

# IDAHO ADMINISTRATIVE BULLETIN

March 7, 2018 – Vol. 18-3

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# IDAHO ADMINISTRATIVE BULLETIN

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# 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 December 2015 Bulletin is cited as Volume **15-12**.

## 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.

## **1. 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.

## **2. 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 very specific information regarding the rulemaking including all relevant state or federal statutory authority occasioning the rulemaking, a non-technical description of the changes being made, any associated costs, guidance on how to participate through submission of written comments and requests for public hearings, and the text of the proposed rule in legislative format.

## **3. 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 these criteria, and with the Governor’s approval, the agency may adopt and make a temporary rule effective prior to receiving legislative authorization and without allowing for any public input. The law allows an agency to make a temporary rule immediately effective upon adoption. 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.

## **4. 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 statement giving the reasons for adopting the rule, a statement regarding when the rule becomes effective, a description of how it differs from the proposed rule, and identification of any fees being imposed or changed.

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.

## **5. 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.

## 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.

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

“**05.**” refers to Title **05**, which is the Department of Administration’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 2017**

<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>
17-1	January 2017	<b>*November 25, 2016</b>	January 4, 2017	January 25, 2017
17-2	February 2017	January 6, 2017	February 1, 2017	February 22, 2017
17-3	March 2017	February 3, 2017	March 1, 2017	March 22, 2017
17-4	April 2017	March 3, 2017	April 5, 2017	April 26, 2017
17-5	May 2017	April 7, 2017	May 3, 2017	May 24, 2017
17-6	June 2017	May 5, 2017	June 7, 2017	June 28, 2017
17-7	July 2017	June 9, 2017	July 5, 2017	July 26, 2017
17-8	August 2017	July 7, 2017	August 2, 2017	August 23, 2017
17-9	September 2017	August 4, 2017	September 6, 2017	September 27, 2017
17-10	October 2017	<b>**September 1, 2017</b>	October 4, 2017	October 25, 2017
17-11	November 2017	October 6, 2017	November 1, 2017	November 22, 2017
17-12	December 2017	November 3, 2017	December 6, 2017	December 27, 2017

**BULLETIN PUBLICATION SCHEDULE FOR CALENDAR YEAR 2018**

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18-2	February 2018	January 5, 2018	February 7, 2018	February 28, 2018
18-3	March 2018	February 2, 2018	March 7, 2018	March 28, 2018
18-4	April 2018	March 2, 2018	April 4, 2018	April 25, 2018
18-5	May 2018	April 6, 2018	May 2, 2018	May 23, 2018
18-6	June 2018	May 4, 2018	June 6, 2018	June 27, 2018
18-7	July 2018	June 8, 2018	July 4, 2018	July 25, 2018
18-8	August 2018	July 6, 2018	August 1, 2018	August 22, 2018
18-9	September 2018	August 3, 2018	September 5, 2018	September 26, 2018
18-10	October 2018	<b>**August 31, 2018</b>	October 3, 2018	October 24, 2018
18-11	November 2018	October 5, 2018	November 7, 2018	November 28, 2018
18-12	December 2018	November 2, 2018	December 5, 2018	December 26, 2018

***\*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>	
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<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 55</b>	<b>Career-Technical Education</b> , Division of
<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
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<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, State (24.25) Landscape Architects, Board of (24.07) Liquefied Petroleum Gas Safety Board (24.22) Massage Therapy, Board of (24.27) Midwifery, State Board of (24.26) Morticians, Board of (24.08) Nursing Home Administrators, Board of Examiners of (24.09) Occupational Therapy Licensure Board, State (24.06) Optometry, Board of (24.10) Physical Therapy Licensure Board (24.13) Podiatry, Board of (24.11) Psychologist Examiners, Board of (24.12) Real Estate Appraiser Board (24.18) Residential Care Facility Administrators, Board of Examiners of (24.19) Social Work Examiners, Board of (24.14) Speech and Hearing Services Board (24.23)
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<b>IDAPA 26</b>	<b>Parks and Recreation, Department of</b>
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<b>IDAPA 11</b>	<b>Police, Idaho State</b>
<b>IDAPA 29</b>	<b>Potato Commission, Idaho</b>
<b>IDAPA 61</b>	<b>Public Defense Commission, State</b>
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<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>	
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<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>
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<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 11 – IDAHO STATE RACING COMMISSION

### 11.04.11 – RULES GOVERNING EQUINE VETERINARY PRACTICES, PERMITTED MEDICATIONS, BANNED SUBSTANCES AND DRUG TESTING OF HORSES

DOCKET NO. 11-0411-1801

#### 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 54-2506, 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 participate, responses must be received by March 23, 2018.

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. The summary will be made available to interested persons who contact the agency or, if the agency chooses, the summary may be posted 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 principal issues involved:

**Substance and Purpose:** The Idaho State Racing Commission has received a rule change petition from the Racing division of the Idaho Quarterhorse Association, requesting that Idaho strengthen its equine drug enforcement program by adding hair testing. The Racing Commission would like to explore the possibilities of adding hair testing to the current equine drug testing program.

**Principal Issues Involved:** The Petitioner has expressed concern that equine drug violations for dangerous substances like Clenbuterol have been rising recently in racing populations throughout the country's Northwest region. Many neighboring states have been considering implementing hair testing. The Idaho State Racing Commission would like to explore whether advances in drug testing, such as hair testing, would help address these reported concerns. In addition, there are two major breeds in Idaho involved with horse racing: Quarterhorse and Thoroughbred. Hair testing may significantly increase the Commission's expenditure on drug testing, but may only benefit one breed directly. The Commission would like to explore the costs involved, how the increasing costs of hair testing could be covered, and whether such increase will benefit racing in Idaho as a whole, either directly or indirectly.

**ASSISTANCE ON TECHNICAL QUESTIONS, MEETING ACCOMMODATIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking, or to submit requests for special meeting accommodations or accessibility, contact Ardie Noyes at (208) 884-7082. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts (posted as they become available), can be found on the Racing Commission's web site at the following web address: [www.isp.idaho.gov/racing](http://www.isp.idaho.gov/racing).

DATED this 9th day of February, 2018.

