule is inconsistent with federal law (IDEA 34 CFR 300.323 (c)(1-2) which states:

(c) Initial IEPs; provision of services. Each public agency must ensure that --

1. A meeting to develop an IEP for a child is conducted within 30 days of a determination that the child needs special education and related services;
2. As soon as possible following the development of the IEP, special education and related services are made available to the child in accordance with the child's IEP.

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

IDEA does not provide for states to adopt delaying language. Therefore, the rule must be submitted as a temporary rule.

**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: NA

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Dr. Charlie Silva at (208) 332-6806.

DATED this 23rd day of January, 2015.

Sherri Ybarra  
Superintendent of Public Instruction  
State Department of Education  
650 West State St, 2nd Floor  
PO Box 83720  
Boise, ID 83720-0027  
Tel: (208) 332-6812  
Fax: (208) 334-2228

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 08-0203-1501  
(Only those Sections being amended are shown.)**

**109. SPECIAL EDUCATION.**

- 01. Definitions.** The following definitions apply only to Section 109 of these rules. (4-5-00)
- a.** Adult Student. A student who is eligible for special education, is eighteen (18) years of age or older and to whom special education rights have transferred. (4-5-00)
  - b.** Department. State Department of Education. (4-5-00)
  - c.** Due Process Hearing. An administrative hearing that is conducted to resolve disputes. (3-29-10)
    - i.** Regular due process hearing regarding issues on any matter related to identification, evaluation, placement, or the provision of a free appropriate public education. (3-29-10)
    - ii.** For disputes concerning discipline for which shortened time lines are in effect, an expedited due process hearing may be requested in accordance with the Individuals with Disabilities Education Act. (3-29-10)
  - d.** Education Agency. Each school district and other public agency that is responsible for providing special education and related services to students with disabilities, including the Department of Juvenile Corrections and the Idaho School for the Deaf and Blind. (4-5-00)
  - e.** Governing Special Education Requirements. Sections 33-201, 33-2001 through 2002, 33-2004 through 2005, and 33-2010, Idaho Code; Section 109 of these rules; the Individuals with Disabilities Education Act (IDEA), Parts A and B, (20 U.S.C., Sections 1400-1419); IDEA Regulations (34 C.F.R. Part 300); Idaho Special Education Manual; and special education case law that sets precedence in Idaho. (3-29-10)
  - f.** Idaho Special Education Manual. Policies and procedures, as approved by the State Board of Education, that the State Department of Education is required to adopt to meet the eligibility requirements of 20 U.S.C, Section 1412 and are consistent with state and federal laws, rules, regulations, and legal requirements. (3-29-10)
  - g.** Special Education. Specially designed instruction as defined by the Individuals with Disabilities Education Act or speech-language pathology services to meet the unique needs of a special education student. (4-5-00)
- 02. Legal Compliance.** The State Department of Education and education agencies shall comply with all governing special education requirements. (4-5-00)
- a.** The Board of Trustees or other comparable governing body of each education agency shall adopt policies and procedures for providing special education services and obtain approval from the State Department of Education for the same. Department approval shall be based on current governing special education requirements. Each education agency shall revise its policies and procedures as necessary to conform with changes in governing special education requirements. (4-5-00)
  - b.** The State Department of Education shall provide education agencies with a sample set of policies and procedures that is consistent with governing special education requirements. The Department shall monitor all education agencies and private agencies who provide special education services to students with disabilities for compliance with governing special education requirements and adopted policies and procedures. (4-5-00)
  - c.** Each education agency shall ensure that charter schools and alternative schools located in its

jurisdiction have nondiscriminatory enrollment practices. Each education agency shall ensure the provision of special education and related services to eligible students enrolled in charter and alternative schools in accordance with governing special education requirements. (4-5-00)

**d.** Each education agency contracting with a private school or facility shall ensure that the private school or facility is approved by the State Department of Education to provide special education services. The Department may approve a private school or facility to provide special education services upon application to the Department if it: (4-5-00)

i. Is an accredited school or a licensed rehabilitation center; and (4-5-00)

ii. Meets minimum health, fire and safety standards; and (4-5-00)

iii. Is nonsectarian; and (4-5-00)

iv. Provides special education services consistent with governing special education requirements. (4-5-00)

v. Any private school or facility aggrieved by the Department's final decision may appeal that decision to the State Board of Education. (4-5-00)

**e.** Education agencies shall employ special education and related services professional personnel using certification standards approved by the State Board of Education or licensing standards adopted by the Bureau of Occupational Licensing. Education agencies shall employ individuals who meet the highest entry-level standard that applies to a specific discipline unless there is a shortage of fully qualified candidates for a specific position. If there is a shortage of fully qualified candidates, the education agency shall hire the most qualified individual available who is making satisfactory progress toward meeting the highest entry-level standard within three (3) years. (4-5-00)

**f.** Education agencies may employ paraprofessional personnel to assist in the provision of special education and related services to students with disabilities if they meet standards established by the State Department of Education. (4-5-00)

**g.** Education agencies shall collect and report data as necessary to meet state and federal requirements concerning special education services, staff or students. Education agencies shall develop, implement and revise district improvement plans as necessary to improve results as measured by data on goals and indicators for the performance of special education students that are established by the State Department of Education in accordance with the Individuals with Disabilities Education Act. (4-5-00)

**h.** Education agencies shall establish a team process to problem solve and plan general education interventions to ensure that referrals to special education are appropriate. (4-5-00)

**03. Eligibility for Special Education.** The State Department of Education shall provide state eligibility criteria for special education services for categorical eligibility consistent with the Individuals with Disabilities Education Act. Education agencies shall consider eligibility under all disability categories set forth in the Idaho Special Education Manual with the exception of developmental delay, which is an optional category. If an education agency elects to use the developmental delay category, it shall consider developmental delay for students ages three (3) through nine (9) using the eligibility criteria adopted by the Department and set forth in the Idaho Special Education Manual. The total timeline from the date of receipt of written parental consent for an initial evaluation to the date of determination of eligibility for special education and related services must not exceed sixty (60) calendar days, excluding periods when regular school is not in session for five (5) or more consecutive school days, unless all parties agree to an extension. (4-7-11)

**04. Individualized Education Programs.** Each education agency shall develop an individualized education program (IEP) for each student who is eligible for special education. The IEP shall be implemented as soon as possible after it is developed. The total timeline from the determination that the student needs special education and related services to the date of implementation of the initial IEP shall not exceed thirty (30) calendar days;

~~excluding periods when regular school is not in session for five (5) or more consecutive school days, unless all parties agree to an extension.~~ A new IEP shall be developed at least annually, on or before the date the previous IEP was developed. ~~(4-7-11)~~(1-22-15)T

a. IEP team meetings shall be convened upon reasonable request of any IEP team member at times other than the annual review. If the education agency refuses to convene an IEP team meeting requested by a parent or adult student, the agency shall provide written notice of the refusal. (4-5-00)

b. Education agencies shall document the attendance of all participants at each IEP team meeting. Any participant who does not agree with an IEP team decision regarding a student's educational program may place a minority report in that student's file. A minority report shall not prevent implementation of an IEP team decision. (4-5-00)

c. The IEP team shall determine the student's placement in the least restrictive environment. (5-3-03)

d. At the discretion of the education agency, an individualized family service plan (IFSP) may be used in place of an IEP if: (4-5-00)

i. The child is ages three (3) through five (5), and (4-5-00)

ii. The child's parents are provided with a detailed explanation of the differences between an IFSP and an IEP, and (4-5-00)

iii. The child's parents provide written consent to use the IFSP, and (4-5-00)

iv. The IFSP is developed in accordance with IDEA Part B policies and procedures. (3-29-10)

v. Nothing in this part requires education agencies to develop IFSPs rather than IEPs for three (3) through five (5) year old nor to implement more than the educational components of the IFSP. (4-5-00)

e. When a student who has been determined eligible for special education, as indicated by a current IEP, transfers from one (1) Idaho education agency to another, the student is entitled to continue to receive special education services. The receiving education agency may accept and implement the existing IEP or may convene an IEP team meeting to develop a new IEP. If a new IEP cannot be developed within five (5) school days, or if the education agency wishes to re-evaluate the child, an interim (short-term) IEP shall be implemented pending development of the standard IEP. (4-5-00)

f. If a student who is eligible for special education in another state transfers to an Idaho education agency, the Idaho education agency shall request a copy of the student's most recent eligibility documentation and IEP within two (2) school days. Within five (5) school days of receipt of the eligibility documentation and IEP, the Idaho education agency shall determine if it will adopt the existing eligibility documentation and IEP. If the education agency disagrees with the existing eligibility documentation, or if the documentation is not available within a reasonable time period, consent for an initial assessment shall be sought. While the assessment and evaluation is in process, the education agency may implement an interim IEP if the parent or adult student agrees. If the parent or adult student does not agree to an interim IEP, the student shall be placed in general education. (4-5-00)

**05. Procedural Safeguards.** Education agencies will use appropriate procedural safeguards consistent with the Individuals with Disabilities Education Act. (8-4-99)

a. If a parent or adult student disagrees with an individualized education program change or placement change proposed by the district, the parent or adult student may file a written objection to all or parts of the proposed change. If the written objection is postmarked or hand delivered within ten (10) calendar days of the date the parent or adult student receives written notice of the proposed change, the proposed change cannot be implemented. Informal methods such as additional IEP team meetings or voluntary mediation may be used to resolve the disagreement. If these methods fail, the education agency may request a due process hearing to obtain a hearing officer's decision regarding the proposed change. The written objection cannot be used to prevent the education agency from placing a student in an interim alternative educational setting in accordance with IDEA discipline

procedures. (4-5-00)

**b.** Mediation may be requested by an education agency, parent, or adult student, or offered by the State Department of Education at any time. The Department shall screen all such requests to determine appropriateness. Any time a hearing is requested, the Department shall offer mediation using policies and requirements set forth in the Individuals with Disabilities Education Act regulations. If the Department appoints a mediator, the Department shall be responsible for compensating the mediator. All mediation participants shall be required to sign a confidentiality pledge. Attorney fees may not be awarded for a mediation that is conducted prior to a request for a due process hearing. (3-29-10)

**c.** The State Department of Education shall administer a single-tiered due process hearing system to resolve disputes between education agencies and parents or adult students. When a due process hearing is requested, the superintendent, special education director, or other agency administrator shall inform the agency's board of trustees or other governing body of the request. The education agency shall immediately notify the Department's Director of Special Education of any request for a due process hearing. Within ten (10) calendar days of a written request for a regular hearing, or within five (5) business days of a written request for an expedited hearing, an impartial hearing officer shall be assigned by the Department. The Department shall maintain a list of trained hearing officers and their qualifications. (3-29-10)

**d.** The education agency that is a party to the hearing shall be responsible for compensating the hearing officer and paying for the cost of a verbatim transcript of the hearing. (4-5-00)

**e.** Due process hearings shall be conducted pursuant to IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," Individuals with Disabilities Education Act (IDEA) requirements, and the Idaho Special Education Manual. In case of any conflict between the IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General" and the IDEA, the IDEA shall supersede the IDAPA 04.11.01, and IDAPA 04.11.01 shall supersede the Idaho Special Education Manual. (3-29-10)

**f.** The hearing officer shall issue a written decision that includes findings of fact and conclusions of law within forty-five (45) calendar days of the date a regular hearing is requested, unless a specific extension of this time line is requested by one (1) of the parties and granted by the hearing officer. The hearing officer shall issue a written decision that includes findings of fact and conclusions of law within twenty (20) calendar days of a written request for an expedited hearing, unless a specific extension of this time line has been granted. An extension of the time line for an expedited hearing shall not exceed an additional twenty-five (25) calendar days, and may be granted only if requested by one (1) of the parties and agreed to by both parties. The decision shall be sent to the parent or adult student, the education agency administrator, their respective representatives, and the State Department of Education. (4-5-00)

**g.** The hearing officer's decision shall be binding unless either party appeals the decision by initiating a civil action. The hearing officer's decision shall be implemented not later than fourteen (14) calendar days from the date of issuance unless an appeal is filed by a parent or adult student or the decision specifies a different implementation date. An appeal to civil court must be filed within forty-two (42) calendar days from the date of issuance of the hearing officer's decision. (4-5-00)

