

# IDAHO ADMINISTRATIVE BULLETIN

July 2, 2025 – Vol. 25-7

Office of the Governor  
Division of Financial Management  
Office of the Administrative Rules Coordinator



The Idaho Administrative Bulletin is published monthly by the Office of the Administrative Rules Coordinator, Division of Financial Management, Office of the Governor, pursuant to Title 67, Chapter 52, Idaho Code.

Brad Little, Governor  
Lori Wolff, Administrator, Division of Financial Management  
Lauren Smyser, Regulatory & Legislative Affairs Chief  
Bradley A. Hunt, Administrative Rules Coordinator  
Logan P. Medel, Administrative Rules Specialist  
Margaret Major, Desktop Publishing Specialist

All Rights Reserved / Printed in the United States of America

# ***IDAHO ADMINISTRATIVE BULLETIN***

## ***Table of Contents***

***July 2, 2025 – Vol. 25-7***

<b>PREFACE .....</b>	<b>6</b>
<b>OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR / DIVISION OF FINANCIAL MANAGEMENT</b>	
Omnibus Notice of Legislative Action – Summary of Action Taken on Pending, Temporary, and Final Rules.....	13
History Notes Index of Administrative Rules Reviewed and Approved as Final and Effective During the 2025 First Regular Session of the Sixty-Eighth Legislature of the State of Idaho .....	22
<b>IDAPA 02 – DEPARTMENT OF AGRICULTURE</b>	
02.03.03 – Rules Governing Pesticide and Chemigation Use and Application Docket No. 02-0303-2501	
Notice of Intent to Promulgate Rules – Negotiated Rulemaking .....	36
02.06.06 – Rules Governing the Planting of Beans Docket No. 02-0606-2501	
Notice of Intent to Promulgate Rules – Negotiated Rulemaking .....	38
02.06.33 – Organic Food Products Rules Docket No. 02-0633-2501	
Notice of Intent to Promulgate Rules – Negotiated Rulemaking .....	40
<b>IDAPA 04 – OFFICE OF THE ATTORNEY GENERAL</b>	
04.12.01 – Rules of Administrative Procedure for Consideration of Cooperative Agreements Filed by Health Care Providers Docket No. 04-1201-2500	
Notice of Revocation of Final Rules .....	42
<b>IDAPA 09 – IDAHO DEPARTMENT OF LABOR</b>	
Docket No. 09-0000-2500	
Notice of Omnibus Rulemaking – Revocation of Final Rules .....	43
09.01.01 – Rules of Administrative Procedure of the Department of Labor;	
09.01.08 – Rules on Disclosure of Employment Security Information;	
09.01.30 – Unemployment Insurance Benefits Administration Rules; and	
09.01.35 – Unemployment Insurance Tax Administration Rules.	
<b>IDAPA 11 – IDAHO STATE POLICE / STATE BRAND BOARD</b>	
11.02.01 – Rules of the Idaho State Brand Board Docket No. 11-0201-2500	
Notice of Revocation of Final Rules .....	44
<b>IDAPA 11 – IDAHO STATE POLICE</b>	
11.05.01 – Rules Governing Alcohol Beverage Control Docket No. 11-0501-2501	
Notice of Intent to Promulgate Rules – Negotiated Rulemaking .....	45

**IDAPA 13 – IDAHO FISH AND GAME COMMISSION***Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho***Docket No. 13-0000-2500P4**

Notice of Adopted / Amended Proclamations for Calendar Year 2025 .....47

**IDAPA 15 – OFFICE OF THE GOVERNOR / IDAHO COMMISSION ON AGING***15.01.01 – Rules Governing Senior Services and Older Americans Act Programs***Docket No. 15-0101-2501**

Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking .....48

*15.01.03 – Rules Governing the Ombudsman for the Elderly Program***Docket No. 15-0103-2501**

Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking .....50

*15.01.20 – Rules Governing Area Agency on Aging (AAA) Operations***Docket No. 15-0120-2501**

Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking .....52

**IDAPA 15 – OFFICE OF THE GOVERNOR / IDAHO MILITARY DIVISION,  
EMERGENCY MEDICAL SERVICES PROGRAM***15.06.07 – Emergency Medical Services***Docket No. 15-0607-2500**

Notice of Rulemaking – Assignment of New IDAPA Designation Number .....54

**IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE****Docket No. 16-0000-2500**

Notice of Omnibus Rulemaking – Revocation of Final Rules .....55

*16.02.06 – Quality Assurance for Clinical Laboratories;**16.02.11 – Immunization Requirements for Licensed Daycare Facility Attendees;**16.02.12 – Newborn Screening;**16.02.13 – Drinking Water Laboratory Certification Program;**16.02.14 – Construction and Operation of Public Swimming Pools;**16.02.15 – Immunization Requirements for Idaho School Children;**16.02.23 – Indoor Smoking;**16.02.24 – Clandestine Drug Laboratory Cleanup;**16.02.25 – State Laboratory Fees;**16.03.02 – Skilled Nursing Facilities;**16.03.03 – Child Support Services;**16.03.06 – Refugee Medical Assistance;**16.03.07 – Home Health Agencies;**16.03.09 – Medicaid Basic Plan Benefits;**16.03.10 – Medicaid Enhanced Plan Benefits;**16.03.11 – Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/IID);**16.03.14 – Hospitals;**16.03.17 – Medicare/Medicaid Coordinated Plan Benefits;**16.03.18 – Medicaid Cost-Sharing;**16.03.22 – Residential Assisted Living Facilities;**16.06.01 – Child and Family Services;**16.06.03 – Daycare Licensing;**16.07.01 – Behavioral Health Sliding Fee Schedules;**16.07.17 – Substance Use Disorders Services;**16.07.19 – Peer Support Specialist and Family Support Partner Certification;**16.07.25 – Prevention of Minors' Access to Tobacco or Electronic Smoking Device Products;**16.07.33 – Adult Mental Health Services;**16.07.37 – Children's Mental Health Services; and**16.07.39 – Designated Examiners and Dispositioners.*

16.01.01 – <i>Emergency Medical Services</i> <b>Docket No. 16-0101-2500</b> Notice of Rulemaking – Assignment of New IDAPA Designation Number .....	58
16.03.08 – <i>Temporary Assistance for Families in Idaho (TAFI) Program</i> <b>Docket No. 16-0308-2501 (ZBR Chapter Repeal)</b> Notice of Rulemaking – Proposed Rule .....	59
<b>Docket No. 16-0308-2502 (ZBR New Chapter)</b> Notice of Rulemaking – Proposed Rule .....	60
16.04.14 – <i>Low-Income Home Energy Assistance Program (LIHEAP)</i> <b>Docket No. 16-0414-2501 (Chapter Repeal)</b> Notice of Rulemaking – Proposed Rule .....	66
16.06.02 – <i>Foster Care Licensing</i> <b>Docket No. 16-0602-2501</b> Notice of Rulemaking – Temporary and Proposed Rule.....	67
16.06.03 – <i>Daycare Licensing</i> <b>Docket No. 16-0603-2501 (Chapter Rewrite)</b> Notice of Rulemaking – Proposed Rule .....	78
16.06.12 – <i>Idaho Child Care Program (ICCP)</i> <b>Docket No. 16-0612-2501 (ZBR Chapter Repeal)</b> Notice of Rulemaking – Proposed Rule .....	98
16.06.13 – <i>Emergency Assistance for Families and Children</i> <b>Docket No. 16-0613-2501 (Chapter Repeal)</b> Notice of Rulemaking – Proposed Rule .....	99
<b>IDAPA 17 – INDUSTRIAL COMMISSION</b>	
17.01.01 – <i>Administrative Rules Under the Worker's Compensation Law</i> <b>Docket No. 17-0101-2500L</b> Notice of Final Rule – Agency Filing .....	100
<b>IDAPA 20 – IDAHO DEPARTMENT OF LANDS</b>	
20.03.14 – <i>Rules Governing Grazing, Farming, and Conservation Leases</i> <b>Docket No. 20-0314-2500L</b> Notice of Final Rule – Agency Filing .....	104
<b>IDAPA 21 – DIVISION OF VETERANS SERVICES</b>	
21.01.01 – <i>Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure</i> <b>Docket No. 21-0101-2501 (ZBR Chapter Rewrite)</b> Notice of Rulemaking – Proposed Rule .....	106
<b>IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES</b>	
24.24.01 – <i>Rules of the Genetic Counselors Licensing Board</i> <b>Docket No. 24-2401-2500L</b> Notice of Final Rule – Agency Filing .....	123
24.36.01 – <i>Rules of the Idaho State Board of Pharmacy</i> <b>Docket No. 24-3601-2500</b> Notice of Revocation of Final Rules .....	125

**IDAPA 28 – DEPARTMENT OF COMMERCE***28.02.03 – Department of Commerce Grant Program Rules****Docket No. 28-0203-2501***

Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking ..... 126

*28.04.01 – Rules Governing the Idaho Reimbursement Incentive Act****Docket No. 28-0401-2501***

Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking ..... 128

**IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY***58.01.02 – Water Quality Standards****Docket No. 58-0102-2501***

Notice of Rulemaking – Proposed Rule ..... 130

*58.01.13 – Rules for Ore Processing by Cyanidation****Docket No. 58-0113-2501***

Notice of Rulemaking – Temporary and Proposed Rule..... 149

**SECTIONS AFFECTED INDEX ..... 171****LEGAL NOTICE - SUMMARY OF PROPOSED RULEMAKINGS ..... 175****CUMULATIVE RULEMAKING INDEX OF IDAHO ADMINISTRATIVE RULES ..... 177****SUBJECT INDEX ..... 205**

# PREFACE

The Idaho Administrative Bulletin is an electronic-only, online monthly publication of the Office of the Administrative Rules Coordinator, Division of Financial Management, 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 **22-1** refers to the first Bulletin issued in calendar year **2022**; Bulletin **24-1** refers to the first Bulletin issued in calendar year **2024**. Volume numbers, which proceed from 1 to 12 in a given year, correspond to the months of publication, i.e.; Volume No. **22-1** refers to January 2022; Volume No. **24-2** refers to February 2024; and so forth. Example: The Bulletin published in January 2022 is cited as Volume **22-1**. The December 2022 Bulletin is cited as Volume **22-12**.

## 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 Bulletin publication. 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](https://adminrules.idaho.gov).

## THE DIFFERENT RULES PUBLISHED IN THE ADMINISTRATIVE BULLETIN

Idaho’s administrative rulemaking process, governed by the Idaho 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. For a rule to become final, at a minimum, a rulemaking includes proposed, pending, and final rulemaking. Some rules may be adopted as temporary rules when they meet the required statutory criteria. Agencies must, when feasible, engage in negotiated rulemaking at the beginning of the process to facilitate consensus building. In some cases, the process may begin with proposed rulemaking and end 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. 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.

## **4. FINAL RULEMAKING**

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

## **5. 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) reducing a regulatory burden that would otherwise impact individuals or businesses.

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.

Agencies must concurrently promulgate a temporary rule and a proposed rule when the text of the two rulemakings is the same, unless the temporary rule will expire before a proposed rule could become final.

## 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 sections 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 38.05.01.041.02.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 Administration’s Division of Purchasing

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

**“041.”** refers to Major Section **041**, “Acquisition Procedures”

**“02.”** refers to Subsection 041.02.

**“c.”** refers to Subsection 041.02.c.

**“ii.”** refers to Subsection 041.02.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 **“-”**, (**38-0501-2201**). 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. 38-0501-2201”**

**“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**).

**“2201”** 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 2022**. A subsequent rulemaking on this same rule chapter in calendar year 2022 would be designated as **“2202”**. The docket number in this scenario would be 38-0501-**2202**.