Ardie Noyes  
Business Operations Manager  
Phone: (208) 884-7082

Idaho State Racing Commission  
700 S. Stratford Drive  
Meridian, ID 83624

**IDAPA 13 – IDAHO FISH AND GAME COMMISSION**

**13.01.07 – RULES GOVERNING THE TAKING OF UPLAND GAME ANIMALS**

**DOCKET NO. 13-0107-1801P**

**NOTICE OF PROCLAMATION**

**AUTHORITY:** In compliance with Section 36-105(3), Idaho Code, notice is hereby given that this agency is proposing to adopt by proclamation the 2018-2019 Upland Game Seasons establishing seasons and limits for hunting rabbits and hares in Idaho.

**PUBLIC HEARING SCHEDULE:** The next public hearing before the Fish and Game Commission will be:

**Wednesday, March 21, 2018  
Approximately 7:00 p.m. (MDT)**

**Idaho Fish and Game Boise Office  
600 S. Walnut Street  
Boise, ID 83712**

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed proclamation, contact James Stoll at 208-334-3715.

Individuals with disabilities may request meeting accommodations by contacting the Director's office at the Idaho Department of Fish and Game directly at (208) 334-5159 or through the Idaho Relay Service at 1(800) 377-2529 (TDD).

**IDAPA 13 – IDAHO FISH AND GAME COMMISSION**

**13.01.09 – RULES GOVERNING THE TAKING OF GAME BIRDS IN THE STATE OF IDAHO**

**DOCKET NO. 13-0109-1801P**

**NOTICE OF PROCLAMATION**

**AUTHORITY:** In compliance with Section 36-105(3), Idaho Code, notice is hereby given that this agency is proposing to adopt by proclamation the 2018-2019 Migratory Game Bird and Turkey Seasons establishing seasons and limits for hunting Forest Grouse, Bobwhite and California Quail, Chukar and Gray Partridge, Sharp-tailed Grouse, Pheasants, and Turkey in Idaho.

**PUBLIC HEARING SCHEDULE:** The next public hearing before the Fish and Game Commission will be:

**Wednesday, March 21, 2018  
Approximately 7:00 p.m. (MDT)**

**Idaho Fish and Game Boise Office  
600 S. Walnut Street  
Boise, ID 83712**

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed proclamation, contact James Stoll at (208) 334-3715.

Individuals with disabilities may request meeting accommodations by contacting the Director's office at the Idaho Department of Fish and Game directly at (208) 334-5159 or through the Idaho Relay Service at 1(800) 377-2529 (TDD).

**IDAPA 13 – IDAHO FISH AND GAME COMMISSION**

**13.01.16 – THE TRAPPING OF PREDATORY AND UNPROTECTED WILDLIFE  
AND THE TAKING OF FURBEARING ANIMALS**

**DOCKET NO. 13-0116-1801P**

**NOTICE OF PROCLAMATION**

**AUTHORITY:** In compliance with Section 36-105(3), Idaho Code, notice is hereby given that this agency is proposing to adopt by proclamation the 2018 Furbearer Trapping and Hunting Seasons establishing seasons and limits for hunting and trapping fox and beaver in Idaho.

**PUBLIC HEARING SCHEDULE:** The next public hearing before the Fish and Game Commission will be:

**Wednesday, March 21, 2018  
Approximately 7:00 p.m. (MDT)**

**Idaho Fish and Game Boise Office  
600 S. Walnut Street  
Boise, ID 83712**

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed proclamation, contact James Stoll at (208) 334-3715.

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**IDAPA 19 – IDAHO STATE BOARD OF DENTISTRY**  
**19.01.01 – RULES OF THE IDAHO STATE BOARD OF DENTISTRY**  
**DOCKET NO. 19-0101-1801**  
**NOTICE OF RULEMAKING – ADOPTION OF TEMPORARY RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is March 30, 2018.

**AUTHORITY:** In compliance with Section 67-5226, Idaho Code, notice is hereby given this agency has adopted a temporary rule. The action is authorized pursuant to Section 54-912 Idaho Code.

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

A pending rule promulgated under Docket No. 19-0101-1701 was adopted by the Board on October 6, 2017, published in the November 1, 2017 Idaho Administrative Bulletin, [Vol. 17-11, page 118](#), and submitted for legislative review and approval during the 2018 legislative session. Errors made inadvertently during the promulgation of the proposed and pending rulemaking were discovered during the review of the pending rule. Because of this, the Board of Dentistry requested that the germane committees reject the rule so that the corrected rule could be re-promulgated.

The adoption of this temporary rule corrects the errors and allows the rule to become effective and enforceable on March 30, 2018. This rule will be promulgated as a proposed rulemaking after the conclusion of the legislative session and will follow standard rulemaking procedures prior its adoption as a pending rule. It will then be submitted for legislative review during the 2019 legislative session.

**TEMPORARY RULE JUSTIFICATION:** Pursuant to Section 67-5226(1)(a) Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for protection of the public health, safety, or welfare.

**FEE SUMMARY:** There are no fees associated with this rule.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the temporary rule, contact Susan Miller, Executive Director, at (208) 334-2369.

DATED this 5th day of February, 2018.

Susan Miller  
Executive Director  
Idaho Board of Dentistry  
350 N. 9th St., Ste. M100  
P.O. Box 83720  
Boise, ID 83720-0021  
Phone: (208) 334-2369  
Fax: (208) 334-3247

**THE FOLLOWING IS THE TEXT OF THE TEMPORARY RULE FOR DOCKET NO. 19-0101-1801**  
**(Only Those Sections With Amendments Are Shown.)**

**004. INCORPORATION BY REFERENCE (RULE 4).**

Pursuant to Section 67-5229, Idaho Code, this chapter incorporates by reference the following documents: (7-1-93)

**01. Professional Standards.** (3-29-12)

**a.** American Association of Oral and Maxillofacial Surgeons, Office Anesthesia Evaluation Manual, 8th Edition, 2012. (3-20-14)

~~**b.** American Dental Association, Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students, October 2007. (4-7-11)~~

~~**c.** American Dental Association, Guidelines for the Use of Sedation and General Anesthesia by Dentists, October 2007. (4-7-11)~~

~~**d.** American Dental Association Policy Statement: The Use of Sedation and General Anesthesia by Dentists, October 2007. (4-7-11)~~