**h.** During the hearing the education agency shall provide reasonable accommodations as required by federal and state regulations. Disputes concerning reasonable accommodations shall be referred to the Department of Education's Americans with Disabilities Act (ADA) Committee for resolution. (4-5-00)

**i.** During the pendency of any due process hearing or civil appeal the child's educational placement shall be determined by the Individuals with Disabilities Education Act "stay put" requirements. (4-5-00)

**j.** A parent or adult student has the right to an independent educational evaluation (IEE) at public expense if the parent or adult student disagrees with an evaluation obtained by the education agency. Whenever an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, shall be the same as the criteria the education agency uses when it initiates an evaluation, to the extent those criteria are consistent with the parent or adult student's right to an IEE. If an education agency has cost as one (1) of the criteria the education agency uses when it initiates an

evaluation, the education agency may apply that criteria to independent educational evaluations. However, the parent or adult student has the right to demonstrate that unique circumstances justify an IEE that falls outside the education agency's cost criteria, and if so demonstrated, that IEE shall be publicly funded. A due process hearing may be initiated by the education agency to determine if the evaluation conducted by the education agency is appropriate. If the final decision of a hearing officer, or civil court, if the hearing officer's decision is appealed, is that the evaluation conducted by the education agency is appropriate, the parent or adult student still has the right to an independent educational evaluation, but not at the education agency's expense. (4-5-00)

**k.** Student records shall be managed in accordance with IDEA and Family and Educational Rights and Privacy Act regulations governing security, confidentiality, access, maintenance, destruction, inspection and amendment. (4-5-00)

**06. Assistive Technology Devices.** Education agencies may hold a parent liable for the replacement or repair of an assistive technology device that is purchased or otherwise procured by the education agency if it is lost, stolen, or damaged due to negligence or misuse at home or in another setting outside of school time. (4-5-00)

**07. Diplomas and Graduation.** School districts shall use a regular diploma for students who are eligible for special education at the completion of their secondary program. The transcript serves as a record of individual accomplishments, achievements, and courses completed. A modified or differentiated diploma or certificate may not be used for students who are eligible for special education unless the same diploma or certificate is granted to students without disabilities. If a student is not granted a regular high school diploma or if a regular high school diploma is granted for completing requirements that are not comparable to regular graduation requirements, a student who is eligible for special education is entitled to receive a free appropriate public education through the semester in which the student turns twenty-one (21) years of age or until the student completes requirements that are comparable to regular graduation requirements, whichever comes first. (4-5-00)

**08. Special Education Advisory Panel.** The State Superintendent of Public Instruction shall appoint members to serve on the Special Education Advisory Panel. Panel members shall elect annually an individual to serve a one (1) year term as vice-chair followed by a one (1) year term as chair. (4-5-00)

## IDAPA 13 - IDAHO DEPARTMENT OF FISH AND GAME

### 13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS IN THE STATE OF IDAHO

#### DOCKET NO. 13-0109-1501

#### NOTICE OF INTENT TO PROMULGATE RULES - NEGOTIATED RULEMAKING

**AUTHORITY:** In compliance with Section 67-5220, Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 36-104(b)(5), Idaho Code.

**METHOD OF PARTICIPATION:** Interested persons wishing to participate in the negotiated rulemaking must respond to this notice by contacting the undersigned either in writing, by email, or by calling the phone number listed below. To be considered, responses must be received by February 25, 2015.

Should a reasonable number of persons respond to this notice, negotiated meetings will be scheduled and all scheduled meetings shall be posted and made accessible on the agency website at the address listed below.

Failure of interested persons to respond to this notice of intent or the lack of a sufficient number of responses to this notice of intent may result in the discontinuation of further informal proceedings. In either event the agency shall have sole discretion in determining the feasibility of scheduling and conducting informal negotiated rulemaking and may proceed directly to formal rulemaking if proceeding with negotiated rulemaking is deemed infeasible.

Upon the conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusions reached during the negotiated rulemaking will be addressed in a written summary and made available on the agency website.

**DESCRIPTIVE SUMMARY:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principle issues involved:

Decades ago the Department closed several areas around the state to goose hunting. These closed areas were intended to provide migrating goose populations places to stop over where they wouldn't be hunted. It was also a management objective to keep the migrating geese around longer to provide more hunting opportunities in the areas surrounding the closures. Goose populations at that time were much lower than current populations.

The Department proposes to rescind the goose hunting closure in the Hagerman Valley in Gooding and Twin Falls Counties. The rescission would not affect the Hagerman Wildlife Management Area Waterfowl Closure. This area is and would remain closed to the taking of any waterfowl, including geese and ducks. The area currently closed to goose hunting in the Hagerman Valley is open for duck hunting and has been for decades.

The number of geese migrating through the Hagerman Valley has increased substantially over the past decade. There are now sufficient numbers of geese that migrate through the area that a closure is no longer warranted. Additionally, geese are starting to have a negative impact on agricultural operations within the closed area. Rescinding this closure will increase goose hunting opportunities in the area and provide an effective means of mitigating the negative impact the migrating geese are having on agricultural operations.

The purpose of the proposed rule would be to increase goose hunting opportunities in the Hagerman Valley and to help reduce goose conflicts with agricultural producers.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a copy of the preliminary draft of the text of the proposed rule, contact Toby Boudreau, (208) 324-4359 or visit the agency website at <http://fishandgame.idaho.gov>.

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to the undersigned and must be delivered on or before February 25, 2015.

DATED this 7th day of January, 2015.

Toby Boudreau, Regional Supervisor  
Magic Valley Region  
324 South 417 East, Suite 1  
Jerome, ID 83338  
Tel: (208) 324-4359  
Fax: (208) 324-1160  
[toby.boudreau@idfg.idaho.gov](mailto:toby.boudreau@idfg.idaho.gov)

## IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE

### 16.02.01 - RULES OF THE IDAHO TIME SENSITIVE EMERGENCY SYSTEM COUNCIL

#### DOCKET NO. 16-0201-1401 (NEW CHAPTER - FEE RULE)

#### NOTICE OF RULEMAKING - ADOPTION OF TEMPORARY RULE

**EFFECTIVE DATE:** The effective date of the temporary rule is January 1, 2015.

**AUTHORITY:** In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Sections 56-1024 through 56-1030, Idaho Code.

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

The 2014 Legislature authorized the Idaho Time Sensitive Emergency System of Care, a TSE Council, and Regional TSE Committees. This legislation took effect on July 1, 2014, and requires that rules be adopted to set standards, regions, regional committees, fees, and other requirements for time sensitive emergencies related to trauma, stroke, and heart attacks. This new chapter of rules is currently being published as a temporary rule only. The chapter has been negotiated and based on comments received, the TSE Council has decided to adopt temporary rules for Trauma Center designations, and to continue negotiations on Stroke and Heart Attack designations. Currently, this temporary rule includes:

1. Regions based on community input, the TSE Council, regional TSE committees;
2. Standards and requirements for a statewide emergency systems for trauma, with stroke and heart attack standards being added once those designations criteria have been negotiated based on nationally accepted practices;
3. Criteria of designation levels, fees, application processes, on-site reviews and inspections, waiver policy, enforcement remedies for probation, suspension, revocation, and appeals of Department actions; and
4. Required sections to meet the requirements of the APA and the rules of the Office of the Administrative Rules Coordinator.

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

This new chapter of rules for the TSE Council is being adopted as a temporary rule to protect the public health, safety, or welfare. Statutes establishing the Idaho Time Sensitive Emergency System were effective on July 1, 2014. The Governor has found that the fees being charged in this rule are necessary to avoid immediate danger and are justified as a temporary rule.

**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:

Fees will be charged for hospitals that choose to become TSE designated as a trauma, stroke, or heart attack center. The fees for each designation are payable on an annual or triennial basis. Fees may also be charged for on-site surveys that are required for certain designation levels.

**FISCAL IMPACT:** The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year.

The fiscal impact to the state general fund as appropriated by the Legislature for SFY 2015 is \$225,800.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted as provided in the September 3, 2014, Idaho Administrative Bulletin, [Vol. 14-9, page 187](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, a document is being incorporated by reference into these rules to give it the force and effect of law. The document is not being reprinted in this chapter of rules due to its length, format, and the cost for republication. The document being incorporated by reference is the Time Sensitive Emergency System Standards Manual, Edition 2015-1.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the temporary rule, contact Christian Surjan at (208) 334-6564.

DATED this 30th day of December, 2014.

Tamara Prisock  
DHW - Administrative Rules Unit  
450 W. State Street - 10th Floor  
P.O. Box 83720  
Boise, ID 83720-0036  
(208) 334-5500 phone; (208) 334-6558 fax  
[dhwrules@dhw.idaho.gov](mailto:dhwrules@dhw.idaho.gov) e-mail

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY FEE RULE FOR DOCKET NO. 16-0201-1401**

**IDAPA 16**  
**TITLE 02**  
**CHAPTER 01**

**16.02.01 - Rules of the Idaho Time Sensitive Emergency System Council**

**000. LEGAL AUTHORITY.**

The Idaho Time Sensitive Emergency System Council (TSE) is authorized under Section 56-1028, Idaho Code, to promulgate rules for the purpose of establishing standards and for the administration of a voluntary time sensitive emergency system of care. Sections 56-1024 through 56-1030, Idaho Code, provide requirements for the TSE Council, its membership, duties, regional TSE committees, standards criteria, and the designation of centers. The Department is authorized to charge and collect fees established by rule under Section 56-1007, Idaho Code, and to establish and collect data for a Time Sensitive Emergency (TSE) Registry under Section 57-2003, Idaho Code.

(1-1-15)T

**001. TITLE, SCOPE, AND INTENT.**

**01. Title.** The title of these rules is IDAPA 16.02.01, “Rules of the Idaho Time Sensitive Emergency System Council.”

(1-1-15)T

**02. Scope.** These rules provide for the administration and establishment of standards for a voluntary statewide time sensitive emergency system of care that includes procedures and requirements for designation of trauma, stroke, and heart attack centers including data reporting, fees, appeal process and enforcement procedures,

determination of regions to provide an effective access to the TSE system within the state, and operational procedures for regional TSE committees. (1-1-15)T

**03. Intent.** With the maturation of the Time Sensitive Emergency System (TSE), the intent is for the state to have the ability to designate TSE centers without reliance on national accreditation bodies. The TSE Council, upon review of appropriate documentation, may provide reciprocity for facilities in Idaho that also choose to operate under a designation in a neighboring state's system. (1-1-15)T

**002. WRITTEN INTERPRETATIONS.**

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, the Department may have written statements that pertain to the interpretation of this chapter, or to the documentation of compliance with these rules. (1-1-15)T

**003. ADMINISTRATIVE APPEALS.**

Administrative appeals and contested cases are governed by the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (1-1-15)T

**004. INCORPORATION BY REFERENCE.**

The Time Sensitive Emergency System Standards Manual, Edition 2015-1, is incorporated by reference in this chapter of rules. Copies of the manual may be obtained online at [www.tse.idaho.gov](http://www.tse.idaho.gov) or from the Bureau of Emergency Medical Services and Preparedness located at 2224 East Old Penitentiary Road, Boise, ID 83712-8249. (1-1-15)T

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE NUMBER -- INTERNET WEBSITE.**

**01. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the State of Idaho. (1-1-15)T

**02. Mailing Address.** (1-1-15)T

**a.** Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. (1-1-15)T

**b.** Idaho Time Sensitive Emergency System Council, 2224 E. Old Penitentiary Road, Boise, Idaho 83712-8249. (1-1-15)T

**03. Street Address.** (1-1-15)T

**a.** The Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. (1-1-15)T

**b.** The Bureau of Emergency Medical Services and Preparedness is located at 2224 E. Old Penitentiary Road, Boise, Idaho 83712. (1-1-15)T

**04. Telephone.** (1-1-15)T

**a.** The Idaho Department of Health and Welfare number is (208) 334-5500. (1-1-15)T

**b.** The Bureau of Emergency Medical Services and Preparedness number is (208) 334-4000. The toll-free phone number is 1 (877) 554-3367. (1-1-15)T