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)**



## RULEMAKING DEADLINES CY 2025

BULLETIN MONTH / VOL.	FEB 25-2	MAR 25-3	APR 25-4	MAY 25-5	JUN 25-6	JUL 25-7	AUG 25-8	SEPT 25-9	OCT 25-10	NOV 25-11	DEC 25-12	JAN '26 26-1
ARRF DUE	Dec 20	Jan 24	Feb 21	Mar 21	April 18	May 23	June 20	July 18	Aug 15	Sept 19	Oct 24	Nov 21
AGENCY FILING DUE	Jan 3	Feb 7	Mar 7	April 4	May 2	June 6	July 3	Aug 1	*Aug 29	Oct 3	Nov 7	**Dec 5
BULLETIN PUBLISHED	Feb 5	Mar 5	April 2	May 7	June 4	July 2	Aug 6	Sept 3	Oct 1	Nov 5	Dec 3	Jan 7
21-DAY COMMENT ENDS	Feb 26	Mar 5	April 23	May 28	June 25	July 23	Aug 27	Sept 24	Oct 22	Nov 26	Dec 24	Jan 28

*\*August 29, 2025: Last day to submit a Proposed Rule for the upcoming Legislature*

*\*\*December 5, 2025: Last day to submit a Pending Rule for the upcoming Legislature*

## RULEMAKING DEADLINES CY 2026

BULLETIN MONTH / VOL.	FEB 26-2	MAR 26-3	APR 26-4	MAY 26-5	JUN 26-6	JUL 26-7	AUG 26-8	SEPT 26-9	OCT 26-10	NOV 26-11	DEC 26-12	JAN '27 27-1
ARRF DUE	Dec 26	Jan 23	Feb 20	March 20	April 17	May 15	June 19	July 17	Aug 14	Sept 18	Oct 16	Nov 20
AGENCY FILING DUE	Jan 9	Feb 6	Mar 6	April 3	May 1	May 29	July 3	July 31	*Aug 28	Oct 2	Oct 30	**Dec 4
BULLETIN PUBLISHED	Feb 4	Mar 4	April 1	May 6	June 3	July 1	Aug 5	Sept 2	Oct 7	Nov 4	Dec 2	Jan 6
21-DAY COMMENT ENDS	Feb 25	Mar 25	April 22	May 27	June 24	July 22	Aug 26	Sept 23	Oct 28	Nov 25	Dec 23	Jan 27

*\*August 28, 2026: Last day to submit a Proposed Rule for the upcoming Legislature*

*\*\*December 4, 2026: Last day to submit a Pending Rule for the upcoming Legislature*

[Access to DFM's Administrative Rules Request Form \(ARRF\)](#)

[Access the Idaho Rule Writer's Manual](#)

<b>ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS</b>	
<b>IDAPA 38</b>	<b>Administration</b> , Department of
<b>IDAPA 62</b>	<b>Administrative Hearings</b> , Office of
<b>IDAPA 02</b>	<b>Agriculture</b> , Idaho State Department of Idaho Honey Commission (02.06.16) Idaho Hop Grower's Commission (02.07) Idaho Sheep and Goat Health Board (02.08)
<b>IDAPA 40</b>	<b>Arts</b> , Idaho Commission on the
<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 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> , Idaho Department of
<b>IDAPA 63</b>	<b>Domestic Violence and Victim Assistance</b> , Idaho Council on
<b>IDAPA 08</b>	<b>Education</b> , State Board of and State Department of
<b>IDAPA 32</b>	<b>Endowment Fund Investment Board</b>
<b>IDAPA 58</b>	<b>Environmental Quality</b> , Department of
<b>IDAPA 12</b>	<b>Finance</b> , Idaho Department of
<b>IDAPA 13</b>	<b>Fish and Game</b> , Idaho Department of
<b>IDAPA 15</b>	<b>Governor</b> , Office of the Idaho Commission on Aging (15.01) Idaho Commission for the Blind and Visually Impaired (15.02) Idaho Forest Products Commission (15.03) Division of Human Resources and Personnel Commission (15.04) Idaho Military Division (Division of Homeland Security) (15.06) Idaho State Liquor Division (15.10)
<b>IDAPA 48</b>	<b>Grape Growers and Wine Producers Commission</b> , Idaho
<b>IDAPA 16</b>	<b>Health and Welfare</b> , Department of
<b>IDAPA 45</b>	<b>Human Rights Commission</b>
<b>IDAPA 17</b>	<b>Industrial Commission</b> , Idaho
<b>IDAPA 18</b>	<b>Insurance</b> , Idaho Department of
<b>IDAPA 05</b>	<b>Juvenile Corrections</b> , Department of

<b>ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS</b>	
<b>IDAPA 09</b>	<b>Labor</b> , Idaho Department of
<b>IDAPA 20</b>	<b>Lands</b> , Idaho Department of
<b>IDAPA 52</b>	<b>Lottery Commission</b> , Idaho State
<b>IDAPA 24</b>	<b>Occupational and Professional Licenses</b> , Division of Accountancy, Board of (24.30) Acupuncture, Board of (24.17) Architects and Landscape Architects, Board of (24.01) Athletic Commission, State (24.02) Barber and Cosmetology Services Licensing Board (24.28) Building Safety, Division of (24.39) Chiropractic Physicians, Board of (24.03) Contractors Board, Idaho State (24.21) Counselors and Marriage and Family Therapists, Licensing Board of Professional (24.15) Dentistry, State Board of (24.31) Dentistry, State Board of (24.16) Drinking Water and Wastewater Professionals, Board of (24.05) Driving Businesses Licensure Board, Idaho (24.25) Engineers and Land Surveyors, Board of Licensure of Professional (24.32) Genetic Counselors Licensing Board (24.24) Geologists, Board of Registration for Professional (24.04) Liquefied Petroleum Gas Safety Board (24.22) Massage Therapy, Board of (24.27) Medicine, Board of (24.33) Midwifery, Board of (24.26) Morticians, Board of (24.08) Naturopathic Health Care, Board of (24.40) Nursing, Board of (24.34) Nursing Home Administrators, Board of Examiners of (24.09) Occupational Therapy Licensure Board (24.06) Optometry, Board of (24.10) Outfitters and Guides Licensing Board (24.35) Pharmacy, Board of (24.36) Physical Therapy Licensure Board (24.13) Podiatry, Board of (24.11) Psychologist Examiners, Board of (24.12) Real Estate Appraiser Board (24.18) Real Estate Commission (24.37) Residential Care Facility Administrators, Board of Examiners of (24.19) Shorthand Reporters Board, Idaho Certified (24.29) Social Work Examiners, Board of (24.14) Speech, Hearing and Communication Services Licensure Board (24.23) Veterinary Medicine, State Board of (24.38)
<b>IDAPA 43</b>	<b>Oilseed Commission</b> , Idaho
<b>IDAPA 50</b>	<b>Pardons and Parole</b> , Commission of
<b>IDAPA 26</b>	<b>Parks and Recreation</b> , Idaho Department of

<b>ALPHABETICAL INDEX OF STATE AGENCIES AND CORRESPONDING IDAPA NUMBERS</b>	
<b>IDAPA 11</b>	<b>Police, Idaho State</b> Alcohol Beverage Control (11.05) Brand Board (11.02) Commercial Vehicle Safety (11.13) Forensic Laboratory (11.03) Motor Vehicles (11.07) Peace Officer Standards and Training Council (11.11) Public Safety and Security Information (11.10) Racing Commission (11.04)
<b>IDAPA 29</b>	<b>Potato Commission, Idaho</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 34</b>	<b>Secretary of State, Office of the</b>
<b>IDAPA 57</b>	<b>Sexual Offender Management Board</b>
<b>IDAPA 60</b>	<b>Soil and Water Conservation Commission, Idaho State</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 21</b>	<b>Veterans Services, Division 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, Idaho</b>

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR  
DIVISION OF FINANCIAL MANAGEMENT**

**ADMINISTRATIVE RULES REVIEWED BY THE SIXTY-EIGHTH LEGISLATURE  
OF THE STATE OF IDAHO, FIRST REGULAR SESSION – 2025**

**OMNIBUS NOTICE OF LEGISLATIVE ACTION – SUMMARY OF ACTION  
TAKEN ON PENDING, TEMPORARY, AND FINAL RULES**

**AUTHORITY:** In compliance with Sections 67-5224(6), 67-5226(3), and 67-5291, Idaho Code, the Administrative Rules Coordinator hereby provides notice that the First Regular Session of the 68th Idaho Legislature adjourned Sine Die on April 4, 2025, and that the standing committees completed the review of certain administrative rules of the state agencies of the executive branch. Additionally, in compliance with Section 67-5291, Idaho Code, this notice also serves as official notice of final rulemaking for those state agencies whose rules have been approved as final. Also, notice is hereby given that certain previously approved final rules were rejected by concurrent resolution as well as revoked by enacted legislation of the legislature. These rules are null, void, and of no force and effect.

**DESCRIPTIVE SUMMARY:** The following is a brief description of the action taken by the standing committees of the legislature during the 2025 legislative session.

The Administrative Procedures Act (APA) requires that all pending rules be reviewed and approved by concurrent resolution of the legislature in order for the pending rule to become final and effective. The standing committees of the legislature have reviewed the pending rules submitted for review and final approval. A pending rule that is not approved by a concurrent resolution shall expire upon adjournment sine die of the legislative session during which the agency submits the pending rule to the legislature for review.

Pending rules reviewed by the legislature that were approved are now final and of full force and effect. Section 67-5291, Idaho Code, requires a concurrent resolution of the legislature to approve or reject a pending rule that doesn't meet legislative intent based on finding of facts as to why the rule does not meet the legislative intent of the enabling statute by identifying how the rule is inconsistent with the authority granted by or the requirements of the corresponding section of Idaho Code. Any pending rule that was properly rejected pursuant to the APA in whole or in part is listed in this notice with the corresponding house or senate concurrent resolution affecting it. Pending rule dockets that were properly rejected in whole or any parts of any pending rule that were properly rejected, are null, void, and of no force and effect. Those rules that were acted on and approved by concurrent resolution became final and of full force and effect upon July 1, 2025, unless otherwise specified in the concurrent resolution.

In accordance with Section 67-5291(1), Idaho Code, all temporary rules that were submitted for extension have been reviewed. Temporary rules that were reviewed and extended will continue to be of full force and effect until the end of the next legislative session, unless they expire under their own terms or other provision of law, or are rescinded, and any part of a temporary rule that was rejected is declared null, void and of no force and effect. Those temporary rules that were properly rejected in their entirety are null, void and of no force and effect.

**TEMPORARY, PENDING, AND FINAL RULES:** The following tables list all temporary and pending rulemakings that were submitted for legislative review during the 2025 legislative session. The list includes the docket number of each temporary and pending rulemaking, the volume number of the Bulletin in which the proposed, pending, and temporary rule notices and text were published, the final effective dates of all approved pending rules, the effective dates of any temporary rules, and the number of the senate or house concurrent resolution, if applicable, affecting the rulemaking. These tables provide final status of all pending and temporary rules submitted for legislative review. Final rules that were acted on by the legislature rejecting previously approved rule text are listed along with their corresponding concurrent resolution or enacted legislation.

<b>TEMPORARY RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Temporary Rule Docket Number	Bulletin Vol. No.	Temporary Effective Date	Rejected Rule	Action Taken
02-0108-2401	24-12	(11-12-24)T		Extended by <a href="#">SCR 113</a>
02-0303-2402	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
02-0609-2406	24-12	(11-9-24)T		Extended by <a href="#">SCR 113</a>
<b>08-0111-2401</b>	<b>24-7</b>	<b>(7-1-24)T</b>	<b>Entire Docket</b>	<b>Rejected by <a href="#">SCR 113</a></b>
08-0201-2401	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
<b>08-0203-2402</b>	<b>24-7</b>	<b>(7-1-24)T</b>	<b>Entire Docket</b>	<b>Rejected by <a href="#">SCR 113</a></b>
08-0203-2403	24-10	(8-21-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
11-0501-2402	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
11-1101-2401	24-7	(6-7-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
13-0102-2401	24-10	(1-1-25)		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0314-2301	23-12	(11-14-23)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0418-2401	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0501-2401	24-9	(8-6-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0601-2402	24-6	(4-17-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0601-2403	24-7	(6-5-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]

<b>TEMPORARY RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Temporary Rule Docket Number	Bulletin Vol. No.	Temporary Effective Date	Rejected Rule	Action Taken
16-0601-2404	24-9	(8-6-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0602-2401	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0602-2402	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
16-0602-2403	24-9	(8-15-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
21-0104-2401	24-5	(4-10-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
24-0201-2401	24-6	(6-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
24-2601-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
24-3101-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
24-3401-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
<b>24-3601-2401</b>	<b>24-4</b>	<b>(7-1-24)T</b>	<b>Entire Docket</b>	<b>Rejected by <a href="#">SCR 113</a></b>
24-3801-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
<b>24-3910-2401</b>	<b>24-5</b>	<b>(4-19-24)T</b>	<b>Entire Docket</b>	<b>Not Extended</b>
24-3930-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
24-3931-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
24-3950-2501	25-1	(1-1-25)T		Extended by <a href="#">SCR 113</a>
34-0801-2401	24-9	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
35-0103-2402	24-9	(7-30-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
50-0101-2401	24-10	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]

<b>TEMPORARY RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Temporary Rule Docket Number	Bulletin Vol. No.	Temporary Effective Date	Rejected Rule	Action Taken
52-0103-2401	24-6	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]
58-0123-2401	24-7	(7-1-24)T		Extended by <a href="#">SCR 113*</a> [*superseded on 7-1-25 by finalized pending rule]