**eb.** Centers for Disease Control and Prevention, DHHS, Guidelines for Infection Control in Dental Health-Care Settings, 2003. (4-6-05)

**fc.** American Dental Association, Principles of Ethics, Code of Professional Conduct and Advisory Opinions (ADA Code), January 2009. (4-7-11)

**gd.** American Dental Hygienists' Association, Code of Ethics for Dental Hygienists (ADHA Code), June 2009. (4-7-11)

**he.** American Dental Hygienists' Association, Standards for Clinical Dental Hygiene Practice, March 10, 2008. (4-7-11)

**02. Availability.** These documents are available for public review at the Idaho State Board of Dentistry, 350 North 9th Street, Suite M-100, Boise, Idaho 83720. (3-29-12)

**(BREAK IN CONTINUITY OF SECTIONS)**

**060. MODERATE SEDATION (RULE 60).**

Dentists licensed in the state of Idaho cannot administer moderate sedation in the practice of dentistry unless they have obtained the proper moderate sedation permit from the Idaho State Board of Dentistry. A moderate sedation permit may be either enteral or parenteral. A moderate enteral sedation permit authorizes dentists to administer moderate sedation by either enteral or combination inhalation-enteral routes of administration. A moderate parenteral sedation permit authorizes a dentist to administer moderate sedation by any route of administration. A dentist shall not administer moderate sedation to children under sixteen (16) years of age and one hundred (100) pounds unless they have qualified for and been issued a moderate parenteral sedation permit. (3-29-12)

**01. Training Requirements for a Moderate ~~Enteral~~ Sedation Permit.** To qualify for a moderate ~~enteral~~ sedation permit, a dentist applying for a permit shall provide proof that the dentist has completed training in the administration of moderate sedation to a level consistent with that prescribed ~~in the American Dental Association's "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," as incorporated in Section 004 in these rules~~ **by the Board within the five (5) year period immediately prior to the date of application**

for a moderate sedation permit. The five (5) year requirement regarding the required training for a moderate ~~enteral~~ sedation permit shall not be applicable to applicants who hold an equivalent permit in another state which has been in effect for the twelve (12) month period immediately prior to the application date. ~~To obtain a moderate enteral sedation permit, a dentist must provide verification of~~ Qualifying training courses must be sponsored by or affiliated with a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or be approved by the Board of Dentistry. The training program shall include the following: ~~(4-11-15)~~(3-30-18)T

~~a. Completion of an American Dental Association accredited or Board of Dentistry approved post-doctoral training program within five (5) years of the date of application for a moderate enteral sedation permit that included documented training of a minimum of twenty-four (24) hours of instruction plus management of at least ten (10) adult case experiences by the enteral and/or enteral nitrous oxide/oxygen route. These ten (10) cases must include at least three live clinical dental experiences managed by participants in groups no larger than five (5). The remaining cases may include simulations and/or video presentations, but must include one experience in returning a patient from deep to moderate sedation; and~~ Course objectives: ~~(4-7-11)~~(3-30-18)T

~~i. List and discuss the advantages and disadvantages of moderate sedation;~~ (3-30-18)T

~~ii. Discuss prevention, recognition and management of complications associated with moderate sedation;~~ (3-30-18)T

~~iii. Administer moderate sedation to patients in a clinical setting in a safe and effective manner;~~ (3-30-18)T

~~iv. Discuss the abuse potential, occupational hazards and other untoward effects of the agents utilized to achieve moderate sedation;~~ (3-30-18)T

~~v. Describe and demonstrate the technique of intravenous access, intramuscular injection and other parenteral techniques;~~ (3-30-18)T

~~vi. Discuss the pharmacology of the drug(s) selected for administration;~~ (3-30-18)T

~~vii. Discuss the precautions, indications, contraindications and adverse reactions associated with the drug(s) selected;~~ (3-30-18)T

~~viii. Administer the selected drug(s) to dental patients in a clinical setting in a safe and effective manner;~~ (3-30-18)T

~~ix. List the complications associated with techniques of moderate sedation;~~ (3-30-18)T

~~x. Describe a protocol for management of emergencies in the dental office and list and discuss the emergency drugs and equipment required for the prevention and management of emergency situations;~~ (3-30-18)T

~~xi. Discuss principles of advanced cardiac life support or an appropriate dental sedation/anesthesia emergency course equivalent;~~ (3-30-18)T

~~xii. Demonstrate the ability to manage emergency situations; and~~ (3-30-18)T

~~xiii. Demonstrate the ability to diagnose and treat emergencies related to the next deeper level of anesthesia than intended.~~ (3-30-18)T

~~b. Current certification in Advanced Cardiac Life Support.~~ Course Content: ~~(4-11-15)~~(3-30-18)T

~~i. Historical, philosophical and psychological aspects of anxiety and pain control;~~ (3-30-18)T

~~ii. Patient evaluation and selection through review of medical history taking, physical diagnosis and psychological considerations;~~ (3-30-18)T

- iii. Use of patient history and examination for ASA classification, risk assessment and pre-procedure fasting instructions; (3-30-18)T
- iv. Definitions and descriptions of physiological and psychological aspects of anxiety and pain; (3-30-18)T
- v. Description of the sedation anesthesia continuum, with special emphasis on the distinction between the conscious and the unconscious state; (3-30-18)T
- vi. Review of pediatric and adult respiratory and circulatory physiology and related anatomy; (3-30-18)T
- vii. Pharmacology of local anesthetics and agents used in moderate sedation, including drug interactions and contraindications; (3-30-18)T
- viii. Indications and contraindications for use of moderate sedation; (3-30-18)T
- ix. Review of dental procedures possible under moderate sedation; (3-30-18)T
- x. Patient monitoring using observation and monitoring equipment, with particular attention to vital signs and reflexes related to consciousness; (3-30-18)T
- xi. Maintaining proper records with accurate chart entries recording medical history, physical examination, informed consent, time-oriented anesthesia record, including the names of all drugs administered including local anesthetics, doses, and monitored physiological parameters; (3-30-18)T
- xii. Prevention, recognition and management of complications and emergencies; (3-30-18)T
- xiii. Description and use of moderate sedation monitors and equipment; (3-30-18)T
- xiv. Discussion of abuse potential; (3-30-18)T
- xv. Intravenous access: anatomy, equipment and technique; (3-30-18)T
- xvi. Prevention, recognition and management of complications of venipuncture and other parenteral techniques; (3-30-18)T
- xvii. Description and rationale for the technique to be employed; and (3-30-18)T
- xviii. Prevention, recognition and management of systemic complications of moderate sedation, with particular attention to airway maintenance and support of the respiratory and cardiovascular systems. (3-30-18)T
- c. Hours of instruction:** (3-30-18)T