**05. Internet Websites.** (1-1-15)T

**a.** The Department internet website is found at <http://www.healthandwelfare.idaho.gov>. (1-1-15)T

**b.** The Time Sensitive Emergency System Council internet website is found at <http://www.tse.idaho.gov>. (1-1-15)T

c. The Bureau of Emergency Medical Services and Preparedness internet website is found at <http://www.idahoems.org>. (1-1-15)T

**006. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS ACT COMPLIANCE AND REQUESTS.**

**01. Confidentiality of Records.** Any disclosure of confidential information used or disclosed in the course of the TSE Council's business is subject to the restrictions in state or federal law, and must comply with IDAPA 16.05.01, "Use and Disclosure of Department Records." (1-1-15)T

**02. Public Records Act.** The Department will comply with Sections 9-337 through 9-350, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. (1-1-15)T

**03. Public Availability of Preliminary Investigations, Site Reviews, and Survey Reports.** Preliminary investigations and related documents are confidential until a notice of action is issued for survey reports and findings of complaint investigations relating to a designated center. Documents that are available for public review may be found at <http://www.tse.idaho.gov>. (1-1-15)T

**007. -- 009. (RESERVED)**

**010. DEFINITIONS.**

For the purposes of this chapter, the following terms and definitions apply. (1-1-15)T

**01. American College of Surgeons (ACS).** The American College of Surgeons (ACS) is a national body that sets standards and verifies compliance with published standards. (1-1-15)T

**02. Department.** The Idaho Department of Health and Welfare. (1-1-15)T

**03. Director.** The Director of the Idaho Department of Health and Welfare or his designee. (1-1-15)T

**04. Division.** The Division of Public Health, Idaho Department of Health and Welfare. (1-1-15)T

**05. EMS Agency.** Any organization licensed by the Department under Sections 56-1011 through 56-1023, Idaho Code, and IDAPA 16.01.03, "Emergency Medical Services (EMS) - Agency Licensing Requirements," that operates an air medical service, ambulance service, or non-transport service. (1-1-15)T

**06. EMS Bureau.** The Bureau of Emergency Medical Services (EMS) & Preparedness of the Idaho Department of Health and Welfare. (1-1-15)T

**07. Facility.** A health care organization that is voluntarily seeking designation from the Idaho Time Sensitive Emergency Council. A facility may be any of the following: (1-1-15)T

a. Center. A facility designated by the Idaho Time Sensitive Emergency Council is known as a center. (1-1-15)T

b. Freestanding emergency department: (1-1-15)T

i. Is owned by a hospital with a dedicated emergency department; (1-1-15)T

ii. Is located within 35 miles of the hospital that owns or controls it; (1-1-15)T

iii. Provides emergency services twenty-four (24) hours per day, seven (7) days per week on an outpatient basis; (1-1-15)T

iv. Is physically separate from a hospital; and (1-1-15)T

v. Meets the staffing and service requirements in IDAPA 16.03.14, “Rules and Minimum Standards for Hospitals in Idaho.” (1-1-15)T

c. Hospital. As defined in Section 39-1301, Idaho Code, is a facility which is primarily engaged in providing, by or under the daily supervision of physicians: (1-1-15)T

i. Concentrated medical and nursing care on a twenty-four (24) hour basis to inpatients experiencing acute illness; (1-1-15)T

ii. Diagnostic and therapeutic services for medical diagnosis and treatment, psychiatric diagnosis and treatment, and care of injured, disabled, or sick persons; (1-1-15)T

iii. Rehabilitation services for injured, disabled, or sick persons, (1-1-15)T

iv. Obstetrical care; (1-1-15)T

v. Provides for care of two (2) or more individuals for twenty-four (24) or more consecutive hours; and (1-1-15)T

vi. Is staffed to provide nursing professional nursing care on a twenty-four (24) hour basis. (1-1-15)T

d. Rural Clinic. A health care clinic in a rural area that is located more than thirty-five (35) miles from a hospital via maintained roads and is capable of providing emergency care to patients. (1-1-15)T

**08. Heart Attack.** STEMI, which is a common name for ST-elevation myocardial infarction, a more precise definition for a type of heart attack that is caused by a prolonged period of blocked blood supply that affects a large area of the heart and has a substantial risk of death and disability calling for a quick response. (1-1-15)T

**09. Idaho Time Sensitive Emergency (TSE) System Council.** The Idaho Time Sensitive Emergency System Council established in Section 56-1027, Idaho Code. (1-1-15)T

**10. National Accrediting Body.** An organization whose standards criteria is recognized by the Idaho Time Sensitive Emergency System Council and verifies compliance with those standards. (1-1-15)T

**11. Regional Time Sensitive Emergency (TSE) Committee.** An Idaho regional TSE committee established under Section 56-1030, Idaho Code. (1-1-15)T

**12. STEMI.** STEMI is an ST segment elevation myocardial infarction that is a particular type of heart attack, or MI (myocardial infarction), that is caused by a prolonged period of blocked blood supply. It affects a large area of the heart muscle, and so causes changes on the ECG as well as in blood levels of key chemical markers. This is considered a major heart attack and is referred to in medical shorthand as a STEMI. (1-1-15)T

**13. Stroke.** An interruption of blood flow to the brain causing paralysis, slurred speech, or altered brain function usually caused by a blockage in a blood vessel that carries blood to the brain (ischemic stroke) or by a blood vessel bursting (hemorrhagic). (1-1-15)T

**14. Time Sensitive Emergency (TSE).** Time sensitive emergencies specifically for this chapter of rules are trauma, stroke, and heart attack. (1-1-15)T

**15. Trauma.** The result of an act or event that damages, harms, or hurts a human being resulting in intentional or unintentional damage to the body resulting from acute exposure to mechanical, thermal, electrical, or chemical energy, or from the absence of such essentials as heat or oxygen. (1-1-15)T

**16. TSE Council.** The Idaho Time Sensitive Emergency System Council. (1-1-15)T

**17. TSE Designated Center.** A facility that has voluntarily applied for TSE designation, met and is in compliance with the designation criteria and standards of these rules when published, and that the TSE Council has

- designated as one (1) or more of the following: (1-1-15)T
- a. Level I Trauma Center; (1-1-15)T
  - b. Level II Trauma Center; (1-1-15)T
  - c. Level III Trauma Center; (1-1-15)T
  - d. Level IV Trauma Center; (1-1-15)T
  - e. Level V Trauma Center; or (1-1-15)T
  - f. Pediatric Level I Trauma Center; (1-1-15)T
  - g. Pediatric Level II Trauma Center; (1-1-15)T
  - h. Comprehensive Stroke Center; (1-1-15)T
  - i. Primary Stroke Center; (1-1-15)T
  - j. Acute Stroke Ready Center; (1-1-15)T
  - k. STEMI (Heart Attack) Receiving Center; (1-1-15)T
  - l. STEMI (Heart Attack) Referring Center; (1-1-15)T

**18. TSE Registry.** The population-based data system that provides ongoing and systematic collection, analysis, interpretation, and dissemination of information related to trauma, stroke, and heart attack for system improvement, prevention and research activities. Elements in the registry describe the nature and scope of the injury, illness, or health condition, identify the incidence and prevalence of traumatic injury, illness, or health condition, the severity of the injury, performance of out-of-hospital and hospital emergency medical systems, patient outcome, and the impact of trauma, stroke, and heart attack on the health care system. The TSE Registry is established under Section 57-2003, Idaho Code. (1-1-15)T

**19. TSE System.** Under Section 57-2002, Idaho Code, the TSE System is an organized approach to treating injured patients that establishes and promotes standards for patient transportation, equipment, and information analysis for effective and coordinated TSE care. TSE systems represent a continuum of care that is fully integrated into the emergency medical services system and is a coordinated effort between out-of-hospital and hospital providers with the close cooperation of medical specialists in each phase of care. The focus is on prevention, coordination of acute care, and aggressive rehabilitation. Systems are designed to be inclusive of all patients with a TSE requiring acute care facilities, striving to meet the needs of the patient, regardless of the severity of injury, geographic location or population density. A TSE system seeks to prevent injuries from happening and the reduction of death and disability when it does happen. (1-1-15)T

**011. -- 074. (RESERVED)**

**075. TSE COUNCIL.**

Under Section 56-1027, Idaho Code, the TSE Council will consist of members appointed by the Governor of Idaho and the chair of each regional TSE committee. (1-1-15)T

**076. TSE COUNCIL -- RESPONSIBILITIES AND DUTIES.**

The TSE Council is responsible for the duties described under Section 56-1028, Idaho Code. (1-1-15)T

**077. -- 079. (RESERVED)**

**080. TSE REGIONS.**

Under Section 56-1028, Idaho Code, the TSE Council is required to establish TSE regions that provide more effective

access to the Idaho time sensitive emergency system through education, but not for the purpose of promoting competition, restricting, or directing patient referrals within the region. The TSE Council has established six (6) regions in Idaho described in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. (1-1-15)T

**081. TSE REGIONS -- REALIGNMENT OF REGION.**

The TSE Council may realign a region of a county by initiation of the TSE Council, or at the request of a regional TSE committee, a county or local government entity in the county, a TSE designated center, or a licensed EMS agency in that county. (1-1-15)T

**01. Requesting Entity.** The requesting entity must forward correspondence to the TSE Council specifying the reason for the realignment request. The correspondence must include: (1-1-15)T

- a. Existing patient routing patterns used by both EMS agencies and health care centers; (1-1-15)T
- b. Distances and transport times involved in patient routing patterns; (1-1-15)T
- c. A list of all entities affected by the request; (1-1-15)T
- d. A list of all other licensed health care facilities and licensed EMS agencies in the county; and (1-1-15)T
- e. Documentation that all affected regional TSE committees are agreeable to the realignment. (1-1-15)T

**02. Copies of Request for Realignment.** The entity requesting the TSE Council for realignment must provide copies of the correspondence to all affected regional TSE committees, county and local governments, licensed health care facilities, and EMS agencies in the county. (1-1-15)T

**03. TSE Decision for Realignment.** The TSE Council will evaluate the request based on the impact to patient care and will notify all parties of the council's decision. (1-1-15)T

**082. REGIONAL TSE COMMITTEES -- ORGANIZATION AND RESPONSIBILITIES.**

The regional TSE committees' organization and responsibilities are described under Section 56-1030, Idaho Code. (1-1-15)T

**083. -- 099. (RESERVED)**

**100. DESIGNATION OF TSE CENTERS -- CRITERIA.**

Under Section 56-1029, Idaho Code, the TSE Council will designate a hospital as a trauma, stroke, or STEMI (heart attack) center when such hospital, upon proper application and verification, is found by the TSE Council to meet an applicable designation level for trauma, stroke, or STEMI (heart attack) designation criteria established in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. (1-1-15)T

**101. -- 104. (RESERVED)**

**105. TRAUMA DESIGNATION CENTERS.**

To be designated as an Idaho TSE designated Level I, II, III, IV, V, Pediatric Level I or Level II Trauma Center, a facility must meet or exceed requirement standards published for state designation in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. (1-1-15)T

**106. -- 109. (RESERVED)**

**110. STROKE DESIGNATION CENTERS.**

To be designated as an Idaho TSE designated Comprehensive Stroke Center, Primary Stroke Center, or an Acute Stroke Ready Center, a facility must meet or exceed requirement standards when published for state designation in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. (1-1-15)T

**111. -- 114. (RESERVED)**

**115. STEMI (HEART ATTACK) DESIGNATION CENTERS.**

To be designated as an Idaho TSE designated STEMI (Heart Attack) Receiving Center, or STEMI (Heart Attack) Referring Center, a facility must meet or exceed requirement standards when published for state designation in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. (1-1-15)T

**116. -- 119. (RESERVED)**

**120. DESIGNATION OF CENTERS -- GENERAL REQUIREMENTS.**

**01. Application.** A hospital applying for initial designation as a TSE designated center must submit an application along with applicable fees for each designation it is requesting. Application process and requirements are provided in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. Fee requirements are provided in Section 200 of these rules. (1-1-15)T