<b>PENDING RULES AND FINAL RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken
02-0212-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0214-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0301-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0303-2402	25-1	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0403-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0405-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0415-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0419-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0501-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0602-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0609-2402	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0633-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
02-0801-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>04-1201-2500</b>	<b>Final Rule Revocation</b>		<b>Null and Void</b>	<b>Final Rule IDAPA 04.12.01 Revoked by <a href="#">HB 91</a></b>
<b>08-0111-2401</b>	<b>25-1</b>	<b>24-7</b>	<b>Null and Void</b>	<b>Rejected by <a href="#">SCR 113</a></b>
08-0113-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
08-0201-2401	25-1	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>08-0202-2401</b>	<b>25-1</b>	<b>24-10</b>	<b>Null and Void</b>	<b>Rejected by <a href="#">SCR 113</a></b>



<b>PENDING RULES AND FINAL RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken
<b>08-0203-2401</b>	<b>25-1</b>	<b>24-10</b>	<b>(7-1-25)</b>	<b>Partial Rejection by SCR 113: Grade 4 Social Studies and Grade 6-12 U.S. History 1 of the Idaho Content Standards, Incorporated by Reference Under 004.01.g.; and 105.01.d.</b>
08-0401-2401	25-1	24-10	(7-1-25)	Approved by SCR 113
<b>09-0000-2500</b>	<b>Final Rules Revocation</b>		<b>Null and Void</b>	<b>Final Rules in IDAPAs 09.01.01, 09.01.08, 09.01.30, &amp; 09.01.35 Revoked by HB 54</b>
09-0101-2401	25-1	24-10	(7-1-25)	Approved by SCR 113
09-0130-2401	25-1	24-10	(7-1-25)	Approved by SCR 113
<b>09-0135-2401</b>	<b>25-1</b>	<b>24-10</b>	<b>(7-1-25)</b>	<b>Partial Rejection by SCR 113: 011.07</b>
<b>11-0201-2500</b>	<b>Final Rules Revocation</b>		<b>Null and Void</b>	<b>Final Rules in IDAPA 11.02.01 Revoked by SB 1016</b>
11-0301-2401	25-1	24-10	(7-1-25)	Approved by SCR 113
11-0501-2403	24-11	24-9	(7-1-25)	Approved by SCR 113
11-1101-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
13-0102-2401	24-12	24-10	(7-1-25)	Approved by SCR 113
13-0107-2401	24-12	24-10	(7-1-25)	Approved by SCR 113
13-0111-2401	24-12	24-10	(7-1-25)	Approved by SCR 113
<b>16-0000-2500</b>	<b>Final Rules Revocation</b>		<b>Null and Void</b>	<b>Final Rules in IDAPAs 16.02.06, 16.02.11, 16.02.12, 16.02.13, 16.02.14, 16.02.15, 16.02.23, 16.02.24, 16.02.25, 16.03.02, 16.03.03, 16.03.06, 16.03.07, 16.03.09, 16.03.10, 16.03.11, 16.03.14, 16.03.17, 16.03.18, 16.03.22, 16.06.01, 16.06.03, 16.07.01, 16.07.17, 16.07.19, 16.07.25, 16.07.33, 16.07.37 &amp; 16.07.39 Revoked by HBs 133, 198, 199, 202, 220, 243, 245, 290, 312, 336, 345; and SBs 1014, 1015, 1024, 1051, &amp; 1102</b>
16-0101-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
16-0102-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
16-0103-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
16-0105-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
16-0107-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
16-0112-2401	24-11	24-9	(7-1-25)	Approved by SCR 113

PENDING RULES AND FINAL RULES AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE				
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken
16-0201-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0202-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0212-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0213-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0309-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0313-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0314-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0407-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0418-2401	24-9	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0501-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0601-2405	25-1	24-12	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0602-2401	24-9	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0602-2402	24-9	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0602-2403	25-1	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>16-0602-2500</b>	<b>Final Rules Revocation</b>		<b>Null and Void</b>	<b>Final Rules in IDAPA 16.06.02 Revoked by <a href="#">SB 1034 aa</a></b>
16-0605-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0717-2401	25-1	24-11	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0733-2401	25-1	24-11	(7-1-25)	Approved by <a href="#">SCR 113</a>
16-0737-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>17-0101-2301</b>	<b>25-1</b>	<b>24-10</b>	<b>(7-1-25)</b>	<b>Partial Rejection by <a href="#">SCR 113</a>: 305.01.a.</b>
<b>17-0101-2500L</b>	<b>Final Rule Rejection</b>		<b>Null and Void</b>	<b>Final Rule IDAPA 17.01.01.305.01.a. Rejected by <a href="#">SCR 109</a></b>
18-0302-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>18-0501-2401</b>	<b>24-11</b>	<b>24-9</b>	<b>(7-1-25)</b>	<b>Partial Rejection by <a href="#">SCR 113</a>: 010.07, 012.02, 013.02, 013.06, 021.01, 021.04, 021.05, 022, 031.01, 031.02.b., 031.04, and 031.05</b>
18-0606-2401	24-11	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
18-0801-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
20-0313-2401	24-10	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>20-0314-2401</b>	<b>24-10</b>	<b>24-7</b>	<b>(7-1-25)</b>	<b>Partial Rejection by <a href="#">SCR 113</a>: 050.02</b>

<b>PENDING RULES AND FINAL RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken
<b>20-0314-2500L</b>	<b>Final Rule Rejection</b>		<b>Null and Void</b>	<b>Final Rule IDAPA 20.03.14.050.02 Rejected by SCR 112</b>
20-0315-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
20-0316-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
20-0401-2301	24-12	24-7	(7-1-25)	Approved by SCR 113
20-0402-2301	24-12	24-7	(7-1-25)	Approved by SCR 113
20-0702-2401	24-12	24-8	(7-1-25)	Approved by SCR 113
21-0104-2402	25-1	24-6	(7-1-25)	Approved by SCR 113
24-0201-2402	24-11	24-8	(7-1-25)	Approved by SCR 113
24-0301-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-0401-2401	24-12	24-10	(7-1-25)	Approved by SCR 113
24-0801-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
24-0901-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-1901-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-2101-2401	24-12	24-10	(7-1-25)	Approved by SCR 113
24-2201-2401	24-12	24-9	(7-1-25)	Approved by SCR 113
24-2401-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
<b>24-2401-2500L</b>	<b>Final Rule Rejection</b>		<b>Null and Void</b>	<b>Final Rule IDAPA 24.24.01.002 [Section II, Item 3 of document Incorporated by Reference] Rejected by HCR 14</b>
24-2901-2401	24-11	24-8	(7-1-25)	Approved by SCR 113
24-3001-2401	24-12	24-9	(7-1-25)	Approved by SCR 113
24-3201-2401	24-11	24-9	(7-1-25)	Approved by SCR 113
24-3301-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
<b>24-3302-2401</b>	<b>24-10</b>	<b>24-7</b>	<b>(7-1-25)</b>	<b>Partial Rejection by SCR 113: 100.01</b>
24-3303-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-3304-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-3305-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-3306-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-3307-2401	24-10	24-7	(7-1-25)	Approved by SCR 113
24-3501-2401	24-11	24-8	(7-1-25)	Approved by SCR 113
<b>24-3601-2402</b>	<b>24-11</b>	<b>24-8</b>	<b>(7-1-25)</b>	<b>Partial Rejection by SCR 113: 200.14.e.</b>

<b>PENDING RULES AND FINAL RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
Docket Number	Bulletin Vol. No. Pending	Bulletin Vol. No. Proposed	Final Rule Effective Date	Action Taken
<b>24-3601-2500</b>	<b>Final Rule Revocation</b>		<b>Null and Void</b>	<b>Final Rule IDAPA 24.36.01 Revoked by <a href="#">HB 200</a></b>
<b>24-3701-2401</b>	<b>24-11</b>	<b>24-9</b>	<b>(7-1-25)</b>	<b>Partial Rejection by <a href="#">SCR 113</a>: 150.02.a.</b>
<b>24-3910-2402</b>	<b>24-12</b>	<b>24-10</b>	<b>(4-4-25)</b>	<b>Partial Rejection by <a href="#">SCR 113</a>: 100.06</b>
24-3940-2401	25-1	24-11	(7-1-25)	Approved by <a href="#">SCR 113</a>
24-3960-2401	25-1	24-11	(7-1-25)	Approved by <a href="#">SCR 113</a>
24-3980-2401	25-1	24-11	(7-1-25)	Approved by <a href="#">SCR 113</a>
24-3990-2401	24-11	24-8	(7-1-25)	Approved by <a href="#">SCR 113</a>
26-0137-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
31-2101-2401	24-10	24-8	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>31-4101-2401</b>	<b>24-12</b>	<b>24-10</b>	<b>(7-1-25)</b>	<b>Partial Rejection by <a href="#">SCR 113</a>: 205.02</b>
34-0801-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
35-0103-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
35-0103-2402	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
35-0105-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
35-0110-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
37-0301-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
37-0302-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
37-0303-2301	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
37-0309-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
37-0311-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
38-0501-2401	25-1	24-11	(7-1-25)	Approved by <a href="#">SCR 113</a>
39-0203-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
39-0275-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
39-0341-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
39-0360-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
39-0365-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
43-0101-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
47-0101-2401	25-1	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
50-0101-2401	24-12	24-10	(7-1-25)	Approved by <a href="#">SCR 113</a>
52-0103-2401	25-1	24-6	(7-1-25)	Approved by <a href="#">SCR 113</a>

<b>PENDING RULES AND FINAL RULES</b> <b>AFFECTED BY THE 2025 FIRST REGULAR SESSION OF THE SIXTY-EIGHTH LEGISLATURE</b>				
<b>Docket Number</b>	<b>Bulletin Vol. No. Pending</b>	<b>Bulletin Vol. No. Proposed</b>	<b>Final Rule Effective Date</b>	<b>Action Taken</b>
58-0101-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0102-2401	24-12	24-8	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0103-2301	24-12	24-6	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0105-2401	24-12	24-8	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0108-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0110-2301	24-12	24-8	(7-1-25)	Approved by <a href="#">SCR 113</a>
<b>58-0113-2500</b>	<b><i>Final Rules Revocation</i></b>		<b><i>Null and Void</i></b>	<b><i>Final Rules in IDAPA 58.01.13 Revoked by <a href="#">SB 1170</a></i></b>
58-0114-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0122-2401	24-12	24-9	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0123-2401	24-12	24-7	(7-1-25)	Approved by <a href="#">SCR 113</a>
58-0124-2401	24-12	24-8	(7-1-25)	Approved by <a href="#">SCR 113</a>

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this notice, contact Brad Hunt (208) 854-3096.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720  
Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR  
DIVISION OF FINANCIAL MANAGEMENT**

**HISTORY NOTES INDEX OF ADMINISTRATIVE RULES REVIEWED AND APPROVED  
AS FINAL AND EFFECTIVE DURING THE 2025 FIRST REGULAR SESSION  
OF THE SIXTY-EIGHTH LEGISLATURE OF THE STATE OF IDAHO**

The table published herein lists all pending rulemakings that were reviewed during the 2025 legislative session and shows the individual rule sections that were affected by these rulemakings. The table includes the docket number of each affected chapter, the section numbers of the amended rule, the Bulletin publication volume numbers, and the final effective date of the rule.

The table also reflects certain final agency rule chapters affected by recently enacted legislation. It includes a docket number published in the bulletin noticing the legislative document affecting the final agency rule, the rule chapter(s) and section(s) affected by the legislative changes, and the effective date of the change to governing law.

**Effective Dates –**

The effective date for the pending rules reviewed and approved by the 2025 Idaho Legislature is July 1, 2025, (7-1-25), unless otherwise specified in the concurrent resolution approving the rule.

The effective date for agency final rules reviewed and acted on by legislation is July 1, 2025, (7-1-25), unless otherwise stated in an emergency clause section of the enacted legislation.