  - i. For a moderate enteral sedation permit, the applicant must provide proof of training with a minimum of twenty-four (24) hours of instruction plus management of at least ten (10) adult case experiences by the enteral and/or enteral-nitrous oxide/oxygen route. These ten (10) cases must include at least three live clinical dental experiences managed by participants in groups no larger than five (5). The remaining cases may include simulations and/or video presentations, but must include one experience in returning a patient from deep to moderate sedation. (3-30-18)T
  - ii. For a moderate parenteral sedation permit, the applicant must provide proof of training with a minimum of sixty (60) hours of instruction, plus management of at least twenty (20) patients by the intravenous route. (3-30-18)T
- 02. ~~Requirements for a Moderate Parenteral Sedation Permit. To qualify for a moderate parenteral sedation permit, a dentist applying for a permit shall provide proof that the dentist has completed training in the~~**

~~administration of moderate parenteral sedation as prescribed in the American Dental Association's "Guidelines for Teaching Pain Control and Sedation to Dentists and Dental Students," as incorporated in Section 004 of these rules within the five (5) year period immediately prior to the date of application for a moderate parenteral sedation permit. The five (5) year requirement shall not be applicable to applicants who hold an equivalent permit in another state which has been in effect for the twelve (12) month period immediately prior to the date of application. The training program shall:~~ **Advanced Cardiac Life Support. Applicants for a moderate sedation permit must provide verification of current certification in Advanced Cardiac Life Support or Pediatric Advanced Life Support, whichever is appropriate for the patient being sedated.** (4-7-11)(3-30-18)T

~~a. Be sponsored by or affiliated with a dental school accredited by the Commission on Dental Accreditation of the American Dental Association or a teaching hospital or facility approved by the Board of Dentistry; and~~ (4-5-00)

~~b. Consist of a minimum of sixty (60) hours of instruction, plus management of at least twenty (20) patients by the intravenous route; and~~ (4-7-11)

~~c. Include the issuance of a certificate of successful completion that indicates the type, number of hours, and length of training received.~~ (3-18-99)

~~d. In addition, the dentist must maintain current certification in Advanced Cardiac Life Support or Pediatric Advanced Life Support, whichever is appropriate for the patient being sedated.~~ (3-29-17)

**03. General Requirements for Moderate Enteral and Moderate Parenteral Sedation Permits.** The qualified dentist is responsible for the sedative management, adequacy of the facility and staff, diagnosis and treatment of emergencies related to the administration of moderate sedation and providing the equipment, drugs and protocol for patient rescue. Evaluators appointed by the Idaho State Board of Dentistry will periodically assess the adequacy of the facility and competence of the anesthesia team. ~~The Board adopts the standards incorporated by reference in Section 004.01.c. and Section 004.01.d. of these rules as set forth by the American Dental Association.~~ (4-11-15)(3-30-18)T

**a. Facility, Equipment and Drug Requirements.** The following facilities, equipment and drugs shall be available for immediate use during the sedation and recovery phase: (4-11-15)

i. An operating room large enough to adequately accommodate the patient on an operating table or in an operating chair and to allow an operating team of at least two (2) individuals to freely move about the patient; (4-11-15)

ii. An operating table or chair that permits the patient to be positioned so the operating team can maintain the patient's airway, quickly alter the patient's position in an emergency, and provide a firm platform for the administration of basic life support; (4-11-15)

iii. A lighting system that permits evaluation of the patient's skin and mucosal color and a backup lighting system of sufficient intensity to permit completion of any operation underway in the event of a general power failure; (4-11-15)

iv. Suction equipment that permits aspiration of the oral and pharyngeal cavities and a backup suction device which will function in the event of a general power failure; (4-11-15)

v. An oxygen delivery system with adequate full face mask and appropriate connectors that is capable of delivering high flow oxygen to the patient under positive pressure, together with an adequate backup system; (4-11-15)

vi. A recovery area that has available oxygen, adequate lighting, suction and electrical outlets. The recovery area can be the operating room; (4-11-15)

vii. A sphygmomanometer, pulse oximeter, oral and nasopharyngeal airways, supraglottic airway devices, and automated external defibrillator (AED); and (4-11-15)

- viii. Emergency drugs including, but not limited to, pharmacologic antagonists appropriate to the drugs used, bronchodilators, and antihistamines. (4-11-15)
- ix. Additional emergency equipment and drugs required for moderate parenteral sedation permits include precordial/pretracheal stethoscope or end-tidal carbon dioxide monitor, intravenous fluid administration equipment, vasopressors, and anticonvulsants. (3-29-17)
- b.** Personnel. For moderate sedation, the minimum number of personnel shall be two (2) including: (4-7-11)
- i. The operator; and (10-1-87)
- ii. An assistant currently certified in Basic Life Support for Healthcare Providers. (4-7-11)
- iii. Auxiliary personnel must have documented training in basic life support for healthcare providers, shall have specific assignments, and shall have current knowledge of the emergency cart inventory. The dentist and all office personnel must participate in documented periodic reviews of office emergency protocol, including simulated exercises, to assure proper equipment function and staff interaction. (4-11-15)
- c.** Pre-sedation Requirements. Before inducing moderate sedation, a dentist shall: (4-11-15)
- i. Evaluate the patient's medical history and document, using the American Society of Anesthesiologists Patient Physical Status Classifications, that the patient is an appropriate candidate for moderate sedation; (4-11-15)
- ii. Give written preoperative and postoperative instructions to the patient or, when appropriate due to age or psychological status of the patient, the patient's guardian; (4-11-15)
- iii. Obtain written informed consent from the patient or patient's guardian for the sedation; and (4-11-15)
- iv. Maintain an anesthesia record, and enter the individual patient's sedation into a case/drug log. (4-11-15)
- d.** Patient Monitoring. Patients shall be monitored as follows: (4-11-15)
- i. Patients must be continuously monitored using pulse oximetry. The patient's blood pressure, heart rate, and respiration shall be recorded every five (5) minutes during the sedation and then continued every fifteen (15) minutes until the patient meets the requirements for discharge. These recordings shall be documented in the patient record. The record must also include documentation of preoperative and postoperative vital signs, all medications administered with dosages, time intervals and route of administration. If this information cannot be obtained, the reasons shall be documented in the patient's record. A patient under moderate sedation shall be continuously monitored; (3-29-17)
- ii. During the recovery phase, the patient must be monitored by an individual trained to monitor patients recovering from moderate sedation; (4-11-15)
- iii. A dentist shall not release a patient who has undergone moderate sedation except to the care of a responsible third party; (4-11-15)
- iv. The dentist shall assess the patient's responsiveness using preoperative values as normal guidelines and discharge the patient only when the following criteria are met: vital signs are stable, patient is alert and oriented, and the patient can ambulate with minimal assistance; and (4-11-15)
- v. A discharge entry shall be made by the dentist in the patient's record indicating the patient's condition upon discharge and the name of the responsible party to whom the patient was discharged. (4-11-15)