**02. Initial Designation.** Initial designation requires completion of appropriate application, submission of appropriate fees, and completion of an appropriate on-site survey based on the Time Sensitive Emergency System Standards Manual incorporated by reference under Section 004 of these rules. (1-1-15)T

**116. -- 119. (RESERVED)**

**190. TSE DESIGNATION -- LENGTH OF DESIGNATION.**

A TSE center will be designated for a period of three (3) years, unless the designation is rescinded by the TSE Council for non-compliance with the designation standards of these rules or adjusted to coincide with applicable external verification timetables. (1-1-15)T

**191. RENEWAL OF TSE DESIGNATION.**

A TSE center's designation will not lapse when the application for renewal has been timely submitted to the TSE Council, and the application is undergoing review by the TSE Council or awaiting an on-site review through no fault of the applicant. (1-1-15)T

**192. -- 194. (RESERVED)**

**195. NOTIFICATION OF LOSS OF CERTIFICATION OR LICENSURE.**

Any TSE designated center that has a loss of certification or licensure will immediately notify the TSE Council. (1-1-15)T

**196. -- 199. (RESERVED)**

**200. DESIGNATION AND TSE ON-SITE SURVEY FEES.**

**01. Application With National Verification.** An applicant applying for a TSE designation that is verified by a national accrediting body must submit the appropriate designation fees with its application for initial designation and renewal. The designation fees are for a three (3) year designation and are payable on an annual basis. TSE designation fees are not to exceed those listed in Subsection 200.03 of this rule. (1-1-15)T

**02. Application Without National Verification.** An applicant who requires a TSE on-site survey prior to designation is required to pay the applicable on-site survey fee at the time of application. TSE designation and on-site survey fees are not to exceed those listed in Subsection 200.03 of this rule. (1-1-15)T

**03. Trauma Designation and TSE On-Site Survey Fees.**

<b>TRAUMA DESIGNATIONS 200.03</b>	<b>DESIGNATION FEE 3-years / Annual (Not to exceed)</b>	<b>TSE ON-SITE SURVEY FEE (Not to exceed)</b>
LEVEL 1	\$45,000 / \$15,000	\$3000 / Not applicable with ACS verification
LEVEL II	\$36,000 / \$12,000	\$3000 / Not applicable with ACS verification
LEVEL III	\$24,000 / \$8,000	\$3000 / Not applicable with ACS verification
LEVEL IV	\$12,000 / \$4,000	\$1500 / Not applicable with ACS verification
LEVEL V	\$3,000 / \$1,000	\$1500
PEDIATRIC LEVEL I and LEVEL II	\$36,000 / \$12,000	\$3000 / Not applicable with ACS verification

(1-1-15)T

**04. Designation Fee Payment.** After completion of the TSE on-site survey, the TSE Council will officially notify the facility of successfully meeting designation criteria. After this notification takes place, facility designation goes into effect upon the Department's receipt of the first year's designation fee or the entire three (3) year fee. Subsequent annual designation fees are due to the Department within thirty (30) days of receipt of invoice in order to maintain designation. (1-1-15)T

**201. -- 249. (RESERVED)**

**250. TSE ON-SITE REVIEW.**

The TSE Council will conduct an on-site review of each TSE designated center at least once every three (3) years, unless the center has been verified by a national accrediting body to meet or exceed the standards set in these rules. The TSE Council will schedule the on-site review with the designated center in a timely manner. (1-1-15)T

**251. TSE ON-SITE REVIEW -- GENERAL REQUIREMENTS.**

The TSE on-site review will consist of and consider each facility's application and compliance with the standards published for state designation and incorporated under Section 004 of these rules for the specific type of designation being requested. The general requirements in Subsection 251.01 through 251.04 of this rule apply: (1-1-15)T

**01. Review Team Member Requirements.** Review team members will meet the following inclusion criteria: (1-1-15)T

**a.** A physician reviewer will: (1-1-15)T

**i.** Be certified by the American Board of Medical Specialties or the American Board of Osteopathic Medicine; (1-1-15)T

**ii.** Be board certified in the specialty area he is representing on the review team; (1-1-15)T

**iii.** Be currently active in trauma, stroke, or emergency cardiac care at a center that is at or above the level being reviewed; (1-1-15)T

**iv.** Have no conflict of interest with the facility under review; and (1-1-15)T

**v.** Be from another state when performing a review for Level I, Level II, or Pediatric Trauma Center

designations. (1-1-15)T

**b.** A nurse reviewer or program manager will: (1-1-15)T

**i.** Be currently active in trauma, stroke, or emergency cardiac care at a center that is at or above the level being reviewed; and (1-1-15)T

**ii.** Have no conflict of interest with the facility under review; and (1-1-15)T

**iii.** Be from another state when performing a review for Level I, Level II, or Pediatric Trauma Center designations. (1-1-15)T

**02. Review Team Member Notification of Potential Conflict of Interest.** Upon being assigned to an on-site review team, a potential team member must notify the TSE Council of any potential conflict of interest regarding any financial, professional, or personal bias that may adversely affect the review of the applicant's facility. (1-1-15)T

**03. Notification To Applicant of Review Team Members.** The TSE Council will provide the applicant with the names of the on-site review team once they have been selected at least thirty (30) calendar days prior to the scheduled review. (1-1-15)T

**04. Facility Notification of Potential Conflict of Interest.** If the applicant believes that a potential reviewer has a financial, professional, or personal bias that may adversely affect the review, the applicant must notify the TSE Council in writing no later than seven (7) calendar days after the applicant receives the TSE Council's notification of the proposed review team. (1-1-15)T

**05. Notification of Decision for Conflict of Interest.** The TSE Council will consider the conflict of interest notice and make a decision concerning replacement of the review team member in question. No person who has a substantial conflict of interest in the operation of any center under review will participate in the on-site review of applicant. (1-1-15)T

**252. TSE ON-SITE REVIEW -- REVIEW TEAM COMPOSITION.**  
The TSE Council will select an on-site review team based on the applicant's designation application and specifications provided in these rules and the standards published in the Time Sensitive Emergency System Standards Manual incorporated under Section 004 of these rules. (1-1-15)T

**253. ON-SITE REVIEW -- ADDITIONAL REVIEWS.**  
The TSE Council may conduct additional, announced or unannounced, full or partial, on-site reviews of TSE designated centers or applicants when there is reason to believe that the center is not in compliance with the designation criteria standards of these rules. (1-1-15)T

**254. -- 259. (RESERVED)**

**260. DESIGNATION DECISION.**

**01. Summary Report.** The review team will present a verbal summary of the results to the applicant and the TSE Council for review team's recommendation on the center's designation at the completion of the site survey. (1-1-15)T

**02. Written Report.** The TSE Council will consider all evidence and notify the applicant in writing of its decision within thirty (30) calendar days of receiving the review team's recommendation. (1-1-15)T

**03. Final Determination.** The TSE Council's final determination regarding each application will be based upon consideration of all pertinent factors that include: (1-1-15)T

**a.** The application; (1-1-15)T

- b.** The evaluation and recommendations of the on-site review team; (1-1-15)T
- c.** The best interests of patients; and (1-1-15)T
- d.** Any unique attributes or circumstances that make the facility capable of meeting special community needs. (1-1-15)T

**04. Denial.** If the TSE Council denies an applicant a designation, the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings," will apply. (1-1-15)T

**261. -- 269. (RESERVED)**

**270. WAIVERS.**

**01. Granting a Waiver.** The TSE Council may grant a waiver from one (1) or more designation criteria for a center applying for TSE designation. (1-1-15)T

**02. Waiver Application.** A center requesting a waiver must submit a completed waiver application on a TSE Council's form. The TSE Council may require the applicant to provide additional information, and the waiver application will not be considered complete until all required information is provided. (1-1-15)T

**03. Post Notice.** A center requesting a waiver must post a notice of the waiver application with a meaningful description of the substance of the request at all public entrances to the center and in at least one (1) area that is commonly used by the patients. The notice must: (1-1-15)T

- a.** Be posted on the date the waiver application is submitted; (1-1-15)T
- b.** Remain posted for a minimum of thirty (30) calendar days; and (1-1-15)T
- c.** Describe where and to whom comments may be submitted during the thirty (30) calendar days. (1-1-15)T

**04. Notice Distribution.** When the notice is posted, the center must also distribute copies of the notice to prehospital emergency medical service agencies active in the community served by the center. (1-1-15)T

**05. Waiver Application Submission.** The completed waiver application must be submitted to the TSE Council at least thirty (30) calendar days before a TSE Council meeting in order to be placed on the Council agenda. Applications completed less than thirty (30) calendar days in advance of a TSE Council meeting will be placed on a subsequent Council agenda. (1-1-15)T

**06. Waiver Application Distribution.** The TSE Council will distribute a copy of the public notice of the TSE Council meeting regarding the waiver application to all other TSE designated centers. (1-1-15)T

**07. Waiver Application Review.** The regional TSE committee will review the request and make recommendations to the TSE Council. The TSE Council will make a decision and notify the facility administrator within thirty (30) calendar days of the waiver decision. (1-1-15)T

- 08. Waiver Conditions.** When a waiver is granted, the council will: (1-1-15)T
  - a.** Specify the terms and conditions of the waiver; (1-1-15)T
  - b.** Specify the duration of the waiver, which under no circumstances is a waiver granted for a period longer than the designation cycle for that center; and (1-1-15)T
  - c.** Require the submission of progress reports from any center granted a waiver. (1-1-15)T

**09. Waiver Renewal.** A center that plans to maintain a waiver beyond its expiration must submit a new

waiver application to the council no less than ninety (90) days prior to the expiration of the waiver. (1-1-15)T

**10. Waiver Revocation.** The TSE Council may revoke or suspend a waiver when it determines: (1-1-15)T

**a.** That continuation of the waiver jeopardizes the health, safety, or welfare of the patients; (1-1-15)T

**b.** The applicant has provided false or misleading information in the waiver application; (1-1-15)T

**c.** The applicant has failed to comply with conditions of the waiver; or (1-1-15)T

**d.** That a change in federal or state law prohibits continuation of the waiver. (1-1-15)T

**12. Appeals.** When the TSE Council denies, revokes, or suspends a waiver, the provisions in IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings" will apply. (1-1-15)T

**271. -- 279. (RESERVED)**

**280. DENIAL AND MODIFICATION.**

**01. Denial.** The TSE Council may deny an initial or renewal application for a center's designation when a center: (1-1-15)T

**a.** Does not meet the criteria for designation required in these rules; (1-1-15)T

**b.** Application or accompanying documents contain false statements of material facts; (1-1-15)T

**c.** Refuses to allow any part of an on-site review; (1-1-15)T

**d.** Fails to comply with or to successfully complete a plan of correction, or (1-1-15)T

**e.** Is substantially out of compliance with any of TSE Council's rules. (1-1-15)T

**02. Modification.** When a center does not meet the level of designation criteria for which it applied or for which it subsequently surrenders its verification, the TSE Council may recommend a designation at a lesser level described in Section 290 of these rules, or a complete revocation of state designation. This action, unless agreed to by the applicant, will represent a denial of the application. (1-1-15)T

**03. Notification and Appeal.** When the TSE Council denies an application for designation, the TSE Council will provide the center with a written notification of the denial and the basis for the denial. The notice will inform the facility of the right to appeal and the procedure to appeal the denial under the provisions in IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (1-1-15)T

**281. -- 284. (RESERVED)**

**285. REVOCATION AND SUSPENSION.**

**01. Revocation.** The TSE Council may revoke the designation of a center or a waiver when any owner, officer, director, manager, or other employee: (1-1-15)T

**a.** Fails or refuses to comply with the provisions of these rules; (1-1-15)T

**b.** Makes a false statement of material fact about the center's capabilities or other pertinent circumstances in any record or matter under investigation for any purposes connected with these rules; (1-1-15)T

**c.** Prevents, interferes with, or attempts to impede in any way, the work of a representative of the TSE Council in implementing or enforcing these rules; (1-1-15)T

**d.** Falsely advertises or in any way misrepresents the facility's ability to care for patients based on its designation status; (1-1-15)T