<b><i>History Notes of Sections Affected – Legislative Session 2025</i></b>				
<b><i>IDAPA Chapter &amp; Docket Number</i></b>	<b><i>Sections Affected</i></b>	<b><i>Bulletin Vol. Proposed Rule</i></b>	<b><i>Bulletin Vol. Pending Rule</i></b>	<b><i>Final Effective Date</i></b>
<b>IDAPA 02 – DEPARTMENT OF AGRICULTURE</b>				
<b><i>02.02.12, Bonded Warehouse Rules</i></b>				
02-0212-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.02.14, Rules for Weights and Measures</i></b>				
02-0214-2401	004, 005 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.03.01, Rules Governing Pesticide Management Plans for Ground Water Protection</i></b>				
02-0301-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.03.03, Rules Governing Pesticide and Chemigation Use and Application</i></b>				
02-0303-2402	000-100, 150, 151, 201, 280-400, 600-650 – Approved by <a href="#">SCR 113</a>	24-7	25-1	(7-1-25)
<b><i>02.04.03, Rules Governing Animal Industry</i></b>				
02-0403-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.04.05, Rules Governing Grade A Milk and Manufacture Grade Milk</i></b>				
02-0405-2401	104 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.04.15, Rules Governing Beef Cattle Animal Feeding Operations</i></b>				
02-0415-2401	001-004, 020, 032, 050, 051 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.04.19, Rules Governing Domestic Cervidae</i></b>				
02-0419-2401	010, 500, 501, 504, 505 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.05.01, Rules Governing Produce Safety</i></b>				
02-0501-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.06.02, Rules Governing Registrations and Licenses</i></b>				
02-0602-2401	104, 404, 504 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.06.09, Rules Governing Invasive Species and Noxious Weeds</i></b>				
02-0609-2402	220 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b><i>02.06.33, Organic Food Products Rules</i></b>				
02-0633-2401	004 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b>IDAPA 02.08 – Sheep and Goat Health Board</b>				
<b><i>02.08.01, Sheep and Goat Rules of the Idaho Sheep and Goat Health Board</i></b>				
02-0801-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)

## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>IDAPA 04 – OFFICE OF THE ATTORNEY GENERAL</b>				
<b>04.12.01, Rules of Administrative Procedure for Consideration of Cooperative Agreements Filed by Health Care Providers</b>				
04-1201-2500	Final Rule Chapter IDAPA 04.12.01 Revoked by <a href="#">HB 91</a>	n/a	n/a	(7-1-25)

<b>IDAPA 08 – STATE BOARD OF EDUCATION</b>				
<b>08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools</b>				
08-0111-2401	100 – Rejected by <a href="#">SCR 113</a>	24-7	25-1	Null and Void
<b>08.01.13, Rules Governing the Opportunity Scholarship Program</b>				
08-0113-2401	101-400 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b>08.02.01, Rules Governing Administration</b>				
08-0201-2401	251 – Approved by <a href="#">SCR 113</a>	24-7	25-1	(7-1-25)
<b>08.02.02, Rules Governing Uniformity</b>				
08-0202-2401	007-016, 021, 042, 100 – Rejected by <a href="#">SCR 113</a>	24-10	25-1	Null and Void
<b>08.02.03, Rules Governing Thoroughness</b>				
08-0203-2401	004-007, 105, 109 – Pending Rule Grade 4 Social Studies and Grade 6-12 U.S. History 1 of the Idaho Content Standards, Incorporated by Reference Under 004.01.g.; and 105.01.d., only, rejected by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b>08.04.01, Rules of the Idaho Digital Learning Academy</b>				
08-0401-2401	102 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)

<b>IDAPA 09 – DEPARTMENT OF LABOR</b>				
<b>09.01.01, Rules of Administrative Procedure of the Department of Labor</b>				
09-0101-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
09-0000-2500	Final Rules in IDAPA 09.01.01 Revoked by <a href="#">HB 54</a> : 026, 027.01, 027.03, 035, 037, 038	n/a	n/a	(7-1-25)
<b>09.01.08, Rules on Disclosure of Employment Security Information</b>				
09-0000-2500	Final Rule Chapter IDAPA 09.01.08 Revoked by <a href="#">HB 54</a>	n/a	n/a	(7-1-25)
<b>09.01.30, Unemployment Insurance Benefits Administration Rules</b>				
09-0130-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
09-0000-2500	Final Rules in IDAPA 09.01.30 Revoked by <a href="#">HB 54</a> : 010.02, 010.03, 010.08, 010.09, 010.10, 100, 150, 175, 275, 325, 350, 375.01, 375.04, 400, 425.05, 425.06, 425.09, 450, 460, 475, 500, 525, 575, 600, 650, 675	n/a	n/a	(7-1-25)



## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>09.01.35, Unemployment Insurance Tax Administration Rules</b>				
09-0135-2401	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 011.07, only, rejected by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
09-0000-2500	Final Rules in IDAPA 09.01.35 Revoked by <a href="#">HB 54</a> : 011.01, 011.02, 011.08, 011.10, 051, 056, 061, 081, 096, 106, 107, 108, 111, 131, 132, 134, 166.01, 186, 221, 231, 241, 256, 262, 263	n/a	n/a	(7-1-25)

### IDAPA 11 – IDAHO STATE POLICE

<b>IDAPA 11.02 – State Brand Board</b>				
<b>11.02.01, Rules of the Idaho State Brand Board</b>				
11-0201-2500	Final Rules in IDAPA 11.02.01 Revoked by <a href="#">SB 1016</a> : 034.01, 100.02, 100.03	n/a	n/a	(7-1-25)
<b>11.03.01, Rules Governing Alcohol Testing</b>				
11-0301-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b>11.05.01, Rules Governing Alcohol Beverage Control</b>				
11-0501-2403	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>11.11.01, Rules of the Idaho Peace Officer Standards and Training Council</b>				
11-1101-2401	055 – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)

### IDAPA 13 – DEPARTMENT OF FISH AND GAME

<b>13.01.02, Rules Governing Mandatory Education, Mentored Hunting, and Shooting Ranges</b>				
13-0102-2401	221 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>13.01.07, Rules Governing Taking of Wildlife</b>				
13-0107-2401	250, 900 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>13.01.11, Rules Governing Fish</b>				
13-0111-2401	011, 200 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)

### IDAPA 15 – OFFICE OF THE GOVERNOR

<b>IDAPA 15.06 – Military Division</b>				
<b>15.06.07, Emergency Medical Services</b>				
15-0607-2500	IDAPA Chapter Redesignation by <a href="#">HB 206</a>	n/a	n/a	(7-1-25)

## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE</b>				
<b>16.01.01, Emergency Medical Services</b>				
16-0101-2401	New Chapter (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
16-0101-2500	IDAPA Chapter Redesignation by <a href="#">HB 206</a>	n/a	n/a	(7-1-25)
<b>16.01.02, Emergency Medical Services (EMS) – Rule Definitions</b>				
16-0102-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.01.03, Emergency Medical Services (EMS) – Agency Licensing Requirements</b>				
16-0103-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.01.05, Emergency Medical Services (EMS) – Education, Instructor, and Examination Requirements</b>				
16-0105-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.01.07, Emergency Medical Services (EMS) – Personnel Licensing Requirements</b>				
16-0107-2401	ZBR Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.01.12, Emergency Medical Services (EMS) – Complaints, Investigations, and Disciplinary Actions</b>				
16-0112-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.02.01, Idaho Time Sensitive Emergency System Council</b>				
16-0201-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.02.02, Idaho Emergency Medical Services (EMS) Physician Commission</b>				
16-0202-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.02.06, Quality Assurance for Clinical Laboratories</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.06 Revoked by <a href="#">HB 198</a>	n/a	n/a	(7-1-25)
<b>16.02.11, Immunization Requirements for Licensed Daycare Facility Attendees</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.11 Revoked by <a href="#">HB 290</a>	n/a	n/a	(7-1-25)
<b>16.02.12, Newborn Screening</b>				
16-0212-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.02.12 Revoked by <a href="#">SB 1014</a>	n/a	n/a	(7-1-25)
<b>16.02.13, State of Idaho Drinking Water Laboratory Certification Program</b>				
16-0213-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.02.13 Revoked by <a href="#">HB 198</a>	n/a	n/a	(7-1-25)
<b>16.02.14, Rules Governing Construction and Operation of Public Swimming Pools in Idaho</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.14 Revoked by <a href="#">HB 202</a>	n/a	n/a	(7-1-25)
<b>16.02.15, Immunization Requirements for Idaho School Children</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.15 Revoked by <a href="#">HB 290</a>	n/a	n/a	(7-1-25)

## *History Notes of Sections Affected – Legislative Session 2025*

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>16.02.23, Indoor Smoking</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.23 Revoked by <a href="#">HB 133</a>	n/a	n/a	(7-1-25)
<b>16.02.24, Clandestine Drug Laboratory Cleanup</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.24 Revoked by <a href="#">HB 198</a>	n/a	n/a	(7-1-25)
<b>16.02.25, State Laboratory Fees</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.02.25 Revoked by <a href="#">HB 198</a>	n/a	n/a	(7-1-25)
<b>16.03.02, Skilled Nursing Facilities</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.02 Revoked by <a href="#">SB 1015</a>	n/a	n/a	(7-1-25)
<b>16.03.03, Child Support Services</b>				
16-0000-2500	Final Rules in IDAPA 16.03.03 Revoked by <a href="#">SB 1051</a> : 302, Appendix A	n/a	n/a	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.03.03 Revoked by <a href="#">HB 336</a>	n/a	n/a	(7-1-25)
<b>16.03.06, Refugee Medical Assistance</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.06 Revoked by <a href="#">HB 199</a>	n/a	n/a	(7-1-25)
<b>16.03.07, Home Health Agencies</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.07 Revoked by <a href="#">SB 1015</a>	n/a	n/a	(7-1-25)
<b>16.03.09, Medicaid Basic Plan Benefits</b>				
16-0309-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.03.09 Revoked by <a href="#">HB 345</a>	n/a	n/a	(7-1-25)
<b>16.03.10, Medicaid Enhanced Plan Benefits</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.10 Revoked by <a href="#">HB 345</a>	n/a	n/a	(7-1-25)
<b>16.03.11, Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/IID)</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.11 Revoked by <a href="#">SB 1015</a>	n/a	n/a	(7-1-25)
<b>16.03.13, Consumer-Directed Services</b>				
16-0313-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.03.14, Hospitals</b>				
16-0314-2401	ZBR Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.03.14 Revoked by <a href="#">SB 1015</a>	n/a	n/a	(7-1-25)
<b>16.03.17, Medicare/Medicaid Coordinated Plan Benefits</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.17 Revoked by <a href="#">HB 345</a>	n/a	n/a	(7-1-25)
<b>16.03.18, Medicaid Cost-Sharing</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.03.18 Revoked by <a href="#">HB 345</a>	n/a	n/a	(7-1-25)

## ***History Notes of Sections Affected – Legislative Session 2025***

<i><b>IDAPA Chapter &amp; Docket Number</b></i>	<i><b>Sections Affected</b></i>	<i><b>Bulletin Vol. Proposed Rule</b></i>	<i><b>Bulletin Vol. Pending Rule</b></i>	<i><b>Final Effective Date</b></i>
<b>16.03.22, Residential Assisted Living Facilities</b>				
16-0000-2500	Final Rules in IDAPA 16.03.22 Revoked by <a href="#">SB 1102</a> : 001.05, 130, 152.03.b., 215, 300, 550, 560	n/a	n/a	(7-1-25)
<b>16.04.07, Fees for State Hospital North and State Hospital South</b>				
16-0407-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.04.18, Children's Agencies and Residential Licensing</b>				
16-0418-2401	300-303, 306, 362-371 – Approved by <a href="#">SCR 113</a>	24-7	24-9	(7-1-25)
<b>16.05.01, Use and Disclosure of Department Records</b>				
16-0501-2401	000, 001, 210 – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.06.01, Child and Family Services</b>				
16-0601-2405	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-12	25-1	(7-1-25)
16-0000-2500	Final Rule in IDAPA 16.06.01 Revoked by <a href="#">HB 245</a> : 010.14	n/a	n/a	(7-1-25)
<b>16.06.02, Foster Care Licensing</b>				
16-0602-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-7	24-9	(7-1-25)
16-0602-2402	Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-9	(7-1-25)
16-0602-2403	102 – Approved by <a href="#">SCR 113</a>	24-9	25-1	(7-1-25)
16-0602-2500	Final Rules in IDAPA 16.06.02 Revoked by <a href="#">SB 1034 aa</a> : 010.12, 010.13, 102.03, 206, 230, 232, 233	n/a	n/a	(3-19-25)
<b>16.06.03, Daycare Licensing</b>				
16-0000-2500	Final Rules in IDAPA 16.06.03 Revoked by <a href="#">HB 312</a> : 010, 011, 100, 101, 122, 124, 300, 301, 330, 350, 421, 440, 441, 442, 443, 444, 450, 451, 452	n/a	n/a	(7-1-25)
16-0000-2500	Final Rules in IDAPA 16.06.03 Revoked by <a href="#">HB 243 aaS</a> : 011.08, 100.06	n/a	n/a	(7-1-25)
<b>16.06.05, Alleged Medical Neglect of Disabled Infants</b>				
16-0605-2401	Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>16.07.01, Behavioral Health Sliding Fee Schedules</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.07.01 Revoked by <a href="#">HB 220</a>	n/a	n/a	(7-1-25)
<b>16.07.17, Substance Use Disorders Services</b>				
16-0717-2401	003-100, 103-104, 200-419 – Approved by <a href="#">SCR 113</a>	24-11	25-1	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.07.17 Revoked by <a href="#">SB 1024</a>	n/a	n/a	(7-1-25)
<b>16.07.19, Peer Support Specialist and Family Support Partner Certification</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.07.19 Revoked by <a href="#">HB 220</a>	n/a	n/a	(7-1-25)
<b>16.07.25, Prevention of Minors' Access to Tobacco or Electronic Smoking Device Products</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.07.25 Revoked by <a href="#">HB 133</a>	n/a	n/a	(7-1-25)

## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>16.07.33, Adult Mental Health Services</b>				
16-0733-2401	003, 009, 010, 101-120 – Approved by <a href="#">SCR 113</a>	24-11	25-1	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.07.33 Revoked by <a href="#">SB 1024</a>	n/a	n/a	(7-1-25)
<b>16.07.37, Children's Mental Health Services</b>				
16-0737-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
16-0000-2500	Final Rule Chapter IDAPA 16.07.37 Revoked by <a href="#">SB 1024</a>	n/a	n/a	(7-1-25)
<b>16.07.39, Designated Examiners and Dispositioners</b>				
16-0000-2500	Final Rule Chapter IDAPA 16.07.39 Revoked by <a href="#">HB 220</a>	n/a	n/a	(7-1-25)

### IDAPA 17 – INDUSTRIAL COMMISSION

<b>17.01.01, Administrative Rules Under the Worker's Compensation Law</b>				
17-0101-2301	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 305.01.a., only, rejected by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
17-0101-2500L	Final Rule Subsection 305.01.a., only, rejected by <a href="#">SCR 109</a>	n/a	n/a	(7-1-25)

### IDAPA 18 – DEPARTMENT OF INSURANCE

<b>18.03.02, Life Settlements</b>				
18-0302-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>18.05.01, Rules for Title Insurance Regulation</b>				
18-0501-2401	ZBR Chapter Rewrite (000-999) – Pending Rule Subsections 010.07, 012.02, 013.02, 013.06, 021.01, 021.04, 021.05, 022, 031.01, 031.02.b., 031.04, and 031.05, only, rejected by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>18.06.06, Surplus Line Rules</b>				
18-0606-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>18.08.01, Adoption of the International Fire Code</b>				
18-0801-2401	017 – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)

### IDAPA 20 – DEPARTMENT OF LANDS

<b>20.03.13, Administration of Cottage Site Leases on State Lands</b>				
20-0313-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)

## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>20.03.14, Rules Governing Grazing, Farming, and Conservation Leases</b>				
20-0314-2401	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 050.02, only, rejected by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
20-0314-2500L	Final Rule Subsection 50.02, only, rejected by <a href="#">SCR 112</a>	n/a	n/a	(7-1-25)
<b>20.03.15, Rules Governing Geothermal Leasing on Idaho State Lands</b>				
20-0315-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands</b>				
20-0316-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>20.04.01, Rules Pertaining to Forest Fire Protection</b>				
20-0401-2301	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-12	(7-1-25)
<b>20.04.02, Rules Pertaining to the Idaho Forestry Act and Fire Hazard Reduction Laws</b>				
20-0402-2301	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-12	(7-1-25)
<b>20.07.02, Rules Governing Conservation of Oil and Natural Gas in the State of Idaho</b>				
20-0702-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-8	24-12	(7-1-25)

## IDAPA 21 – DIVISION OF VETERANS SERVICES

<b>21.01.04, Rules Governing Idaho State Veterans Cemeteries</b>				
21-0104-2402	000, 002-010, 024, 040 – Approved by <a href="#">SCR 113</a>	24-6	25-1	(7-1-25)

## IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

<b>24.02.01, Rules of the State Athletic Commission</b>				
24-0201-2402	ZBR New Chapter (000-999) – Approved by <a href="#">SCR 113</a>	24-8	24-11	(7-1-25)
<b>24.03.01, Rules of the State Board of Chiropractic Physicians</b>				
24-0301-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.04.01, Rules of the Board of Registration for Professional Geologists</b>				
24-0401-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>24.08.01, Rules of the State Board of Morticians</b>				
24-0801-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>24.09.01, Rules of the Board of Examiners of Nursing Home Administrators</b>				
24-0901-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.19.01, Rules of the Board of Examiners of Residential Care Facility Administrators</b>				
24-1901-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)

## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>24.21.01, Rules of the Idaho State Contractors Board</b>				
24-2101-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>24.22.01, Rules of the Idaho State Liquefied Petroleum Gas Safety Board</b>				
24-2201-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>24.24.01, Rules of the Genetic Counselors Licensing Board</b>				
24-2401-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
24-2401-2500L	Final Rule Section 002 [Section II, Item 3 of document Incorporated by Reference], only, rejected by <a href="#">HCR 14</a>	n/a	n/a	(7-1-25)
<b>24.29.01, Rules of Procedure of the Idaho Certified Shorthand Reporters Board</b>				
24-2901-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-8	24-11	(7-1-25)
<b>24.30.01, Idaho Accountancy Rules</b>				
24-3001-2401	002, 104, 400 – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>24.32.01, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors</b>				
24-3201-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>24.33.01, Rules of the Board of Medicine for the Practice of Medicine and Osteopathic Medicine in Idaho</b>				
24-3301-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.33.02, Rules for the Licensure of Physician Assistants</b>				
24-3302-2401	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 100.01, only, rejected by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.33.03, General Provisions of the Board of Medicine</b>				
24-3303-2401	ZBR Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.33.04, Rules for the Licensure of Naturopathic Medical Doctors</b>				
24-3304-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.33.05, Rules for the Licensure of Athletic Trainers to Practice in Idaho</b>				
24-3305-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.33.06, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho</b>				
24-3306-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.33.07, Rules for the Licensure of Dietitians</b>				
24-3307-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-7	24-10	(7-1-25)
<b>24.35.01, Rules of the Outfitters and Guides Licensing Board</b>				
24-3501-2401	002-100, 103, 205, 257, 259 – Approved by <a href="#">SCR 113</a>	24-8	24-11	(7-1-25)



## ***History Notes of Sections Affected – Legislative Session 2025***

<i><b>IDAPA Chapter &amp; Docket Number</b></i>	<i><b>Sections Affected</b></i>	<i><b>Bulletin Vol. Proposed Rule</b></i>	<i><b>Bulletin Vol. Pending Rule</b></i>	<i><b>Final Effective Date</b></i>
<b>24.36.01, Rules of the Idaho State Board of Pharmacy</b>				
24-3601-2402	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 200.14.e., only, rejected by <a href="#">SCR 113</a>	24-8	24-11	(7-1-25)
24-3601-2500	Final Rule Chapter IDAPA 24.36.01 Revoked by <a href="#">HB 200</a>	n/a	n/a	(7-1-25)
<b>24.37.01, Rules of the Idaho Real Estate Commission</b>				
24-3701-2401	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 150.07.a., only, rejected by <a href="#">SCR 113</a>	24-9	24-11	(7-1-25)
<b>24.39.10, Rules of the Idaho Electrical Board</b>				
24-3910-2402	100-200, 600 – Pending Rule Subsection 100.06, only, rejected by <a href="#">SCR 113</a>	24-10	24-12	(4-4-25)
<b>24.39.40, Safety Rules for Elevators, Escalators, and Moving Walks</b>				
24-3940-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-11	25-1	(7-1-25)
<b>24.39.60, Rules Governing Uniform School Building Safety</b>				
24-3960-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-11	25-1	(7-1-25)
<b>24.39.80, Idaho Minimum Safety Standards and Practices for Logging</b>				
24-3980-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-11	25-1	(7-1-25)
<b>24.39.90, Rules Governing the Damage Prevention Board</b>				
24-3990-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-8	24-11	(7-1-25)

### **IDAPA 26 – DEPARTMENT OF PARKS & RECREATION**

<b>26.01.37, Rules Governing Test Procedures and Instruments for Noise Abatement of Off Highway Vehicles</b>				
26-0137-2401	ZBR Chapter Repeal – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)

### **IDAPA 31 – PUBLIC UTILITIES COMMISSION**

<b>31.21.01, Customer Relations Rules for Gas, Electric, and Water Public Utilities (The Utility Customer Relations Rules)</b>				
31-2101-2401	304 – Approved by <a href="#">SCR 113</a>	24-8	24-10	(7-1-25)
<b>31.41.01, Customer Relations Rules for Telephone Corporations Providing Services in Idaho Subject to Customer Service Regulation by the Idaho Public Utilities Commission (The Telephone Customer Relations Rules)</b>				
31-4101-2401	ZBR Chapter Rewrite (000-999) – Pending Rule Subsection 205.02, only, rejected by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)



## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>IDAPA 34 – SECRETARY OF STATE</b>				
<b>34.08.01, Rules Governing Paid Signature Gatherers</b>				
34-0801-2401	New Chapter (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)

<b>IDAPA 35 – STATE TAX COMMISSION</b>				
<b>35.01.03, Property Tax Administrative Rules</b>				
35-0103-2401	617 – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
35-0103-2402	810 – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>35.01.05, Idaho Motor Fuels Tax Administrative Rules</b>				
35-0105-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>35.01.10, Idaho Cigarette and Tobacco Products Taxes Administrative Rules</b>				
35-0110-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)

<b>IDAPA 37 – DEPARTMENT OF WATER RESOURCES</b>				
<b>37.03.01, Adjudication Rules</b>				
37-0301-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>37.03.02, Beneficial Use Examination Rules</b>				
37-0302-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>37.03.03, Rules and Minimum Standards for the Construction and Use of Injection Wells</b>				
37-0303-2301	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>37.03.09, Well Construction Standards Rules</b>				
37-0309-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>37.03.11, Rules for Conjunctive Management of Surface and Ground Water Resources</b>				
37-0311-2401	050 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)

<b>IDAPA 38 – DEPARTMENT OF ADMINISTRATION</b>				
<b>38.05.01, Rules of the Division of Purchasing</b>				
38-0501-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-11	25-1	(7-1-25)

## History Notes of Sections Affected – Legislative Session 2025

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT</b>				
<b>39.02.03, Rules Governing Vehicle Dealer's Principal Place of Business and Claims to the Idaho Consumer Asset Recovery Fund</b>				
39-0203-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>39.02.75, Rules Governing Names on Drivers' Licenses and Identification Cards</b>				
39-0275-2401	001-300 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>39.03.41, Rules Governing Traffic Control Devices</b>				
39-0341-2401	000-005 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>39.03.60, Rules Governing Outdoor Advertising, Accident Memorials, and Other Official Signs</b>				
39-0360-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>39.03.65, Rules Governing Traffic Minute Entries</b>				
39-0365-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>IDAPA 43 – IDAHO OILSEED COMMISSION</b>				
<b>43.01.01, Rules Governing the Idaho Oilseed Commission</b>				
43-0101-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b>IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION</b>				
<b>47.01.01, Rules Governing Vocational Rehabilitation Services</b>				
47-0101-2401	203, 206 – Approved by <a href="#">SCR 113</a>	24-10	25-1	(7-1-25)
<b>IDAPA 50 – COMMISSION OF PARDONS AND PAROLE</b>				
<b>50.01.01, Rules of the Commission of Pardons and Parole</b>				
50-0101-2401	550 – Approved by <a href="#">SCR 113</a>	24-10	24-12	(7-1-25)
<b>IDAPA 52 – IDAHO STATE LOTTERY COMMISSION</b>				
<b>52.01.03, Rules Governing Operations of the Idaho State Lottery</b>				
52-0103-2401	000-100, 202-204 – Approved by <a href="#">SCR 113</a>	24-6	25-1	(7-1-25)
<b>IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY</b>				
<b>58.01.01, Rules for the Control of Air Pollution in Idaho</b>				
58-0101-2401	107, 332, 585, 586, 600 – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)