e. Sedation of Other Patients. The permit holder shall not initiate sedation on another patient until the previous patient is in a stable monitored condition and in the recovery phase following discontinuation of their sedation. (4-11-15)

f. Permit Renewal. Before the expiration date of a permit, the Board will, as a courtesy, mail notice for renewal of permit to the last mailing address on file in the Board's records. The licensee must return the completed renewal application along with the current renewal fees prior to the expiration of said permit. Failure to submit a renewal application and permit fee shall result in expiration of the permit and termination of the licensee's right to administer moderate sedation. Failure to submit a complete renewal application and permit fee within thirty (30) days of expiration of the permit shall result in cancellation of the permit. A licensee whose permit is canceled due to failure to renew within the prescribed time is subject to the provisions of Paragraph 060.03.g. of these rules. Renewal of the permit will be required every five (5) years. Proof of a minimum of twenty-five (25) credit hours continuing education in moderate sedation which may include training in medical/office emergencies will be required to renew a permit. A fee shall be assessed to cover administrative costs. In addition to the continuing education hours, a dentist must: (3-29-17)

i. For a moderate enteral sedation permit, maintain current certification in basic life support for healthcare providers or advanced cardiac life support; (4-11-15)

ii. For a moderate parenteral sedation permit, maintain current certification in advanced cardiac life support. (3-20-14)

g. Reinstatement. A dentist may make application for the reinstatement of a canceled or surrendered permit issued by the Board under this rule within five (5) years of the date of the permit's cancellation or surrender. Applicants for reinstatement of a permit shall satisfy the facility and personnel requirements of this rule and shall be required to verify that they have obtained an average of five (5) credit hours of continuing education in moderate sedation for each year subsequent to the date upon which the permit was canceled or surrendered. A fee for reinstatement shall be assessed to cover administrative costs. (3-29-17)

# Sections Affected Index

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## **IDAPA 19 – IDAHO STATE BOARD OF DENTISTRY**

### *19.01.01 – Rules of the Idaho State Board of Dentistry*

#### **Docket No. 19-0101-1801**

004. Incorporation By Reference (Rule 4).....	16
060. Moderate Sedation (Rule 60).....	16

# LEGAL NOTICE

## Summary of Proposed Rulemakings

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

*THERE ARE NO PROPOSED RULES PUBLISHED  
IN THE MATCH, 2018 IDAHO ADMINISTRATIVE BULLETIN, VOL. 18-3.*

Please refer to the Idaho Administrative Bulletin, [March 7, 2018, Volume 18-3](#), 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, P.O. Box 83720, Boise, ID 83720-0306  
Phone: 208-332-1820; Email: [rulescoordinator@adm.idaho.gov](mailto:rulescoordinator@adm.idaho.gov)

# **CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES**

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

*July 1, 1993 — Present*

## [CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES](#)

This online index provides a history of all agency rulemakings beginning with the first Administrative Bulletin in July 1993 to the most recent Bulletin publication. It tracks all rulemaking activities on each chapter of rules by the rulemaking docket numbers and includes negotiated, temporary, proposed, pending and final rules, public hearing notices, vacated rulemaking notices, notice of legislative actions taken on rules, and executive orders of the Governor.

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## **ABRIDGED RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES**

**(Index of Current and Active Rulemakings)**

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

*March 29, 2017 — March 7, 2018*

*(eff. PLR) - Final Effective Date Is Pending Legislative Review*

*(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 all active rulemakings.)*

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

- 01-0101-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 01-0101-1702** Proposed Rulemaking, Bulletin Vol. 17-9
- 01-0101-1703** Proposed Rulemaking, Bulletin Vol. 17-9
- 01-0101-1704** Proposed Rulemaking, Bulletin Vol. 17-9
- 01-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)
- 01-0101-1702** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)
- 01-0101-1703** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)
- 01-0101-1704** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

**IDAPA 02 – IDAHO DEPARTMENT OF AGRICULTURE****02.01.01, Idaho Rules of Practice and Procedure of the Department of Agriculture**

- 02-0101-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-7
- 02-0101-1702\*** Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 17-7 (\*Changes chapter name to "Rules of Procedure")
- 02-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)
- 02-0101-1702\*** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

**02.02.14, Rules for Weights and Measures**

- 02-0214-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0214-1702** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0214-1703** Proposed Rulemaking, Bulletin Vol. 17-7
- 02-0214-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 02-0214-1702** Proposed Rulemaking, Bulletin Vol. 17-9
- 02-0214-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)
- 02-0214-1702** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)
- 02-0214-1703** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

**02.04.14, Rules Governing Dairy Byproduct**

- 02-0414-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0414-1702** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0414-1702** Proposed Rulemaking, Bulletin Vol. 17-10
- 02-0414-1702** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

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

- 02-0602-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0602-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 02-0602-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

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

- 02-0612-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0612-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 02-0612-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