**e.** Is substantially out of compliance with these rules and has not rectified such noncompliance; (1-1-15)T

**f.** Fails to provide reports required by the TSE registry or the state in a timely and complete fashion; (1-1-15)T  
or

**g.** Fails to comply with or complete a plan of correction in the time or manner specified. (1-1-15)T

**02. Suspension.** The TSE Council may suspend a center's designation or waiver when it finds, after investigation, that the center has engaged in a deliberate and willful violation of these rules, or that the public health, safety, or welfare requires immediate action. (1-1-15)T

**03. Notification and Appeal.** When the TSE Council revokes or suspends a center's designation or waiver, it will provide the center with a written notification of the action and the basis for the action. The notice will inform the center of the right to appeal and the procedure to appeal the action under the provisions in IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (1-1-15)T

**286. -- 289. (RESERVED)**

**290. DESIGNATION AT A LESSER LEVEL.**

**01. Inability to Meet Criteria.** The TSE Council may determine to redesignate a center at a lesser level due to the center's inability to meet current designation criteria, without regard to any waiver previously granted. (1-1-15)T

**02. Notification and Appeal.** When the TSE Council decides to redesignate a center, it will provide the center with a written notification of the action and the basis for the action. The notice will inform the center of the right to appeal and the procedure to appeal the action under the provisions in IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (1-1-15)T

**291. -- 999. (RESERVED)**

# Sections Affected Index

---

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

### *08.02.03 - Rules Governing Thoroughness*

Docket No. **08-0203-1501**

109. Special Education. ....	14
------------------------------	----

## **IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE**

### *16.02.01 - Rules of the Idaho Time Sensitive Emergency System Council*

Docket No. **16-0201-1401 (New Chapter - Fee Rule)**

000. Legal Authority. ....	22
001. Title, Scope, And Intent. ....	22
002. Written Interpretations. ....	23
003. Administrative Appeals. ....	23
004. Incorporation By Reference. ....	23
005. Office -- Office Hours -- Mailing Address -- Street Address -- Telephone Number -- Internet Website. ....	23
006. Confidentiality Of Records And Public Records Act Compliance And Requests. ....	24
007. -- 009. (Reserved) .....	24
010. Definitions. ....	24
011. -- 074. (Reserved) .....	26
075. TSE Council. ....	26
076. TSE Council -- Responsibilities And Duties. ....	26
077. -- 079. (Reserved) .....	26
080. TSE Regions. ....	26
081. TSE Regions -- Realignment Of Region. ....	27
082. Regional TSE Committees -- Organization And Responsibilities. ....	27
083. -- 099. (Reserved) .....	27
100. Designation Of TSE Centers -- Criteria. ....	27
101. -- 104. (Reserved) .....	27
105. Trauma Designation Centers. ....	27
106. -- 109. (Reserved) .....	27
110. Stroke Designation Centers. ....	27
111. -- 114. (Reserved) .....	28
115. STEMI (Heart Attack) Designation Centers. ....	28
116. -- 119. (Reserved) .....	28
120. Designation Of Centers -- General Requirements. ....	28
116. -- 119. (Reserved) .....	28
190. TSE Designation -- Length Of Designation. ....	28
191. Renewal Of TSE Designation. ....	28
192. -- 194. (Reserved) .....	28
195. Notification Of Loss Of Certification Or Licensure. ....	28
196. -- 199. (Reserved) .....	28
200. Designation And TSE On-site Survey Fees. ....	28
201. -- 249. (Reserved) .....	29
250. TSE On-Site Review. ....	29
251. TSE On-Site Review -- General Requirements. ....	29
252. TSE On-Site Review -- Review Team Composition. ....	30
253. On-Site Review -- Additional Reviews. ....	30
254. -- 259. (Reserved) .....	30
260. Designation Decision. ....	30
261. -- 269. (Reserved) .....	31
270. Waivers. ....	31

271. -- 279. (Reserved).....	32
280. Denial And Modification. ....	32
281. -- 284. (Reserved).....	32
285. Revocation And Suspension. ....	32
286. -- 289. (Reserved).....	33
290. Designation At A Lesser Level. ....	33
291. -- 999. (Reserved).....	33

# 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, [February 4, 2015, Volume 15-2](#), for the notices and text of all rulemakings, public hearings schedules, information on negotiated rulemakings, executive orders of the Governor, and agency contact information.

*Issues of the Idaho Administrative Bulletin can be viewed at [adminrules.idaho.gov](http://adminrules.idaho.gov).*

Office of the Administrative Rules Coordinator, Dept. of Administration, PO Box 83720, Boise, ID 83720-0306  
Phone: (208) 332-1820; Fax: (208) 332-1896; Email: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

# **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 (Index of Current Rulemakings)**

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

*March 20, 2014 -- February 4, 2015*

*(eff. PLR) - Final Effective 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 20, 2014 that are still in process  
and all current rulemakings promulgated after March 20, 2014 - Sine Die.)*

***IDAPA 01 -- IDAHO BOARD OF ACCOUNTANCY******01.01.01, Idaho Accountancy Rules***

- 01-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8
- 01-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 01-0101-1402** Proposed Rulemaking, Bulletin Vol. 14-10
- 01-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 01-0101-1402** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***IDAPA 02 -- DEPARTMENT OF AGRICULTURE******02.01.05, Rules Governing Certificates of Free Sale***

- 02-0105-1401** Proposed Rulemaking, Bulletin Vol. 14-8
- 02-0105-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

***02.02.14, Rules for Weights and Measures***

- 02-0214-1401** Proposed Rulemaking, Bulletin Vol. 14-7
- 02-0214-1402** Proposed Rulemaking, Bulletin Vol. 14-7
- 02-0214-1403** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 02-0214-1401** Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)
- 02-0214-1402** Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)
- 02-0214-1403** Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-9
- 02-0214-1403** Adoption of Pending Fee Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

***02.03.03, Idaho Department of Agriculture Rules Governing Pesticide and Chemigation Use and Application***

- 02-0303-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 02-0303-1401** Proposed Rulemaking, Bulletin Vol. 14-8
- 02-0303-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

***02.04.05, Rules of the Idaho Department of Agriculture Governing Manufacture Grade Milk***

- 02-0405-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 02-0405-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 02-0405-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

***02.04.06, Requirements for Licensed Dairy Plants***

- 02-0406-1401** Proposed Rulemaking, Bulletin Vol. 14-6
- 02-0406-1401** Adoption of Pending Rule, Bulletin Vol. 14-8 (eff. PLR 2015)

***02.04.14, Rules Governing Dairy Waste***

- 02-0414-1401** Proposed Rulemaking, Bulletin Vol. 14-6
- 02-0414-1401** Adoption of Pending Rule, Bulletin Vol. 14-8 (eff. PLR 2015)

***02.04.19, Rules Governing Domestic Cervidae***

- 02-0419-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 02-0419-1401** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-9 (eff. 9-1-14)T
- 02-0419-1401** Adoption of Pending Fee Rule, Bulletin Vol. 14-11 (eff. PLR 2015)
- 02-0419-1401** Notice of Correction to Pending Fee Rule and Temporary Rule, Bulletin Vol. 15-1

***02.04.21, Rules Governing the Importation of Animals***

- 02-0421-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 02-0421-1402** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 02-0421-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 02-0421-1402** Proposed Rulemaking, Bulletin Vol. 14-9

- 02-0421-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)  
02-0421-1402 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**02.04.24, Rules Governing Tuberculosis**

- 02-0424-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
02-0424-1401 Proposed Rulemaking, Bulletin Vol. 14-9  
02-0424-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**02.04.28, Rules Governing Livestock Dealers, Buying Stations, and Livestock Trader Lots**

- 02-0428-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
02-0428-1401 Proposed Rulemaking, Bulletin Vol. 14-9  
02-0428-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**02.04.29, Rules Governing Trichomoniasis**

- 02-0429-1401 Proposed Rulemaking, Bulletin Vol. 14-6  
02-0429-1401 Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

**02.06.02, Rules Pertaining to the Idaho Commercial Feed Law**

- 02-0602-1401 Proposed Rulemaking, Bulletin Vol. 14-6  
02-0602-1401 Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

**02.06.05, Rules Governing the Disease of Hops (*Humulus Lupulus*)**

- 02-0605-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6  
02-0605-1401 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-10 (eff. 9-1-14)T  
02-0605-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**02.06.12, Rules Pertaining to the Idaho Fertilizer Law**

- 02-0612-1401 Proposed Rulemaking, Bulletin Vol. 14-6  
02-0612-1401 Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

**02.06.27, Rules Governing Bacterial Ring Rot Caused by (*Clavibacter michiganensis* subsp. *sepedonicus*) of Potato**

- 02-0627-1401 Temporary Rulemaking (New Chapter), Bulletin Vol. 14-3 (eff. 2-26-14)T  
02-0627-1402 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6  
02-0627-1402\* Notice of Intent to Promulgate Rules (\*2nd Notice) - Negotiated Rulemaking, Bulletin Vol. 14-7  
02-0627-1401 Notice of Amendment to Temporary Rule, Bulletin Vol. 14-10  
02-0627-1402 Proposed Rulemaking (Fee Rule) (New Chapter), Bulletin Vol. 14-10  
02-0627-1402 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**02.06.33, Organic Food Products Rules**

- 02-0633-1401 Proposed Rulemaking, Bulletin Vol. 14-6  
02-0633-1401 Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

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

- 02-0641-1401 Proposed Rulemaking, Bulletin Vol. 14-6  
02-0641-1401 Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

**02.08.01, Sheep and Goat Rules of the Idaho Board of Sheep Commissioners**

- 02-0801-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
02-0801-1401 Proposed Rulemaking, Bulletin Vol. 14-9  
02-0801-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**IDAPA 05 -- DEPARTMENT OF JUVENILE CORRECTIONS****05.01.01, Rules for Contract Providers**

- 05-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 05-0101-1401** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 14-9
- 05-0101-1401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 15-1 (eff. PLR 2015)

***05.01.05, Rules for Reintegration Providers***

- 05-0105-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 05-0105-1401** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 14-9
- 05-0105-1401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 15-1 (eff. PLR 2015)

***05.02.01, Rules for Residential Treatment Providers***

- 05-0201-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-7
- 05-0201-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 05-0201-1401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 15-1 (eff. PLR 2015)

***05.02.02, Rules for Staff Secure Providers***

- 05-0202-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-7
- 05-0202-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 05-0202-1401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 15-1 (eff. PLR 2015)

***05.02.03, Rules for Reintegration Providers***

- 05-0203-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-7
- 05-0203-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 05-0203-1401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 15-1 (eff. PLR 2015)

***05.02.04, Rules for Supported Living Providers***

- 05-0204-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-7
- 05-0204-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 05-0204-1401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 15-1 (eff. PLR 2015)

***IDAPA 06 -- STATE BOARD OF CORRECTION******06.01.02, Rules of Correctional Industries***

- 06-0102-1401** Notice of Proclamation of Rulemaking (New Chapter), Bulletin Vol. 14-6 (eff. 7-4-14)
- 06-0102-1501** Notice of Proclamation of Rulemaking, Bulletin Vol. 15-1 (eff. 2-6-15)

***06.02.01, Rules Governing the Supervision of Offenders on Probation or Parole by the Department of Correction, Division of Probation and Parole***

- 06-0201-1501** Notice of Proclamation of Rulemaking, Bulletin Vol. 15-1 (eff. 2-6-15)

***06.02.02, Rules Governing Establishment and Operation of a Limited Supervision Unit by the Department of Correction, Division of Probation and Parole***

- 06-0202-1501** Notice of Proclamation of Rulemaking, Bulletin Vol. 15-1 (eff. 2-6-15)

***06.02.03, Rules Governing Release Readiness***

- 06-0203-1501** Notice of Proclamation of Rulemaking, Bulletin Vol. 15-1 (eff. 2-6-15)

***IDAPA 07 -- DIVISION OF BUILDING SAFETY******07.01.03, Rules of Electrical Licensing and Registration - General***

- 07-0103-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 07-0103-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.01.06, Rules Governing the Use of National Electrical Code***