## *History Notes of Sections Affected – Legislative Session 2025*

<i>IDAPA Chapter &amp; Docket Number</i>	<i>Sections Affected</i>	<i>Bulletin Vol. Proposed Rule</i>	<i>Bulletin Vol. Pending Rule</i>	<i>Final Effective Date</i>
<b>58.01.02, Water Quality Standards</b>				
58-0102-2401	851, 852 – Approved by <a href="#">SCR 113</a>	24-8	24-12	(7-1-25)
<b>58.01.03, Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks</b>				
58-0103-2301	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-6	24-12	(7-1-25)
<b>58.01.05, Rules and Standards for Hazardous Waste</b>				
58-0105-2401	000-002 – Approved by <a href="#">SCR 113</a>	24-8	24-12	(7-1-25)
<b>58.01.08, Idaho Rules for Public Drinking Water Systems</b>				
58-0108-2401	002, 005, 050-150, 351, 510 – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>58.01.10, Rules Regulating the Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954, as Amended</b>				
58-0110-2301	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-8	24-12	(7-1-25)
<b>58.01.13, Rules for Ore Processing by Cyanidation</b>				
58-0113-2500	Final Rules in IDAPA 58.01.13 Revoked by <a href="#">SB 1170</a> : 100.04, 300, 400, 450, 550	n/a	n/a	(3-31-25)
<b>58.01.14, Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services</b>				
58-0114-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>58.01.22, Rules for Administration of Planning Grants for Drinking Water and Wastewater Facilities</b>				
58-0122-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-9	24-12	(7-1-25)
<b>58.01.23, Contested Case Rules and Rules for Protection and Disclosure of Records</b>				
58-0123-2401	000-042, 062, 063, 161-730 – Approved by <a href="#">SCR 113</a>	24-7	24-12	(7-1-25)
<b>58.01.24, Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites</b>				
58-0124-2401	ZBR Chapter Rewrite (000-999) – Approved by <a href="#">SCR 113</a>	24-8	24-12	(7-1-25)

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this notice, contact Brad Hunt (208)854-3096.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208)854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

## IDAPA 02 – DEPARTMENT OF AGRICULTURE

### 02.03.03 – RULES GOVERNING PESTICIDE AND CHEMIGATION USE AND APPLICATION

DOCKET NO. 02-0303-2501

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

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 22-3421, Idaho Code.

**MEETING SCHEDULE:** Negotiated rulemaking meetings will be held as follows:

Thursday, July 17, 2025 1:30 p.m. (MT)	Tuesday, July 29, 2025 9:00 a.m. (MT)
<p>Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712</p> <p>Meetings set for public participation via telephone and web conferencing.</p> <p>(Virtual meeting links will be posted at: <a href="https://townhall.idaho.gov">townhall.idaho.gov</a>)</p>	

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting via telephone and web conferencing. Individuals interested in participating by telephone and web conferencing should visit <https://townhall.idaho.gov> for detailed information.

For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The agency is opening this chapter for negotiated rulemaking for the purposes of possible amendments related to license terms and license categories. Specifically proposals for consideration include offering the option of a five year license term, separating out new license categories for potato cellar and wood preservation licenses, adding a new category for applicators using aerial drones, and lengthening the sunset provisions on commercial apprentices.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Lloyd B. Knight, Deputy Director, at (208)332-8615. Materials

pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: <https://agri.idaho.gov/laws-and-rules/rulemaking/>.

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 August 30, 2025.

DATED this 2nd day of July, 2025.

Lloyd B. Knight  
Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, ID 83707  
Phone: (208) 332-8615  
Email: [lloyd.knight@isda.idaho.gov](mailto:lloyd.knight@isda.idaho.gov)

**IDAPA 02 – DEPARTMENT OF AGRICULTURE**  
**02.06.06 – RULES GOVERNING THE PLANTING OF BEANS**  
**DOCKET NO. 02-0606-2501**

**NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 22-1907, 22-2004, and 22-2006, Idaho Code.

**MEETING SCHEDULE:** Negotiated rulemaking meetings will be held as follows:

<b>Monday, July 21, 2025 10:00 a.m. (MT)</b>	<b>Monday, July 28, 2025 10:00 a.m. (MT)</b>
<p style="text-align:center"><b>Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712</b></p> <p style="text-align:center"><b>Meetings set for public participation via telephone and web conferencing.</b></p> <p style="text-align:center"><b>(Virtual meeting links will be posted at: <a href="https://townhall.idaho.gov">townhall.idaho.gov</a>)</b></p>	

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting via telephone and web conferencing. Individuals interested in participating by telephone and web conferencing should visit <https://townhall.idaho.gov> for detailed information.

For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

Upon 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The bean seed industry and the Idaho Bean Commission have requested that this rule be open for negotiation to discuss changes made to planting restrictions for seed planted for edible beans during previous rulemakings. Specifically, the industry may want to see changes that ensure that seed planted for edible consumption meets the same requirements as seed planted to produce bean seed. The fee structure for field inspections and other services provided by the department at the request of growers and companies will also be a topic of discussion.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Lloyd B. Knight, Deputy Director, at (208)332-8615. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: <https://agri.idaho.gov/laws-and-rules/rulemaking/>.

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 August 30, 2025.

DATED this 2nd day of July, 2025.

Lloyd B. Knight  
Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, ID 83707  
Phone: (208) 332-8615  
Email: [lloyd.knight@isda.idaho.gov](mailto:lloyd.knight@isda.idaho.gov)

## **IDAPA 02 – DEPARTMENT OF AGRICULTURE**

### **02.06.33 – ORGANIC FOOD PRODUCTS RULES**

**DOCKET NO. 02-0633-2501**

#### **NOTICE OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 22-1103, Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<b>Monday, July 21, 2025 1:30 p.m. (MT)</b>
<b>Idaho State Department of Agriculture 2270 Old Penitentiary Road Boise, ID 83712</b>
<b>Meetings set for public participation via telephone and web conferencing.</b>
<b>(Virtual meeting links will be posted at: <a href="https://townhall.idaho.gov">townhall.idaho.gov</a>)</b>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

Those interested in participating in the negotiated rulemaking process are encouraged to attend the scheduled meeting via telephone and web conferencing. Individuals interested in participating by telephone and web conferencing should visit <https://townhall.idaho.gov> for detailed information.

For those who cannot participate by attending the meeting, information for submitting written comments is provided below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

The department is opening this chapter for negotiated rulemaking for the purposes of updating language related to the submission of applications for certification. The recommended change will be to define an application period between November 1 and February 28 of each year, with a late fee for those applications received between March 1 and May 31. These changes will ensure applications are submitted in a period to better match the growing and marketing season for crops, ensuring a more consistent and predictable work flow for applicants as well as agency staff.



**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text, contact Lloyd B. Knight, Deputy Director, at (208)332-8615. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the ISDA website at the following web address: <https://agri.idaho.gov/laws-and-rules/rulemaking/>.

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 August 30, 2025.

DATED this 2nd day of July, 2025.

Lloyd B. Knight  
Deputy Director  
Idaho State Department of Agriculture  
2270 Old Penitentiary Road  
P.O. Box 7249  
Boise, ID 83707  
Phone: (208) 332-8615  
Email: [lloyd.knight@isda.idaho.gov](mailto:lloyd.knight@isda.idaho.gov)

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 04 – OFFICE OF THE ATTORNEY GENERAL**

**04.12.01 – RULES OF ADMINISTRATIVE PROCEDURE FOR CONSIDERATION OF  
COOPERATIVE AGREEMENTS FILED BY HEALTH CARE PROVIDERS**

**DOCKET NO. 04-1201-2500**

**NOTICE OF REVOCATION OF FINAL RULES**

**EFFECTIVE DATE:** The effective date of the legislative action affecting this final rule is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5203(4)(d), and 67-5204(2)(b)-(c), Idaho Code, and House Bill 91, notice is hereby given that the Office of the Administrative Rules Coordinator has taken action to revise Idaho's Administrative Code to remove certain rules that have been repealed by an act of the Idaho Legislature.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed [House Bill 91](#) with wide support and Governor Little signed it on March 14, 2025. This legislation removed the Attorney General's authority to promulgate and administer rules related to Cooperative Agreements filed by Health Care Providers. Accordingly, IDAPA 04.12.01, Rules of Administrative Procedure for Consideration of Cooperative Agreements Filed by Health Care Providers, have been repealed and declared null, void, and of no force and effect as of July 1, 2025.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning the revocation of these final rules, contact Lauren Smyser at (208) 854-3097.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 09 – IDAHO DEPARTMENT OF LABOR**

**DOCKET NO. 09-0000-2500**

**NOTICE OF OMNIBUS RULEMAKING – REVOCATION OF FINAL RULES**

**EFFECTIVE DATE:** The effective date of the legislative action affecting these final rules is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5203(4)(d), and 67-5204(2)(b)-(c), Idaho Code, and House Bill 54, notice is hereby given that the Office of the Administrative Rules Coordinator has taken action to revise Idaho’s Administrative Code to remove certain rules that have been repealed by an act of the Idaho Legislature.

**DESCRIPTIVE SUMMARY:**

The following rule chapters listed numerically are germane to, and affected by, this omnibus action:

- *09.01.01 – Rules of Administrative Procedure of the Department of Labor;*
- *09.01.08 – Rules on Disclosure of Employment Security Information;*
- *09.01.30 – Unemployment Insurance Benefits Administration Rules; and*
- *09.01.35 – Unemployment Insurance Tax Administration Rules.*

The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed [House Bill 54](#) with unanimous support and Governor Little signed it on March 11, 2025. This legislation moved administrative rules relating to (1) the administrative procedure of the Department of Labor, (2) disclosure of employment security information, (3) unemployment insurance benefits administration, and (4) unemployment insurance tax administration into statute. Sections 35, 36, 37, and 38 contained sunset clauses that made [IDAPA 09.01.01](#) (in part), IDAPA 09.01.08 (in whole), [IDAPA 09.01.30](#) (in part), and [IDAPA 09.01.35](#) (in part) null, void, and of no force and effect on and after July 1, 2025.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning the revocation of these final rules, contact Lauren Smyser at (208) 854-3097.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 11 – IDAHO STATE POLICE  
STATE BRAND BOARD**

**11.02.01 – RULES OF THE IDAHO STATE BRAND BOARD**

**DOCKET NO. 11-0201-2500**

**NOTICE OF REVOCATION OF FINAL RULES**

**EFFECTIVE DATE:** The effective date of the legislative action affecting this final rule is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5203(4)(d), and 67-5204(2)(b)-(c), Idaho Code, and Senate Bill 1016, notice is hereby given that the Office of the Administrative Rules Coordinator has taken action to revise Idaho’s Administrative Code to remove certain rules that have been repealed by an act of the Idaho Legislature.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed [Senate Bill 1016](#) and Governor Little signed it on March 24, 2025. This legislation repealed certain administrative rules in [IDAPA 11.02.01](#), “Rules of the Idaho State Brand Board.” Specifically, Section 8 repealed rules contained in Subsections 034.01, 100.02, and 100.03. Therefore, those subsections are null, void, and of no force and effect on and after July 1, 2025.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning the revocation of these final rules, contact Lauren Smyser at (208) 854-3097.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

## IDAPA 11 – IDAHO STATE POLICE

### 11.05.01 – RULES GOVERNING ALCOHOL BEVERAGE CONTROL

DOCKET NO. 11-0501-2501

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

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 23-932, 23-946(b), and 23-1330, Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<b>Wednesday, July 23, 2025</b> <b>10:00 a.m. - 12:00 p.m. MT</b>
<b>Join via Microsoft Teams:</b>  <b><a href="#">Join the meeting now</a></b> <b>Meeting ID: 267 066 610 257 8</b> <b>Passcode: Cg9sC7zo</b> <b>Phone 1 872 215 6990;; 286 114 076#</b> <b>Phone Conference ID 286 114 076#</b>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do any of the following:

1. Attend the negotiated rulemaking meeting, in-person or remotely, and participate in the negotiation process;
2. Provide written or oral recommendations or both, at the negotiated rulemaking meeting; and/or
3. Submit written recommendations and comments to the address below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and the conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

This rulemaking provides greater clarity and lessens some of the regulatory requirements for Idaho businesses.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Captain Rocky Gripton, (208) 884-7062, email: [rocky.gripton@isp.idaho.gov](mailto:rocky.gripton@isp.idaho.gov).

Anyone may submit written comments regarding this negotiated rulemaking. All written comments must be directed to [rocky.gripton@isp.idaho.gov](mailto:rocky.gripton@isp.idaho.gov) and must be delivered on or before July 30, 2025.

DATED this 11th day of June, 2025.