**02.06.17, Rules Governing the Disposal of Cull Onions and Potatoes**

- 02-0617-1701** Adoption of Temporary Rule, Bulletin Vol. 17-3 (eff. 2-8-17)T
- 02-0617-1701** Notice of Rescission of Temporary Rule, Bulletin Vol. 17-5 (Rescission effective 4-17-17)

**02.06.21, Rules for Voluntary Public Services of the Idaho Department of Agriculture Laboratories**

- 02-0621-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 02-0621-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-9
- 02-0621-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

***02.06.22, Noxious Weed Rules***

**02-0622-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-5

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

**02-0641-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7

**02-0641-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**02-0641-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

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

**02-0801-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-8

**02-0801-1701** Proposed Rulemaking, Bulletin Vol. 17-11

**02-0801-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***IDAPA 05 – DEPARTMENT OF JUVENILE CORRECTIONS******05.01.02, Rules and Standards for Secure Juvenile Detention Centers***

**05-0102-1701** Proposed Rulemaking, Bulletin Vol. 17-10

**05-0102-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***IDAPA 07 – DIVISION OF BUILDING SAFETY******07.01.06, Rules Governing the Use of National Electrical Code***

**07-0106-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**07-0106-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

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

**07-0204-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**07-0204-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**07-0204-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

***07.02.06, Rules Concerning the Idaho State Plumbing Code***

**07-0206-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**07-0206-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**07-0206-1702** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-10

**07-0206-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

**07-0206-1702** (Second) Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 18-2

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

**07-0301-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-3

**07-0301-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**07-0301-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

***07.03.11, Rules Governing Manufactured/Mobile Home Industry Licensing***

**07-0311-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**07-0311-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**07-0311-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

***07.03.12, Rules Governing Manufactured or Mobile Home Installations***

**07-0312-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4

**07-0312-1701** Proposed Rulemaking, Bulletin Vol. 17-9

**07-0312-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

***07.04.01, Rules Governing Safety Inspections - General***

- 07-0401-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4
- 07-0401-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 07-0401-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

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

- 07-0402-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-4
- 07-0402-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 07-0402-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

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

- 07-0701-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 07-0701-1702** Proposed Rulemaking, Bulletin Vol. 17-9
- 07-0701-1703** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-10
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- 07-0701-1703** (Second) Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 18-2

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- 07-0817-1701** Temporary and Proposed Rulemaking (New Chapter), Bulletin Vol. 17-6 (eff. 5-1-17)T
- 07-0817-1701** Adoption of Pending Rule, Bulletin Vol. 17-9 (PLR 2018)

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- 07-1001-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (eff. PLR 2018)

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- 16-0417-1701 2nd Notice of Intent to Promulgate a Rule (2nd Notice) - Negotiated Rulemaking, Bulletin Vol. 17-1
- 16-0417-1701 3rd Notice of Intent to Promulgate a Rule (3rd Notice) - Negotiated Rulemaking, Bulletin Vol. 17-2
- 16-0417-1701 Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-8

- 16-0417-1702** Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 17-8
- 16-0417-1701** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 18-1 (eff. PLR 2018)
- 16-0417-1702** Adoption of Pending Rule (Chapter Rewrite), Bulletin Vol. 18-1 (eff. PLR 2018)

***16.05.03, Rules Governing Contested Cases Proceedings and Declaratory Rulings***

- 16-0503-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0503-1701** Adoption of Pending Rule and Temporary Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

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

- 16-0507-1701** Proposed Rulemaking, Bulletin Vol. 17-10
- 16-0507-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***16.06.01, Child and Family Services***

- 16-0601-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-7 (eff. 7-1-17)T
- 16-0601-1702** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0601-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)
- 16-0601-1702** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

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

- 16-0612-1701** Proposed Rulemaking, Bulletin Vol. 17-10
- 16-0612-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***16.07.15, Behavioral Health Programs***

- 16-0715-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0715-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***16.07.17, Substance Use Disorders Services***

- 16-0717-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0717-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***16.07.30, Behavioral Health Community Crisis Centers***

- 16-0730-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0730-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***16.07.33, Adult Mental Health Services***

- 16-0733-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0733-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***16.07.37, Children's Mental Health Services***

- 16-0737-1701** Proposed Rulemaking, Bulletin Vol. 17-10
- 16-0737-1701** Adoption of Pending and Temporary Rule, Bulletin Vol. 17-12 (eff. (1-1-18)T, PLR 2018)

***16.07.50, Minimum Standards for Non-hospital, Medically-Monitored Detoxification/  
Mental Health Diversion Units***

- 16-0750-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 16-0750-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***IDAPA 17 – INDUSTRIAL COMMISSION******17.02.04, Administrative Rules of the IC Under the Worker's Compensation Law - Benefits***

- 17-0204-1701** Proposed Rulemaking, Bulletin Vol. 17-11
- 17-0204-1702** Proposed Rulemaking, Bulletin Vol. 17-11
- 17-0204-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)
- 17-0204-1702** Vacation of Proposed Rulemaking, Bulletin Vol. 18-1

***17.02.07, Procedures to Obtain Compensation***

- 17-0207-1701** Adoption of Temporary Rule, Bulletin Vol. 17-5 (eff. 3-1-17)T
- 17-0207-1701** Proposed Rulemaking, Bulletin Vol. 17-11
- 17-0207-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***17.02.08, Miscellaneous Provisions***

- 17-0208-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-6
- 17-0208-1701** Proposed Rulemaking, Bulletin Vol. 17-11
- 17-0208-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***17.02.09, Medical Fees***

- 17-0209-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-6

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

- 17-0210-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-6
- 17-0210-1701** Proposed Rulemaking, Bulletin Vol. 17-11
- 17-0210-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

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

- 17-0211-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-6
- 17-0211-1701** Proposed Rulemaking, Bulletin Vol. 17-11
- 17-0211-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***IDAPA 18 – DEPARTMENT OF INSURANCE******18.01.02, Insurance Policy Titles***

- 18-0102-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0102-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-9
- 18-0102-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.08, Filing of Life Policy Forms***

- 18-0108-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0108-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-9
- 18-0108-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.20, Cancellation of, or Refusal to Renew Automobile Insurance Policies***

- 18-0120-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0120-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 18-0120-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.22, Sale of Insurance by Vending Machines***