**07-0106-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

***07.01.07, Rules Governing Continuing Education Requirements***

**07-0107-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

**07-0107-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**07-0107-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.01.11, Rules Governing Civil Penalties***

**07-0111-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**07-0111-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.02.04, Rules Governing Plumbing Safety Inspections***

**07-0204-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**07-0204-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.02.05, Rules Governing Plumbing Safety Licensing***

**07-0205-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7

**07-0205-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**07-0205-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.02.06, Rules Concerning Uniform Plumbing Code***

**07-0206-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-3

**07-0206-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**07-0206-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.03.01, Rules of Building Safety***

**07-0301-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6

**07-0301-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**07-0301-1402** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 10-1-14)T

**07-0301-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**07-0301-1402** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***07.05.01, Rules of the Public Works Contractors License Board***

**07-0501-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

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

***08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools***

**08-0111-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8

**08-0111-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**08-0111-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***08.02.01, Rules Governing Administration***

**08-0201-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-8 (eff. 7-1-14)T

**08-0201-1402** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-14-14)T

**08-0201-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**08-0201-1402** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***08.02.02, Rules Governing Uniformity***

**08-0202-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8

**08-0202-1401** Proposed Rulemaking, Bulletin Vol. 14-10

**08-0202-1402** Proposed Rulemaking, Bulletin Vol. 14-10

- 08-0202-1403** Proposed Rulemaking, Bulletin Vol. 14-10
- 08-0202-1404** Proposed Rulemaking, Bulletin Vol. 14-10
- 08-0202-1405** Notice of Adoption of Temporary Rule, Bulletin Vol. 14-10 (8-14-14)T
- 08-0202-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 08-0202-1402** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 08-0202-1403** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 08-0202-1404** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***08.02.03, Rules Governing Thoroughness***

- 08-0203-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 08-0203-1402** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-14-14)T
- 08-0203-1403** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-14-14)T
- 08-0203-1404** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-14-14)T
- 08-0203-1405** Adoption of Temporary Rule, Bulletin Vol. 14-10 (eff. 8-14-14)T
- 08-0203-1406** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-14-14)T
- 08-0203-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 08-0203-1402** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 08-0203-1403** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 15-1 (eff. PLR 2015) (eff. 11-24-14)T
- 08-0203-1404** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 08-0202-1406** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 15-1 (eff. PLR 2015) (eff. 11-24-14)T
- 08-0203-1501** Adoption of Temporary Rule, Bulletin Vol. 15-2 (eff. 1-22-15)T

***08.05.01, Rules Governing Seed and Plant Certification - Regents of the University of Idaho***

- 08-0501-1401** Temporary and Proposed Rulemaking (New Chapter, Fee Rule), Bulletin Vol. 14-6 (eff. 5-14-14)T
- 08-0501-1401** Adoption of Pending Fee Rule and Amendment to Temporary Rule, Bulletin Vol. 15-1 (eff. PLR 2015) (eff. 11-24-14)T

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

- 09-0104-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 09-0104-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 09-0104-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***09.01.06, Rules of the Appeals Bureau***

- 09-0106-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 09-0106-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 09-0106-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***09.01.30, Unemployment Insurance Benefits Administration Rules***

- 09-0130-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 09-0130-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 09-0130-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

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

- 10-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5
- 10-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-8
- 10-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-10 (eff. PLR 2015)

***10.01.02, Rules of Professional Responsibility***

- 10-0102-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

- 10-0102-1401** Proposed Rulemaking, Bulletin Vol. 14-8
- 10-0102-1401** Adoption of Pending Rule, Bulletin Vol. 14-10 (eff. PLR 2015)

***10.01.03, Rules for Corner Perpetuation and Filing***

- 10-0103-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8
- 10-0103-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 10-0103-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***IDAPA 11 -- IDAHO STATE POLICE*****IDAHO STATE POLICE FORENSIC SERVICES*****11.03.01, Rules Governing Alcohol Testing***

- 11-0301-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 9-2-14)T
- 11-0301-1401** Notice of Public Hearing and Extension of Comment Period, Bulletin Vol. 14-11
- 11-0301-1401** Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 15-1 (eff. PLR 2015) (eff. 12-1-14)T

**IDAHO STATE RACING COMMISSION*****11.04.02, Rules Governing Simulcasting***

- 11-0402-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-9 (eff. 9-1-14)T
- 11-0402-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***11.04.09, Rules Governing Claiming Races***

- 11-0409-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 11-0409-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***11.04.10, Rules Governing Live Horse Races***

- 11-0410-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 11-0410-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**ALCOHOL BEVERAGE CONTROL BUREAU*****11.05.01, Rules Governing Alcohol Beverage Control***

- 11-0501-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-10

**PEACE OFFICER STANDARDS AND TRAINING (POST) COUNCIL*****11.11.01, Rules of the Idaho Peace Officer Standards and Training Council***

- 11-1101-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-8 (eff. 6-5-14)T
- 11-1101-1402** Proposed Rulemaking, Bulletin Vol. 14-8
- 11-1101-1401** Adoption of Pending Rule, Bulletin Vol. 14-10 (eff. PLR 2015)
- 11-1101-1402** Adoption of Pending Rule, Bulletin Vol. 14-10 (eff. PLR 2015)
- 11-1101-1403** Proposed Rulemaking, Bulletin Vol. 14-10
- 11-1101-1403** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***11.11.04, Rules of the Idaho POST Council for Correctional Officers and Adult Probation and Parole Officers***

- 11-1104-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 11-1104-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**IDAHO STATE POLICE COMMERCIAL VEHICLE SAFETY*****11.13.01, The Motor Carrier Rules***

- 11-1301-1401** Proposed Rulemaking, Bulletin Vol. 14-10

- 11-1301-1402** Proposed Rulemaking, Bulletin Vol. 14-10
- 11-1301-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 11-1301-1402** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

## ***IDAPA 12 -- DEPARTMENT OF FINANCE***

### ***12.01.10, Rules Pursuant to the Idaho Residential Mortgage Practices Act***

- 12-0110-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 12-0110-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

## ***IDAPA 13 -- IDAHO FISH AND GAME COMMISSION***

### ***13.01.02, Rules Governing Hunter Education and Mentored Hunting***

- 13-0102-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-1-14)T
- 13-0102-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

### ***13.01.04, Rules Governing Licensing***

- 13-0104-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-1
- 13-0104-1402** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-1-14)T
- 13-0104-1403** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-1-14)T
- 13-0104-1404** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-11-14)T
- 13-0104-1402** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 13-0104-1403** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 13-0104-1404** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

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

- 13-0108-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-1
- 13-0108-1402** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 13-0108-1402** Proposed Rulemaking, Bulletin Vol. 14-10
- 13-0108-1403** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-1-14)T
- 13-0108-1404** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-1-14)T
- 13-0108-1402** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 13-0108-1403** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 13-0108-1404** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

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

- 13-0109-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-2
- 13-0109-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 8-1-14)T
- 13-0109-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 13-0109-1501** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 15-2

### ***13.01.11, Rules Governing Fish***

- 13-0111-1401** Adoption of Temporary Rule, Bulletin Vol. 14-12 (eff. 10-17-14)T

### ***13.01.17, Rules Governing the Use of Bait and Trapping for Taking Big Game Animals***

- 13-0117-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-1

## ***IDAPA 15 -- OFFICE OF THE GOVERNOR***

### ***Executive Orders of the Governor***

- Executive Order No. **2014-08** Bulletin Vol. 14-11

Executive Order No. <a href="#">2014-07</a>	Bulletin Vol. 14-11
Executive Order No. <a href="#">2014-06</a>	Bulletin Vol. 14-11
Executive Order No. <a href="#">2014-05</a>	Bulletin Vol. 14-11
Executive Order No. <a href="#">2014-04</a>	Bulletin Vol. 14-5
Executive Order No. <a href="#">2014-03</a>	Bulletin Vol. 14-5
Executive Order No. <a href="#">2014-02</a>	Bulletin Vol. 14-5
Executive Order No. <a href="#">2014-01</a>	Bulletin Vol. 14-2
Executive Order No. <a href="#">2013-07</a>	Bulletin Vol. 14-2
Executive Order No. <a href="#">2013-06</a>	Bulletin Vol. 14-2
Executive Order No. <a href="#">2013-05</a>	Bulletin Vol. 14-2

### ***Idaho Commission for the Blind and Visually Impaired***

#### ***15.02.02, Vocational Rehabilitation Services***

- [15-0202-1401](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- [15-0202-1401](#) Proposed Rulemaking, Bulletin Vol. 14-9
- [15-0202-1401](#) Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

#### ***15.02.30, Business Enterprise Program***

- [15-0230-1401\\*](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7 (\*Rulemaking has been terminated)

### ***Idaho Forest Products Commission***

#### ***15.03.01, Rules of Administrative Procedure of the Idaho Forest Products Commission***

- [15-0301-1401](#) Proposed Rulemaking, Bulletin Vol. 14-10
- [15-0301-1401](#) Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

### ***Idaho Military Division***

#### ***15.06.05, Hazardous Substance Response Rules***

- [15-0605-1401](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7

### ***Idaho State Liquor Division***

#### ***15.10.01, Rules of the Idaho State Liquor Division***

- [15-1001-1401](#) Temporary and Proposed Rulemaking, Bulletin Vol. 14-6 (eff. 7-1-14)T
- [15-1001-1401](#) Adoption of Pending Rule, Bulletin Vol. 14-8 (eff. PLR 2015)

## ***IDAPA 16 -- DEPARTMENT OF HEALTH AND WELFARE***

#### ***16.01.02, Emergency Medical Services (EMS) - Rule Definitions***

- [16-0102-1401](#) Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T
- [16-0102-1401](#) Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.01.07, Emergency Medical Services (EMS) -- Personnel Licensing Requirements***

- [16-0107-1501](#) Temporary and Proposed Rulemaking, Bulletin Vol. 15-1 (eff. 1-1-15)T

#### ***16.02.01, Rules of the Idaho Time Sensitive Emergency System Council***

- [16-0201-1401](#) Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-9
- [16-0201-1401](#) Notice of Adoption of Temporary Fee Rule (New Chapter) (Fee Rule), Bulletin Vol. 15-2 (eff. 1-1-15)T

#### ***16.02.02, Rules of the Idaho Emergency Medical Services (EMS) Physician Commission***

- [16-0202-1401](#) Proposed Rulemaking, Bulletin Vol. 14-10

16-0202-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.02.08, Vital Statistics Rules***

16-0208-1401 Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-9

16-0208-1401 Adoption of Pending Fee Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.02.10, Idaho Reportable Diseases***

16-0210-1401 Proposed Rulemaking, Bulletin Vol. 14-9

16-0210-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.02.19, Food Safety and Sanitation Standards for Food Establishments (The Idaho Food Code)***

16-0219-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-3

16-0219-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking (2nd Notice), Bulletin Vol. 14-4

16-0219-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 9-1-14)T

16-0219-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.02.27, Idaho Radiation Control Rules***

16-0227-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6

16-0227-1401\* Notice of Intent to Promulgate Rules - Negotiated Rulemaking (\*2nd Notice), Bulletin Vol. 14-7

16-0227-1401 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 14-9

16-0227-1402 Proposed Rulemaking (Fee Rule) (Chapter Rewrite), Bulletin Vol. 14-9

16-0227-1401 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 15-1 (eff. PLR 2015)

16-0227-1402 Adoption of Pending Fee Rule (Chapter Rewrite), Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.03.01, Eligibility for Health Care Assistance for Families and Children***

16-0301-1401 Proposed Rulemaking, Bulletin Vol. 14-10

16-0301-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***16.03.03, Rules Governing Child Support Services***

16-0303-1401 Proposed Rulemaking, Bulletin Vol. 14-10

16-0303-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***16.03.04, Rules Governing the Food Stamp Program in Idaho***

16-0304-1401 Proposed Rulemaking, Bulletin Vol. 14-10

16-0304-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

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

16-0305-1401 Proposed Rulemaking, Bulletin Vol. 14-10

16-0305-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***16.03.10, Medicaid Enhanced Plan Benefits***