Lt Col. Russ Wheatley, Chief of Staff  
Idaho State Police  
700 S Stratford Drive  
Meridian ID 8362  
(208) 884-7004  
[Russ.wheatley@isp.idaho.gov](mailto:Russ.wheatley@isp.idaho.gov)

**IDAPA 13 – IDAHO FISH AND GAME COMMISSION**  
**ESTABLISHING SEASONS AND LIMITS FOR HUNTING, FISHING, AND TRAPPING IN IDAHO**  
**DOCKET NO. 13-0000-2500P4**  
**NOTICE OF ADOPTED / AMENDED PROCLAMATIONS FOR CALENDAR YEAR 2025**

**AUTHORITY:** As authorized by Section 36-104, Idaho Code, and in compliance with Sections 36-105(3), Idaho Code, the Commission adopts proclamations establishing seasons and limits for hunting, fishing, and trapping in Idaho.

**AVAILABILITY OF OFFICIAL PROCLAMATIONS:** Hunters, anglers, and trappers are advised to consult the text of the Commission's official proclamation before hunting, fishing, or trapping. All proclamations are available on-line at <https://idfg.idaho.gov/rules>, with print versions available at Idaho Department of Fish and Game offices and license vendors.

**DESCRIPTIVE SUMMARY AND PUBLIC MEETING SCHEDULE:** The Commission meeting schedule and meeting agendas are available on-line at <https://idfg.idaho.gov/about/commission/schedule>, with opportunities for public comment generally scheduled at its January, March, May, July, and November meetings.

Information for Commission proclamations for calendar year 2025 was initially published in the Idaho Administrative Bulletin, February 5, 2025, Bulletin [Volume 25-2, pages 10-11](#).

At a June 13, 2025, special meeting the Commission took the following proclamation action:

1. Amended its proclamation for 2025 spring Chinook Salmon fishing, establishing seasons and limits for Chinook Salmon in the South Fork Salmon, Lochsa, and Upper Salmon Rivers.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning the proclamations, contact Owen Moroney at (208) 334-3715.

**IDAPA 15 – OFFICE OF THE GOVERNOR  
IDAHO COMMISSION ON AGING**

**15.01.01 – RULES GOVERNING SENIOR SERVICES AND OLDER AMERICANS ACT PROGRAMS**

**DOCKET NO. 15-0101-2501**

**NOTICE OF INTENT TO PROMULGATE RULES –  
ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section 67-5003, Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<p style="text-align:center"><b>Tuesday, July 8, 2025 10:00 a.m. (MT)</b></p>
<p style="text-align:center"><b>To attend in person: Idaho Commission on Aging 6305 W. Overland Road Suite 110 Boise, Idaho 83709</b></p> <p style="text-align:center"><b>To attend via Microsoft Teams: <a href="#">Join the meeting now</a> Meeting ID: 221 014 251 027 4 Passcode: bs2Nv2jz Dial in by phone <a href="#">+1 208-985-2810,,846995027#</a> United States, Boise Phone conference ID: 846 995 027#</b></p>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must either of the following:

- Those interested in participating in the negotiated rulemaking process are encouraged to attend scheduled meetings in person, via Teams at the link provided, or by conference call.
- Those interested may also submit written comments within the comment period by sending them to the address below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

These rules are being presented for authorization as part of the Idaho Commission on Aging’s plan to review each rule every 5 years under [Executive Order 2020-01, Zero-Based Regulation](#). The Commission seeks to prevent



the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter by collaborating with the public to streamline or simplify language. The Idaho Commission on Aging intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Bettina Briscoe, 208-577-2858. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Commission on Aging website at the following web address: <https://aging.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 scheduled meetings.

DATED this 2nd day of July, 2025.

Judy Taylor, Director  
Idaho Commission on Aging  
6305 Overland Rd., Suite 110  
Boise, ID 83709  
Phone: 208-334-3833  
Email: [ICOA@aging.idaho.gov](mailto:ICOA@aging.idaho.gov)  
Website: <https://aging.idaho.gov/>

**IDAPA 15 – OFFICE OF THE GOVERNOR  
IDAHO COMMISSION ON AGING**

**15.01.03 – RULES GOVERNING THE OMBUDSMAN FOR THE ELDERLY PROGRAM**

**DOCKET NO. 15-0103-2501**

**NOTICE OF INTENT TO PROMULGATE RULES –  
ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-5003, and 67-5009 Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<p style="text-align:center"><b>Tuesday, July 15, 2025 10:00 a.m. (MT)</b></p>
<p style="text-align:center"><b>To attend in person: Idaho Commission on Aging 6305 W. Overland Road Suite 110 Boise, Idaho 83709</b></p> <p style="text-align:center"><b>To attend via Microsoft Teams: <a href="#">Join the meeting now</a> Meeting ID: 224 421 110 609 6 Passcode: TT9bC6mL Dial in by phone <a href="#">+1 208-985-2810,,966203712#</a> United States, Boise Phone conference ID: 966 203 712#</b></p>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must either of the following:

- Those interested in participating in the negotiated rulemaking process are encouraged to attend scheduled meetings in person, via Zoom at the link provided, or by conference call.
- Those interested may also submit written comments within the comment period by sending them to the address below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

These rules are being presented for authorization as part of the Idaho Commission on Aging’s plan to review each rule every 5 years under [Executive Order 2020-01, Zero-Based Regulation](#). The Commission seeks to prevent

the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter by collaborating with the public to streamline or simplify language. The Idaho Commission on Aging intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Bettina Briscoe, 208-577-2858. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Commission on Aging website at the following web address: <https://aging.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 scheduled meetings.

DATED this 2nd day of July, 2025.

Judy Taylor, Director  
Idaho Commission on Aging  
6305 Overland Rd., Suite 110  
Boise, ID 83709  
Phone: 208-334-3833  
Email: [ICOA@aging.idaho.gov](mailto:ICOA@aging.idaho.gov)  
Website: <https://aging.idaho.gov/>

**IDAPA 15 – OFFICE OF THE GOVERNOR  
IDAHO COMMISSION ON AGING**

**15.01.20 – RULES GOVERNING AREA AGENCY ON AGING (AAA) OPERATIONS**

**DOCKET NO. 15-0120-2501**

**NOTICE OF INTENT TO PROMULGATE RULES –  
ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Section(s) 67-5003, Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<b>Tuesday, July 8, 2025 10:00 a.m. (MT)</b>
<b>To attend in person: Idaho Commission on Aging 6305 W. Overland Road Suite 110 Boise, Idaho 83709</b>
<b>To attend via Microsoft Teams: <a href="#">Join the meeting now</a> Meeting ID: 221 014 251 027 4 Passcode: bs2Nv2jz Dial in by phone <a href="#">+1 208-985-2810,,846995027#</a> United States, Boise Phone conference ID: 846 995 027#</b>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do either of the following:

- Those interested in participating in the negotiated rulemaking process are encouraged to attend scheduled meetings in person, via Zoom at the link provided, or by conference call.
- Those interested may also submit written comments within the comment period by sending them to the address below.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

These rules are being presented for authorization as part of the Idaho Commission on Aging's plan to review each rule every 5 years under [Executive Order 2020-01, Zero-Based Regulation](#). The Commission seeks to prevent

the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter by collaborating with the public to streamline or simplify language. The Idaho Commission on Aging intends to carefully consider all changes presented by the public and may propose certain changes so long as they are consistent with the rules' statutory authority and the Governor's Executive Order.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Bettina Briscoe, 208-577-2858. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Commission on Aging website at the following web address: <https://aging.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 scheduled meetings.

DATED this 2nd day of July, 2025.

Judy Taylor, Director  
Idaho Commission on Aging  
6305 Overland Rd., Suite 110  
Boise, ID 83709  
Phone: 208-334-3833  
Email: [ICOA@aging.idaho.gov](mailto:ICOA@aging.idaho.gov)  
Website: <https://aging.idaho.gov/>

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 15 – OFFICE OF THE GOVERNOR  
IDAHO MILITARY DIVISION, EMERGENCY MEDICAL SERVICES PROGRAM**

**15.06.07 – EMERGENCY MEDICAL SERVICES**

**DOCKET NO. 15-0607-2500**

**NOTICE OF RULEMAKING – ASSIGNMENT OF NEW IDAPA DESIGNATION NUMBER**

**EFFECTIVE DATE:** The effective date of this action is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5202(3), and 67-5203, Idaho Code, and House Bill 206, notice is hereby given by the Office of the Administrative Rules Coordinator that the Emergency Medical Services (EMS) Program has been assigned a new IDAPA designation number.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed [House Bill 206](#) and Governor Little signed it on March 18, 2025. This legislation transferred the Emergency Medical Services (EMS) Program from the Idaho Department of Health and Welfare to the Idaho Military Division (Division). As a part of the transfer, House Bill 206 permitted the transfer of the Emergency Medical Services Program's administrative rules that are in effect on July 1, 2025. Such rules will remain in effect as if promulgated by the Division. Further, House Bill 206 granted the Division the authority to amend such rules as necessary in accordance with the Idaho Administrative Procedure Act. Accordingly, the administrative rules contained in IDAPA 16.01.01, "Emergency Medical Services," will be transferred and redesignated as **IDAPA 15, Title 06, Chapter 07**. This transfer and redesignation are administrative, and such actions do nothing to change or otherwise modify the administrative rules or power of the Division.

Notwithstanding the provisions of Title 67, Chapter 52, Idaho Code, the Administrative Rules Coordinator will collaborate with the Division to make non-substantive changes to update all references and citations within the transferred rules to reflect the new IDAPA designation number.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning this notice, please contact the undersigned.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE**

**DOCKET NO. 16-0000-2500**

**NOTICE OF OMNIBUS RULEMAKING – REVOCATION OF FINAL RULES**

**EFFECTIVE DATE:** The effective date of the legislative action affecting these final rules is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5203(4)(d), and 67-5204(2)(b)-(c), Idaho Code, House Bill 133, House Bill 198, House Bill 199, House Bill 202, House Bill 220, House Bill 243, House Bill 245, House Bill 290, House Bill 312, House Bill 336, House Bill 345, Senate Bill 1014, Senate Bill 1015, Senate Bill 1024, Senate Bill 1051, and Senate Bill 1102, notice is hereby given that the Office of the Administrative Rules Coordinator has taken action to revise Idaho’s Administrative Code to remove certain rules that have been repealed by acts of the Idaho Legislature.

**DESCRIPTIVE SUMMARY:**

The following rule chapters listed numerically are germane to, and affected by, this omnibus action:

- 16.02.06 – *Quality Assurance for Clinical Laboratories;*
- 16.02.11 – *Immunization Requirements for Licensed Daycare Facility Attendees;*
- 16.02.12 – *Newborn Screening;*
- 16.02.13 – *Drinking Water Laboratory Certification Program;*
- 16.02.14 – *Construction and Operation of Public Swimming Pools;*
- 16.02.15 – *Immunization Requirements for Idaho School Children;*
- 16.02.23 – *Indoor Smoking;*
- 16.02.24 – *Clandestine Drug Laboratory Cleanup;*
- 16.02.25 – *State Laboratory Fees;*
- 16.03.02 – *Skilled Nursing Facilities;*
- 16.03.03 – *Child Support Services;*
- 16.03.06 – *Refugee Medical Assistance;*
- 16.03.07 – *Home Health Agencies;*
- 16.03.09 – *Medicaid Basic Plan Benefits;*
- 16.03.10 – *Medicaid Enhanced Plan Benefits;*
- 16.03.11 – *Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/IID);*
- 16.03.14 – *Hospitals;*
- 16.03.17 – *Medicare/Medicaid Coordinated Plan Benefits;*
- 16.03.18 – *Medicaid Cost-Sharing;*
- 16.03.22 – *Residential Assisted Living Facilities;*
- 16.06.01 – *Child and Family Services;*
- 16.06.03 – *Daycare Licensing;*
- 16.07.01 – *Behavioral Health Sliding Fee Schedules;*
- 16.07.17 – *Substance Use Disorders Services;*
- 16.07.19 – *Peer Support Specialist and Family Support Partner Certification;*
- 16.07.25 – *Prevention of Minors’ Access to Tobacco or Electronic Smoking Device Products;*
- 16.07.33 – *Adult Mental Health Services;*
- 16.07.37 – *Children’s Mental Health Services; and*
- 16.07.39 – *Designated Examiners and Dispositioners.*

The following is a concise explanatory statement of the reasons for publishing this notice:

- [House Bill 133](#): The Idaho Legislature passed House Bill 133 with broad support and Governor Little signed it on March 13, 2025. This legislation moved administrative rules relating to (1) the Prevention of Minors’ Access to Tobacco or Electronic Smoking Device Products and (2) Indoor Smoking into statute. Sections 13 and 14 contained sunset clauses that made IDAPA 16.07.25 and IDAPA 16.02.23 null, void, and of no force and effect on and after July 1, 2025.