- 18-0122-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0122-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-9
- 18-0122-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.25, Title Insurance and Title Insurance Agents and Escrow Officers***

- 18-0125-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0125-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 18-0125-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

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

- 18-0130-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0130-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 18-0130-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.35, Guidelines Respecting the Use of Claim Forms for Disability Insurance Claims***

- 18-0135-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0135-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-9
- 18-0135-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

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

- 18-0156-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0156-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 18-0156-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.73, Rule to Implement the Individual Health Insurance Availability Act Plan Design***

- 18-0173-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 18-0173-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-9
- 18-0173-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

***18.01.75, Credit for Reinsurance Rules***

- 18-0175-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-6
- 18-0175-1701** Proposed Rulemaking, Bulletin Vol. 17-8
- 18-0175-1701** Notice of Adoption of Pending Rule, Bulletin Vol. 17-10 (PLR 2018)

***18.01.81, Rules Governing Corporate Governance***

- 18-0181-1701** Notice of Intent to Promulgate a Rule (New Chapter) - Negotiated Rulemaking, Bulletin Vol. 17-6
- 18-0181-1701** Proposed Rulemaking (New Chapter), Bulletin Vol. 17-8
- 18-0181-1701** Notice of Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-10 (PLR 2018)

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

- 19-0101-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 19-0101-1702** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 19-0101-1703** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 19-0101-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 19-0101-1702** Proposed Rulemaking, Bulletin Vol. 17-9
- 19-0101-1703** Proposed Rulemaking, Bulletin Vol. 17-9
- 19-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)
- 19-0101-1702** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)
- 19-0101-1703** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)
- 19-0101-1801** Adoption of Temporary Rule, Bulletin Vol. 18-3 (eff. 3-30-18)T

***IDAPA 20 – DEPARTMENT OF LANDS******20.04.01, Rules Pertaining to Forest Fire Protection***

- 20-0401-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-10

***IDAPA 21 – DIVISION OF VETERANS SERVICES******21.01.01, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure***

- 21-0101-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-7 (eff. 7-1-17)T  
**21-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-9 (PLR 2018)

### ***IDAPA 22 – BOARD OF MEDICINE***

#### ***22.01.13, Rules for the Licensure of Dietitians***

- 22-0113-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-8  
**22-0113-1701** Proposed Rulemaking, Bulletin Vol. 17-10  
**22-0113-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

### ***IDAPA 23 – BOARD OF NURSING***

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

- 23-0101-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7  
**23-0101-1701** Proposed Rulemaking, Bulletin Vol. 17-9  
**23-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-11 (PLR 2018)

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

#### ***24.01.01, Rules of the Board of Architectural Examiners***

- 24-0101-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10  
**24-0101-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

#### ***24.03.01, Rules of the State Board of Chiropractic Physicians***

- 24-0301-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10  
**24-0301-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

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

- 24-0601-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10  
**24-0601-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

#### ***24.07.01, Rules of the Idaho State Board of Landscape Architects***

- 24-0701-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10  
**24-0701-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

#### ***24.08.01, Rules of the State Board of Morticians***

- 24-0801-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10  
**24-0801-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

#### ***24.12.01, Rules of the State Board of Psychologist Examiners***

- 24-1201-1701** Proposed Rulemaking, Bulletin Vol. 17-10  
**24-1201-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

#### ***24.13.01, Rules Governing the Physical Therapy Licensure Board***

- 24-1301-1701** Proposed Rulemaking, Bulletin Vol. 17-10  
**24-1301-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

#### ***24.18.01, Rules of the Real Estate Appraiser Board***

- 24-1801-1601** Adoption of Temporary Rule, Bulletin Vol. 16-5 (eff. 4-1-16)T  
**24-1801-1601** OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 121, Bulletin Vol. 17-5  
**24-1801-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10  
**24-1801-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

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

- 24-2301-1701** Proposed Rulemaking, Bulletin Vol. 17-10
- 24-2301-1702** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10
- 24-2301-1701** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)
- 24-2301-1702** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***24.24.01, Rules of the Genetic Counselors Licensing Board***

- 24-2401-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10
- 24-2401-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

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

- 24-2501-1701** Proposed Rulemaking (Fee Rule), Bulletin Vol. 17-10
- 24-2501-1701** Adoption of Pending Fee Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

***IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION******26.01.10, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation***

- 26-0110-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-10

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

- 26-0120-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-10

***26.01.23, Rules Governing Filming Within Idaho State Parks***

- 26-0123-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-10

***IDAPA 27 – BOARD OF PHARMACY******27.01.01, Rules of the Idaho State Board of Pharmacy***

- 27-0101-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-6
- 27-0101-1701** 2nd Notice of Intent to Promulgate a Rule - Negotiated Rulemaking (2nd Notice), Bulletin Vol. 17-8
- 27-0101-1701** Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 17-10
- 27-0101-1701** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 17-12 (eff. PLR 2018)

***27.01.01, General Provisions***

- 27-0101-1702** Proposed Rulemaking (New Chapter), Bulletin Vol. 17-10
- 27-0101-1702** Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-12 (eff. PLR 2018)

***27.01.02, Rules Governing Licensure and Registration***

- 27-0102-1701** Proposed Rulemaking (New Chapter, Fee Rule), Bulletin Vol. 17-10
- 27-0102-1701** Adoption of Pending Fee Rule (New Chapter), Bulletin Vol. 17-12 (eff. PLR 2018)

***27.01.03, Rules Governing Pharmacy Practice***

- 27-0103-1701** Proposed Rulemaking (New Chapter), Bulletin Vol. 17-10
- 27-0103-1701** Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-12 (eff. PLR 2018)

***27.01.04, Rules Governing Pharmacist Prescriptive Authority***

- 27-0104-1701** Proposed Rulemaking (New Chapter), Bulletin Vol. 17-10
- 27-0104-1701** Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-12 (eff. PLR 2018)