16-0310-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

16-0310-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T

16-0310-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

#### ***16.03.11, Rules Governing Intermediate Care Facilities for People with Intellectual Disabilities (ICF/ID)***

16-0311-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

16-0311-1401 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 14-9

16-0311-1402 Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 14-9

16-0311-1401 Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 15-1 (eff. PLR 2015)

16-0311-1402 Adoption of Pending Rule (Chapter Rewrite), Bulletin Vol. 15-1 (eff. PLR 2015)

#### ***16.03.17, Medicare/Medicaid Coordinated Plan Benefits***

16-0317-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-4

16-0317-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-6 (eff. 7-1-14)T

16-0317-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**16.03.22, Residential Care or Assisted Living Facilities in Idaho**

16-0322-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5

16-0322-1401 Proposed Rulemaking, Bulletin Vol. 14-8

16-0322-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**16.05.01, Use and Disclosure of Department Rules**

16-0501-1401 Proposed Rulemaking, Bulletin Vol. 14-9

16-0501-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**16.05.06, Criminal History and Background Checks**

16-0506-1401 Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-7 (eff. 7-1-14)T

16-0506-1401 Adoption of Pending Fee Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**16.05.07, The Investigation and Enforcement of Fraud, Abuse, and Misconduct**

16-0507-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7

16-0507-1401 Proposed Rulemaking, Bulletin Vol. 14-10

16-0507-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**16.06.01, Child and Family Services**

16-0601-1401 Proposed Rulemaking, Bulletin Vol. 14-9

16-0601-1402 Proposed Rulemaking, Bulletin Vol. 14-9 (*VOID - Pulled and Not Published*)

16-0601-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

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

16-0612-1401 Temporary Rulemaking, Bulletin Vol. 14-1 (eff. 11-1-13)T

16-0612-1401 OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 148, Bulletin Vol. 14-5 (eff. 11-1-13)T

16-0612-1401 Proposed Rulemaking, Bulletin Vol. 14-5

16-0612-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**16.07.33, Adult Mental Health Services**

16-0733-1401 Proposed Rulemaking, Bulletin Vol. 14-10

16-0733-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**IDAPA 17 -- INDUSTRIAL COMMISSION**

**17.02.04, Administrative Rules of the IC Under the Worker's Compensation Law - Benefits**

17-0204-1401 Proposed Rulemaking, Bulletin Vol. 14-10

17-0204-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**17.02.06, Employers' Reports**

17-0206-1401 Proposed Rulemaking, Bulletin Vol. 14-10

17-0206-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**17.02.08, Miscellaneous Provisions**

17-0208-1401 Proposed Rulemaking, Bulletin Vol. 14-10

17-0208-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**17.02.09, Medical Fees**

17-0209-1401 Proposed Rulemaking, Bulletin Vol. 14-10

17-0209-1401 Notice of Public Hearing and Extension of Comment Period, Bulletin Vol. 14-11

17-0209-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

17-0209-1501 Adoption of Temporary Rule, Bulletin Vol. 15-1 (eff. 1-1-15)T

***17.02.11, Administrative Rules of the Industrial Commission Under the Workers' Compensation Law --  
Security for Compensation -- Self-Insured Employers***

- 17-0211-1401** Proposed Rulemaking, Bulletin Vol. 14-8  
**17-0211-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***17.05.01, Rules Under the Crime Victims Compensation Act***

- 17-0501-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**17-0501-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

***IDAPA 18 -- DEPARTMENT OF INSURANCE******18.01.25, Title Insurance and Title Insurance Agents and Escrow Officers***

- 18-0125-1401\*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7 (\*Rulemaking has been terminated)

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

- 18-0130-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-7

***18.01.44, Schedule of Fees, Licenses, and Miscellaneous Charges***

- 18-0144-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
**18-0144-1401** Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-9  
**18-0144-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

***18.01.46, Recognition of New Annuity Mortality Tables for Use in Determining Reserve Liabilities for  
Annuities and Pure Endowment Contracts***

- 18-0146-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
**18-0146-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**18-0146-1401** Adoption of Pending Rule and Adoption of Temporary Rule, Bulletin Vol. 14-11 (eff. PLR 2015) -- (1-1-15)T

***18.01.53, Continuing Education***

- 18-0153-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
**18-0153-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**18-0153-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

***18.01.56, Rebates and Illegal Inducements to Obtaining Title Insurance Business Rules***

- 18-0156-1401\*** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7 (\*Rulemaking has been terminated)

***IDAPA 19 -- BOARD OF DENTISTRY******19.01.01, Rules of the Idaho State Board of Dentistry***

- 19-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7  
**19-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**19-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

***IDAPA 20 -- DEPARTMENT OF LANDS******20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands***

- 20-0316-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7

***20.07.02, Rules Governing Conservation of Crude Oil and Natural Gas in the State of Idaho***

- 20-0702-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6

- 20-0702-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**20-0702-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

### ***IDAPA 23 -- BOARD OF NURSING***

#### ***23.01.01, Rules of the Idaho Board of Nursing***

- 23-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6  
**23-0101-1402** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6  
**23-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**23-0101-1402** Proposed Rulemaking, Bulletin Vol. 14-9  
**23-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)  
**23-0101-1402** Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 14-11

### ***IDAPA 24 -- BUREAU OF OCCUPATIONAL LICENSES***

#### ***24.02.01, Rules of the Board of Barber Examiners***

- 24-0201-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**24-0201-1401** Notice of Public Hearing, Bulletin Vol. 14-11  
**24-0201-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***24.04.01, Rules of the Idaho Board of Cosmetology***

- 24-0401-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**24-0401-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

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

- 24-0601-1401** Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-10  
**24-0601-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

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

- 24-0901-1401** Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-10  
**24-0901-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***24.10.01, Rules of the State Board of Optometry***

- 24-1001-1401** Proposed Rulemaking, Bulletin Vol. 14-8  
**24-1001-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

#### ***24.11.01, Rules of the State Board of Podiatry***

- 24-1101-1401** Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-9  
**24-1101-1401** Adoption of Pending Fee Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

#### ***24.14.01, Rules of the State Board of Social Work Examiners***

- 24-1401-1401** Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-10  
**24-1401-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***24.15.01, Rules of the Idaho Licensing Board of Professional Counselors and Marriage and Family Therapists***

- 24-1501-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**24-1501-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***24.17.01, Rules of the State Board of Acupuncture***

- 24-1701-1401** Proposed Rulemaking, Bulletin Vol. 14-8  
**24-1701-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

#### ***24.19.01, Rules of the Board of Examiners of Residential Care Facility Administrators***

- 24-1901-1401 Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-9  
24-1901-1401 Adoption of Pending Fee Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**24.23.01, Rules of the Speech and Hearing Services Licensure Board**

- 24-2301-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-9  
24-2301-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**24.25.01, Rules of the Idaho Driving Businesses Licensure Board**

- 24-2501-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 5-23-14)T  
24-2501-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**24.26.01, Rules of the Idaho Board of Midwifery**

- 24-2601-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T  
24-2601-1402 Proposed Rulemaking, Bulletin Vol. 14-10  
24-2601-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)  
24-2601-1402 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**24.27.01, Rules of the Idaho State Board of Massage Therapy**

- 24-2701-1401 Proposed Rulemaking, Bulletin Vol. 14-8  
24-2701-1401 Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**IDAPA 26 -- DEPARTMENT OF PARKS AND RECREATION**

**26.01.03, Rules Governing Recreational Registration Vendors**

- 26-0103-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T  
26-0103-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

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

- 26-0120-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T  
26-0120-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**26.01.21, Rules Governing Leasing Practices and Procedures for Recreational Residences Within  
Heyburn State Park**

- 26-0121-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-5 (eff. 3-18-14)T  
26-0121-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**26.01.30, Idaho Safe Boating Rules**

- 26-0130-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T  
26-0130-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**26.01.31, Rules Governing the Administration of the Idaho Department of Parks and Recreation  
State and Federal Grant Funds**

- 26-0131-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (7-1-14)T  
26-0131-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**26.01.34, Idaho Protection Against Invasive Species Sticker Rules**

- 26-0134-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T  
26-0134-1401 Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**26.01.36, Rules Governing the Winter Recreational Parking Permit Program**

- 26-0136-1201 Temporary and Proposed Rulemaking, Bulletin Vol. 12-12 (eff. 10-1-12)T  
26-0136-1201\* OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 126, Bulletin Vol. 13-5 (\*Expired)  
26-0136-1401 Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (eff. 7-1-14)T  
26-0136-1201\* Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 15-1

**26-0136-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

### ***IDAPA 27 -- BOARD OF PHARMACY***

#### ***27.01.01, Rules of the Idaho State Board of Pharmacy***

- 27-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 27-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (**2nd Notice**), Bulletin Vol. 14-8
- 27-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 27-0101-1402** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-10 (9-1-14)T
- 27-0101-1403** Proposed Rulemaking, Bulletin Vol. 14-10
- 27-0101-1404** Proposed Rulemaking, Bulletin Vol. 14-10
- 27-0101-1405** Proposed Rulemaking, Bulletin Vol. 14-10
- 27-0101-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 27-0101-1402** Adoption of Pending Fee Rule and Amendment to Temporary Rule, Bulletin Vol. 15-1 (eff. PLR 2015) (eff. 9-1-14)T
- 27-0101-1403** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 27-0101-1404** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)
- 27-0101-1405** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

### ***IDAPA 28 -- DEPARTMENT OF COMMERCE***

#### ***28.04.01, Rules Governing the Idaho Reimbursement Incentive Act***

- 28-0401-1401** Adoption of Temporary Rule (New Chapter), Bulletin Vol. 14-8 (eff. 7-1-14)T
- 28-0401-1401** Notice of Amendment to Temporary Rule, Bulletin Vol. 14-10 (eff. 8-29-14)T
- 28-0401-1402** Proposed Rulemaking (New Chapter), Bulletin Vol. 14-10
- 28-0401-1402** Adoption of Pending Rule (New Chapter), Bulletin Vol. 15-1 (eff. PLR 2015)

### ***IDAPA 29 -- IDAHO POTATO COMMISSION***

#### ***29.01.02, Rules Governing Payment of Tax and Usage of Certification Marks and Trademarks***

- 29-0102-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 29-0102-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

### ***IDAPA 31 -- PUBLIC UTILITIES COMMISSION***

#### ***31.02.01, Public Records Act Rules of the Idaho Public Utilities Commission***

- 31-0201-1401** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 14-9
- 31-0201-1401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 14-11 (eff. PLR 2015)

### ***IDAPA 33 -- REAL ESTATE COMMISSION***

#### ***33.01.01, Rules of the Idaho Real Estate Commission***

- 33-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 33-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

#### ***33.01.02, Rules of Practice and Procedure of the Idaho Real Estate Commission Governing Contested Cases***

- 33-0102-1401** Proposed Rulemaking, Bulletin Vol. 14-10
- 33-0102-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

### ***IDAPA 35 -- STATE TAX COMMISSION***

**35.01.01, Income Tax Administrative Rules**

- 35-0101-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 35-0101-1402 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8
- 35-0101-1401 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0101-1402 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0101-1403 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0101-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0101-1402 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0101-1403 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**35.01.02, Idaho Sales and Use Tax Administrative Rules**

- 35-0102-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5
- 35-0102-1402 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 35-0102-1403 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-7
- 35-0102-1401 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0102-1402 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0102-1403 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0102-1404 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0102-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0102-1402 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0102-1403 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0102-1404 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**35.01.03, Property Tax Administrative Rules**

- 35-0103-1401 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-5
- 35-0103-1402 Adoption of Temporary Rule, Bulletin Vol. 14-6 (1-1-14)T
- 35-0103-1401 Proposed Rulemaking, Bulletin Vol. 14-8
- 35-0103-1403 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8
- 35-0103-1404 Proposed Rulemaking, Bulletin Vol. 14-8
- 35-0103-1405 Temporary and Proposed Rulemaking, Bulletin Vol. 14-8 (eff. 8-6-14)T
- 35-0103-1406 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-8
- 35-0103-1403 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0103-1406 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0103-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0103-1403 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0103-1404 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0103-1405 Adoption of Pending Rule and Amendment to Temporary Rule, Bulletin Vol. 14-12 (eff. PLR 2015) - (8-6-14)T
- 35-0103-1406 Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 14-12
- 35-0103-1501 Adoption of Temporary Rule, Bulletin Vol. 15-1 (eff. 1-1-15)T

**35.01.05, Motor Fuels Tax Administrative Rules**

- 35-0105-1401 Proposed Rulemaking, Bulletin Vol. 14-6
- 35-0105-1402 Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 35-0105-1402 Proposed Rulemaking, Bulletin Vol. 14-8
- 35-0105-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 35-0105-1402 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**35.02.01, Tax Commission Administration and Enforcement Rules**

- 35-0201-1401 Proposed Rulemaking, Bulletin Vol. 14-10
- 35-0201-1401 Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**IDAPA 37 -- DEPARTMENT OF WATER RESOURCES****37.03.03, Rules and Minimum Standards for the Construction and Use of Injection Wells**

- 37-0303-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**37-0303-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**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  
**37-0311-1101** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (**2nd Notice**), Bulletin Vol. 14-5  
**37-0311-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**37-0311-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**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 -- IDAHO DEPARTMENT OF ADMINISTRATION****38.03.01, Rules Governing Group Insurance**

- 38-0301-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-8 (eff. 7-1-14)T  
**38-0301-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**38.04.04, Rules Governing Capitol Mall Parking**

- 38-0404-1401** Temporary and Proposed Rulemaking (Fee Rule), Bulletin Vol. 14-7 (eff. 7-1-14)T  
**38-0404-1401** Adoption of Pending Fee Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**38.05.01, Rules of the Division of Purchasing**

- 38-0501-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6  
**38-0501-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**38-0501-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**38.06.01, Rules of the Department of Administration Governing Billing Procedures of the  
Office of the Chief Information Officer**

- 38-0601-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-6  
**38-0601-1401** Proposed Rulemaking (New Chapter), Bulletin Vol. 14-10  
**38-0601-1401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 14-12 (eff. PLR 2015)

**IDAPA 39 -- IDAHO TRANSPORTATION DEPARTMENT****39.02.03, Rules Governing Vehicle Dealer's Principle Place of Business**

- 39-0203-1401** Adoption of Temporary Rule, Bulletin Vol. 14-10 (eff. 8-2-14)T  
**39-0203-1402** Proposed Rulemaking, Bulletin Vol. 14-10  
**39-0203-1402** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**39.03.10, Rules Governing When An Overlegal Permit Is Required**

- 39-0310-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-10 (eff. 9-1-14)T  
**39-0310-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**39.03.16, Rules Governing Oversize Permits For Non-Reducible Vehicles And/Or Loads**

- 39-0316-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-6 (eff. 5-1-14)T  
**39-0316-1401** Adoption of Pending Rule, Bulletin Vol. 14-11 (eff. PLR 2015)

**39.03.50, Rules Governing Safety Rest Areas**

- 39-0350-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**39-0350-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**IDAPA 46 -- BOARD OF VETERINARY MEDICAL EXAMINERS****46.01.01, Rules of the State of Idaho Board of Veterinary Medicine**

- 46-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6  
**46-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-8  
**46-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-10

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

- 49-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**49-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**IDAPA 50 -- COMMISSION FOR PARDONS AND PAROLE****50.01.01, Rules of the Commission of Pardons and Parole**

- 50-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**50-0101-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

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

- 54-0301-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-8 (eff. 6-15-14)T  
**54-0301-1401** Notice of Rescission of Temporary Rule and Vacation of Proposed Rulemaking, Bulletin Vol. 14-10

**IDAPA 55 -- DIVISION OF PROFESSIONAL-TECHNICAL EDUCATION****55.01.04, Rules Governing Agricultural and Natural Resource Education Programs**

- 55-0104-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-6  
**55-0104-1401** Proposed Rulemaking, Bulletin Vol. 14-10  
**55-0104-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**IDAPA 57 -- SEXUAL OFFENDER MANAGEMENT BOARD****57.01.01, Rules of the Sexual Offender Management Board**

- 57-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-9  
**57-0101-1401** Adoption of Pending Rule, Bulletin Vol. 15-1 (eff. PLR 2015)

**57.01.02, Rules Governing Juvenile Sexual Offender Management Practices**

- 57-0102-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-6

**IDAPA 58 -- DEPARTMENT OF ENVIRONMENTAL QUALITY**

- 58-0000-1401** The Palisades Subbasin Total Maximum Daily Loads (TMDL) 2013 Addendum and Five Year Review (HUC 17040104), Bulletin Vol. 14-1
- 58-0000-1402** The Lake Walcott TMDL 2013 Addendum: Marsh Creek (HUC ID 17040209), Bulletin Vol. 14-1
- 58-0000-1403** Pahsimeroi River Subbasin Total Maximum Daily Loads (TMDL) 2013 Addendum and Five-Year Review (HUC ID 17060202), Bulletin Vol. 14-2
- 58-0000-1404** Cow Creek Total Maximum Daily Load (TMDL) Addendum (HUC ID 17060108), Bulletin Vol. 14-4
- 58-0000-1405** Assessment of Water Quality in Kootenai River and Moyie River Subbasins Total Maximum Daily Load (TMDL) 2014 Temperature Addendum (HUC ID 17010104 and 17010105), Bulletin Vol. 14-9

**58.01.01, Rules for the Control of Air Pollution in Idaho**

- 58-0101-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-4
- 58-0101-1402** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-6
- 58-0101-1403** Proposed Rulemaking, Bulletin Vol. 14-8
- 58-0101-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 58-0101-1402** Proposed Rulemaking, Bulletin Vol. 14-9
- 58-0101-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 58-0101-1402** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)
- 58-0101-1403** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**58.01.02, Water Quality Standards**

- 58-0102-1201** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 12-9
- 58-0102-1301** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 13-8
- 58-0102-1301** Proposed Rulemaking, Bulletin Vol. 13-12
- 58-0102-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 14-4
- 58-0102-1301** Notice of Adoption of Pending Rule and Temporary Rule, Bulletin Vol. 14-6 (eff. \*PLR 2015) - (6-4-14)T
- 58-0102-1401** Proposed Rulemaking, Bulletin Vol. 14-9
- 58-0102-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**58.01.05, Rules and Standards for Hazardous Waste**

- 58-0105-1401** Proposed Rulemaking, Bulletin Vol. 14-8
- 58-0105-1401** Adoption of Pending Rule, Bulletin Vol. 14-12 (eff. PLR 2015)

**58.01.10, Rules Regulating the Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954, As Amended**

- 58-0110-1401** Proposed Rulemaking, Bulletin Vol. 14-6
- 58-0110-1401** Adoption of Pending Rule and Temporary Rule, Bulletin Vol. 14-12 (eff. PLR 2015) - (12-3-14)T

**58.01.25, Rules Regulating Idaho Pollutant Discharge Elimination System Program**

- 58-0125-1401** Notice of Intent to Promulgate Rules - Negotiated Rulemaking (New Chapter), Bulletin Vol. 14-11

**IDAPA 59 -- PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)****59.01.03, PERSI Contribution Rules**

- 59-0103-1401** Temporary Rulemaking, Bulletin Vol. 14-1 (eff. 10-15-13)T
- 59-0103-1401** OAR Omnibus Rulemaking Notice - Extension of Temporary Rule by SCR 148, Bulletin Vol. 14-5 (eff. 10-15-13)T
- 59-0103-1401** Proposed Rulemaking, Bulletin Vol. 14-6
- 59-0103-1401** Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)
- 59-0103-1401** Notice of Rescission of Temporary Rule, Bulletin Vol. 14-12 (Rescission effective 10-21-14)
- 59-0103-1402** Adoption of Temporary Rule, Bulletin Vol. 14-12 (eff. 10-21-14)T
- 59-0103-1403** Adoption of Temporary Rule, Bulletin Vol. 14-12 (eff. 10-21-14)T

***59.01.06, PERSI Retirement Rules***

- 59-0106-1400** Notice of Correction to Final Rule, Bulletin Vol. 14-5 (eff. 3-20-14)
- 59-0106-1401** Temporary and Proposed Rulemaking, Bulletin Vol. 14-7 (5-20-14)T
- 59-0106-1401** Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

***59.02.01, Rules for the Judges' Retirement Fund***

- 59-0201-1401** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 14-7 (eff. 7-1-14)T
- 59-0201-1401** Adoption of Pending Rule, Bulletin Vol. 14-9 (eff. PLR 2015)

# Subject Index

- A**  
Administrative Appeals 23
- C**  
Confidentiality Of Records & Public  
Records Act Compliance &  
Requests 24
- D**  
Definitions, IDAPA 16.02.01 24  
American College of Surgeons  
(ACS) 24  
Department 24  
Director 24  
Division 24  
EMS Agency 24  
EMS Bureau 24  
Facility 24  
Heart Attack 25  
Idaho Time Sensitive Emergency  
(TSE) System Council 25  
National Accrediting Body 25  
Regional Time Sensitive Emergency  
(TSE) Committee 25  
STEMI 25  
Stroke 25  
Time Sensitive Emergency  
(TSE) 25  
Trauma 25  
TSE Council 25  
TSE Designated Center 25  
TSE Registry 26  
TSE System 26  
Denial & Modification 32  
Denial 32  
Modification 32  
Notification & Appeal 32  
Designation & TSE On-site Survey  
Fees 28  
Application With National  
Verification 28  
Application Without National  
Verification 28  
Designation Fee Payment 29  
Trauma Designation & TSE On-Site  
Survey Fees 28  
Designation At A Lesser Level 33  
Inability to Meet Criteria 33  
Notification & Appeal 33  
Designation Decision 30  
Denial 31  
Final Determination 30  
Summary Report 30  
Written Report 30  
Designation Of Centers -- General  
Requirements 28  
Application 28  
Initial Designation 28  
Designation Of TSE Centers --  
Criteria 27
- I**  
Incorporation By Reference 23
- L**  
Legal Authority 22
- N**  
Notification Of Loss Of Certification Or  
Licensure 28
- O**  
Office -- Office Hours -- Mailing  
Address -- Street Address --  
Telephone Number -- Internet  
Website 23  
On-site Review -- Additional  
Reviews 30
- R**  
Regional TSE Committees --  
Organization & Responsibilities 27  
Renewal Of TSE Designation 28  
Revocation & Suspension 32  
Notification & Appeal 33  
Revocation 32  
Suspension 33
- S**  
Special Education 14  
Assistive Technology Devices 18  
Definitions 14  
Adult Student 14  
Department 14  
Due Process Hearing 14  
Education Agency 14  
Governing Special Education  
Requirements 14  
Idaho Special Education  
Manual 14  
Special Education 14  
Diplomas & Graduation 18  
Eligibility for Special Education 15  
Individualized Education  
Programs 15  
Legal Compliance 14  
Procedural Safeguards 16  
Special Education Advisory  
Panel 18  
STEMI (Heart Attack) Designation  
Centers 28  
Stroke Designation Centers 27
- T**  
Title, Scope, & Intent 22  
Trauma Designation Centers 27  
TSE Council 26  
TSE Council -- Responsibilities &  
Duties 26  
TSE Designation -- Length Of  
Designation 28  
TSE On-site Review 29  
TSE On-site Review -- General  
Requirements 29  
Facility Notification of Potential  
Conflict of Interest 30  
Notification of Decision for Conflict  
of Interest 30
- W**  
Notification To Applicant of Review  
Team Members 30  
Review Team Member Notification  
of Potential Conflict of Interest 30  
Review Team Member  
Requirements 29  
TSE On-site Review -- Review Team  
Composition 30  
TSE Regions 26  
TSE Regions -- Realignment Of  
Region 27  
Copies of Request for  
Realignment 27  
Requesting Entity 27  
TSE Decision for Realignment 27
- W**  
Waivers 31  
Appeals 32  
Granting a Waiver 31  
Notice Distribution 31  
Post Notice 31  
Waiver Application 31  
Waiver Application Distribution 31  
Waiver Application Review 31  
Waiver Application Submission 31  
Waiver Conditions 31  
Waiver Renewal 31  
Waiver Revocation 32  
Written Interpretations 23