***27.01.05, Rules Governing Drug Compounding***

- 27-0105-1701** Proposed Rulemaking (New Chapter), Bulletin Vol. 17-10

**27-0105-1701** Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-12 (eff. PLR 2018)

**27.01.06, Rules Governing DME, Manufacturing, and Distribution**

**27-0106-1701** Proposed Rulemaking (New Chapter), Bulletin Vol. 17-10

**27-0106-1701** Adoption of Pending Rule (New Chapter), Bulletin Vol. 17-12 (eff. PLR 2018)

***IDAPA 31 – IDAHO PUBLIC UTILITIES COMMISSION***

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

**31-1101-1701** Proposed Rulemaking, Bulletin Vol. 17-10

**31-1101-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***IDAPA 35 – STATE TAX COMMISSION***

**35.01.01, Income Tax Administrative Rules**

**35-0101-1601** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 16-6

**35-0101-1701** Proposed Rulemaking, Bulletin Vol. 17-7

**35-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

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

**35-0102-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-5

**35-0102-1702** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7

**35-0102-1703** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7

**35-0102-1701** Proposed Rulemaking, Bulletin Vol. 17-8

**35-0102-1702** Proposed Rulemaking, Bulletin Vol. 17-9

**35-0102-1703** Proposed Rulemaking, Bulletin Vol. 17-9

**35-0102-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**35-0102-1703** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**35-0102-1702** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

**35.01.03, Property Tax Administrative Rules**

**35-0103-1606** Adoption of Temporary Rule, Bulletin Vol. 16-11 (eff. 10-1-16)T

**35-0103-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-3

**35-0103-1606** OAR Omnibus Notice of Legislative Action - Extension of Temporary Rule by SCR 121, Bulletin Vol. 17-5

**35-0103-1702** Adoption of Temporary Rule, Bulletin Vol. 17-5 (eff. 1-1-17)T

**35-0103-1703** Adoption of Temporary Rule, Bulletin Vol. 17-6 (eff. 7-1-17)T

**35-0103-1704** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-6

**35-0103-1705** Adoption of Temporary Rule, Bulletin Vol. 17-7 (eff. 7-1-17)T

**35-0103-1706** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7

**35-0103-1707** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7

**35-0103-1708** Adoption of Temporary Rule, Bulletin Vol. 17-8 (eff. 7-1-17)T

**35-0103-1701** Proposed Rulemaking, Bulletin Vol. 17-10

**35-0103-1704** Proposed Rulemaking, Bulletin Vol. 17-10

**35-0103-1706** Proposed Rulemaking, Bulletin Vol. 17-10

**35-0103-1707** Proposed Rulemaking, Bulletin Vol. 17-10

**35-0103-1709** Proposed Rulemaking, Bulletin Vol. 17-10

**35-0103-1704** Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 17-11

**35-0103-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**35-0103-1706** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**35-0103-1707** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**35-0103-1709** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**35-0103-1704** Adoption of Pending Rule, Bulletin Vol. 18-1 (eff. PLR 2018)

**35.01.05, Motor Fuels Tax Administrative Rules**

- 35-0105-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 35-0105-1702** Proposed Rulemaking, Bulletin Vol. 17-9
- 35-0105-1701** Proposed Rulemaking, Bulletin Vol. 17-10
- 35-0105-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)
- 35-0105-1702** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***35.01.06, Hotel/Motel Room and Campground Sales Tax Administrative Rules***

- 35-0106-1701** Notice of Intent to Promulgate a Rule - Negotiated Rulemaking, Bulletin Vol. 17-7
- 35-0106-1702** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-8
- 35-0106-1701** Proposed Rulemaking, Bulletin Vol. 17-9
- 35-0106-1702** Proposed Rulemaking, Bulletin Vol. 17-10
- 35-0106-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)
- 35-0106-1702** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***35.01.09, Idaho County Option Kitchen and Table Wine Tax Administrative Rules***

- 35-0109-1701** Proposed Rulemaking, Bulletin Vol. 17-7
- 35-0109-1702** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-8
- 35-0109-1702** Proposed Rulemaking, Bulletin Vol. 17-10
- 35-0109-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)
- 35-0109-1702** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***35.01.10, Idaho Cigarette and Tobacco Products Tax Administrative Rules***

- 35-0110-1701** Proposed Rulemaking, Bulletin Vol. 17-7
- 35-0110-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***35.01.12, Idaho Beer Tax Administrative Rules***

- 35-0112-1701** Proposed Rulemaking, Bulletin Vol. 17-7
- 35-0112-1702** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-8
- 35-0112-1702** Proposed Rulemaking, Bulletin Vol. 17-10
- 35-0112-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)
- 35-0112-1702** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

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

- 35-0201-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-6
- 35-0201-1702** Adoption of Temporary Rule, Bulletin Vol. 17-6 (eff. 7-1-17)T
- 35-0201-1701** Proposed Rulemaking, Bulletin Vol. 17-10
- 35-0201-1703** Proposed Rulemaking, Bulletin Vol. 17-10
- 35-0201-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)
- 35-0201-1703** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***IDAPA 37 – DEPARTMENT OF WATER RESOURCES******37.03.13, The Water Management Rules***

- 37-0313-9701** Notice of Intent to Promulgate a Rule - 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

***IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION******38.04.09, Rules Governing Use of the Chinden Office Complex***

- 38-0409-1801** Adoption of Temporary Rule (New Chapter), Bulletin Vol. 18-2 (eff. 12-21-17)T

***IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT***

**39.02.02, Rules Governing Vehicle Dealer License Requirements - Motor Vehicles**

**39-0202-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-9 (eff. 7-21-17)T

**39-0202-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

**39.02.71, Rules Governing Drivers License Violation Point Count System**

**39-0271-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-9 (eff. 7-21-17)T

**39-0271-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

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

**39-0310-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-9 (eff. 7-21-17)T

**39-0310-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

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

**39-0316-1701** Temporary and Proposed Rulemaking, Bulletin Vol. 17-9 (eff. 7-21-17)T

**39-0316-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

***IDAPA 42 – IDAHO WHEAT COMMISSION*****42.01.01, Rules of the Idaho Wheat Commission**

**42-0101-1701** Notice of Intent to Promulgate Rules - Negotiated Rulemaking, Bulletin Vol. 17-6

**42-0101-1701** Proposed Rulemaking, Bulletin Vol. 17-10

**42-0101-1701** Adoption of Pending Rule, Bulletin Vol. 17-12 (eff. PLR 2018)

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