- [House Bill 198](#): The Idaho Legislature passed House Bill 198 with broad support and Governor Little signed it on March 14, 2025. This legislation moved administrative rules relating to (1) Quality Assurance for Clinical Laboratories, (2) State of Idaho Drinking Water Laboratory Certification Program, (3) Clandestine Drug Laboratory Cleanup, and (4) State Laboratory Fees into statute. Sections 15, 16, 17, and 18 contained sunset clauses that made IDAPA 16.02.06, IDAPA 16.02.13, IDAPA 16.02.24, and IDAPA 16.02.25 null, void, and of no force and effect on and after July 1, 2025.
- [House Bill 199](#): The Idaho Legislature passed House Bill 199 with broad support and Governor Little signed it on March 25, 2025. This legislation repealed administrative rules relating to the Refugee Medical Assistance. Section 2 contained a sunset clause that made IDAPA 16.03.06 null, void, and of no force and effect on and after July 1, 2025.
- [House Bill 202](#): The Idaho Legislature passed House Bill 202 with broad support and Governor Little signed it on March 12, 2025. This legislation removed the Director of the Idaho Department's authority to enforce minimum standards of health, safety, and sanitation for all public swimming pools within the state of Idaho. Accordingly, the administrative rules relating to the Construction and Operation of Public Swimming Pools in IDAPA 16.02.14 have been repealed and declared null, void, and of no force and effect as of July 1, 2025.
- [House Bill 220](#): The Idaho Legislature passed House Bill 220 with broad support and Governor Little signed it on March 19, 2025. This legislation: (1) simplified the fee determination for patients and families receiving adult or children's mental health services through the Idaho Department of Health and Welfare and (2) repealed administrative rules related to (a) behavioral health sliding fee schedules, (b) peer support specialist and family support partner certification, and (c) designated examiners and dispositioners. Sections 20, 21, and 22 contained sunset clauses that made IDAPA 16.07.01, IDAPA 16.07.19, and IDAPA 16.07.39 null, void, and of no force and effect on and after July 1, 2025.
- [House Bill 243](#) & [House Bill 312](#): The Idaho Legislature passed House Bill 243 and House Bill 312 with broad support and Governor Little signed them. These bills moved administrative rules relating to daycare licensing into statute. These bills contained sunset clauses that made parts of [IDAPA 16.06.03](#) null, void, and of no force and effect on and after July 1, 2025. Specifically, the following Sections are null, void, and of no force: 010, 011, 100, 101, 122, 124, 300, 301, 330, 350, 421, 440, 441, 442, 443, 444, 450, 451, and 452.
- [House Bill 245](#): The Idaho Legislature passed House Bill 245 and Governor Little signed it on March 21, 2025. This legislation repealed [IDAPA 16.06.01.010.14](#), relating to Child and Family Services. Thus, that subsection is null, void, and of no force and effect as of July 1, 2025.
- [House Bill 290](#): The Idaho Legislature passed House Bill 290 and Governor Little signed it on March 26, 2025. This legislation moved administrative rules relating to (1) immunization requirements for licensed daycare facility attendees and (2) immunization requirements for Idaho school children into statute. Sections 7 and 8 contained sunset clauses that made IDAPA 16.02.11 and IDAPA 16.02.15 null, void, and of no force and effect on and after July 1, 2025.
- [House Bill 336](#) and [Senate Bill 1051](#): The Idaho Legislature passed House Bill 336 and Senate Bill 1051 and Governor Little signed them. These bills moved administrative rules relating to child support services into statute and contained sunset clauses that made IDAPA 16.03.03 null, void, and of no force and effect on and after July 1, 2025.
- [House Bill 345](#): The Idaho Legislature passed House Bill 345 with broad support and Governor Little signed it on March 19, 2025. This legislation repealed rule chapters relating to Medicaid. Specifically, it repealed IDAPA 16.03.17, IDAPA 16.03.18, IDAPA 16.03.09, and IDAPA 16.03.10. Therefore, those rule chapters are null, void, and of no force and effect as of July 1, 2025.
- [Senate Bill 1014](#): The Idaho Legislature passed Senate Bill 1014 with broad support and Governor Little signed it on March 12, 2025. This legislation moved administrative rules relating to newborn screenings into statute. Section 14 contained a sunset clause that made IDAPA 16.02.12 null, void, and of no force and effect on and after July 1, 2025.
- [Senate Bill 1015](#): The Idaho Legislature passed Senate Bill 1015 with broad support and Governor Little signed it on March 19, 2025. This legislation repealed administrative rules relating to (1) skilled nursing facilities, (2) home health agencies, (3) intermediate care facilities for people with intellectual disabilities, and (4) hospitals. Sections 42, 43, 44, and 45 contained sunset clauses that made IDAPA 16.03.02, IDAPA 16.03.07, IDAPA 16.03.11, and IDAPA 16.03.14 null, void, and of no force and effect on and after July 1, 2025.
- [Senate Bill 1024](#): The Idaho Legislature passed Senate Bill 1024 with broad support and Governor Little signed it on March 26, 2025. This legislation moved administrative rules relating to (1) substance use disorders services, (2) adult mental health services, and (3) children's mental health services into statute. Sections 15, 16, and 17 contained sunset clauses that made IDAPA 16.07.17, IDAPA 16.07.33, and IDAPA 16.07.37 null, void, and of no force and effect on and after July 1, 2025.



- [Senate Bill 1102](#): The Idaho Legislature passed Senate Bill 1102 with broad support and Governor Little signed it on March 28, 2025. This legislation repealed administrative rules relating to residential assisted living facilities, and it contained a sunset clause that made parts of [IDAPA 16.03.22](#) null, void, and of no force and effect on and after July 1, 2025. Specifically, the following sections and subsections are null, void, and of no force: 001.05, 130, 152.03.b., 215, 300, 550, and 560.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning the revocation of these final rules, contact Lauren Smyser at (208) 854-3097.

DATED 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**

**IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE  
EMERGENCY MEDICAL SERVICES PROGRAM**

**16.01.01 – EMERGENCY MEDICAL SERVICES**

**DOCKET NO. 16-0101-2500**

**NOTICE OF RULEMAKING – ASSIGNMENT OF NEW IDAPA DESIGNATION NUMBER**

**EFFECTIVE DATE:** The effective date of this action is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5202(3), and 67-5203, Idaho Code, and House Bill 206, notice is hereby given by the Office of the Administrative Rules Coordinator that the Emergency Medical Services (EMS) Program has been assigned a new IDAPA designation number.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed [House Bill 206](#) and Governor Little signed it on March 18, 2025. This legislation transferred the Emergency Medical Services (EMS) Program from the Idaho Department of Health and Welfare to the Idaho Military Division (Division). As a part of the transfer, House Bill 206 permitted the transfer of the Emergency Medical Services Program's administrative rules that are in effect on July 1, 2025. Such rules will remain in effect as if promulgated by the Division. Further, House Bill 206 granted the Division the authority to amend such rules as necessary in accordance with the Idaho Administrative Procedure Act. Accordingly, the administrative rules contained in IDAPA 16.01.01, "Emergency Medical Services," will be transferred and redesignated as **IDAPA 15, Title 06, Chapter 07**. This transfer and redesignation are administrative, and such actions do nothing to change or otherwise modify the administrative rules or power of the Division.

Notwithstanding the provisions of Title 67, Chapter 52, Idaho Code, the Administrative Rules Coordinator will collaborate with the Division to make non-substantive changes to update all references and citations within the transferred rules to reflect the new IDAPA designation number.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning this notice, please contact the undersigned.

DATED this 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

## IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

### 16.03.08 – TEMPORARY ASSISTANCE FOR FAMILIES IN IDAHO (TAFI) PROGRAM

#### DOCKET NO. 16-0308-2501 (ZBR CHAPTER REPEAL)

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 56-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 16th, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

This chapter is proposed to be repealed and replaced with Docket No. 16-0308-2502. Which has been reorganized into manageable sections and subsections, with duplicative and unnecessary language removed and combined with chapters 16.06.13 and 16.04.14. Any guidance already addressed in federal statute, the state plan, or operational procedures was eliminated to prevent redundancies and confusion.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 2nd, 2025 Idaho Administrative Bulletin, [Volume 25-4, pages 21 and 22](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov). Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23rd, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**IDAPA 16.03.08 IS PROPOSED TO BE REPEALED IN ITS ENTIRETY.**

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

### **16.03.08 – FEDERAL WELFARE PROGRAMS**

#### **DOCKET NO. 16-0308-2502 (ZBR NEW CHAPTER)**

#### **NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 56-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearings concerning this rulemaking will be held as follows:

<b>VIRTUAL TELECONFERENCES Via WebEx</b>
<b>Thursday, July 10, 2025 10:30 AM (MT)</b>
<p><b>Join from the meeting link:</b> <a href="https://idhw.webex.com/idhw/j.php?MTID=mdcbb6ce350662eb9c626ac43ee01125b">https://idhw.webex.com/idhw/j.php?MTID=mdcbb6ce350662eb9c626ac43ee01125b</a></p> <p><b>Join by meeting number:</b> <b>Meeting number (access code): 2828 184 2600</b> <b>Meeting password: 8kJ43HfqUug</b> <b>Meeting password when dialing from a phone or video system: 85543437</b></p> <p><b>Join by phone:</b> <b>+1-415-527-5035 United States Toll</b> <b>+1-303-498-7536 United States Toll (Denver)</b></p>
<b>Tuesday, July 15, 2025 3:00 PM (MT)</b>
<p><b>Join from the meeting link:</b> <a href="https://idhw.webex.com/idhw/j.php?MTID=m8ead86ab7df3cadd38fc840c9702f8ca">https://idhw.webex.com/idhw/j.php?MTID=m8ead86ab7df3cadd38fc840c9702f8ca</a></p> <p><b>Join by meeting number:</b> <b>Meeting number (access code): 2824 073 0884</b> <b>Meeting password: Pn3KkJn2P9e</b> <b>Meeting password when dialing from a phone or video system: 76355562</b></p> <p><b>Join by phone:</b> <b>+1-415-527-5035 United States Toll</b> <b>+1-303-498-7536 United States Toll (Denver)</b></p>

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

This chapter replaces what is proposing to be repealed in 16-0308-2501 and reorganizes it into manageable sections and subsections, with duplicative and unnecessary language removed. Any guidance already addressed in federal statute, the state plan, or operational procedures was eliminated to prevent redundancies and confusion.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 2nd, 2025 Idaho Administrative Bulletin, [Volume 25-4, pages 21 and 22](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov). Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23rd, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 16-0308-2502**  
**(ZBR New Chapter)**

**16.03.08 – FEDERAL WELFARE PROGRAMS**

**000. LEGAL AUTHORITY.**

Section 56-202, Idaho Code, the Low-Income Home Energy Assistance Act of 1981, 42 U.S.C Sections 8621 to 8629, and 45 CFR Parts 260 - 265. ( )

**001. SCOPE.**

These rules provide standards for the administration of the Temporary Assistance for Needy Families (TANF) program and the Low-Income Home Energy Assistance Program (LIHEAP). These rules do not apply to the Emergency Assistance for Families in Idaho program. ( )

002. -- 099. (RESERVED)

**TANF PROGRAM**  
**(Sections 100 – 199)**

**100. TANF ELIGIBILITY.**

To be eligible for TANF, individuals must care for a dependent child or be pregnant and meet these requirements: ( )

01. Application. Submit a signed application; ( )

02. Residency. Individuals must reside in Idaho (absence allowed for up to one hundred and eighty (180) days), intend to remain, and not claim residency in another state; ( )

03. Household Unit. Only one (1) TANF cash benefit is allowed in the same month for the household unit; and ( )

04. Other Benefits. Households eligible for TANF may not also receive Aid to the Aged, Blind, and Disabled (AABD) cash or Foster Care payments. ( )

**101. MANDATORY TANF HOUSEHOLD MEMBERS.**

A household must include: ( )

01. Dependent Children. Children under the age of eighteen (18) who reside with a parent or caretaker relative, including siblings and half siblings, living in the same home. ( )

02. Parents. Individuals who have an eligible child living with them. ( )

03. Pregnant Woman. At least in the third trimester before the baby is due and is unable to work due to medical reasons. ( )

04. Spouses. A married spouse living in the home. ( )

05. Caretaker Relative. An adult family member (other than the parent) who is responsible for a dependent child. ( )

**102. INCOME AND RESOURCES.**

01. Income Determination. Eligibility and benefit amounts are based on countable income and resources including those of ineligible household members as determined by the Department. ( )

02. Caretaker Income. When a caretaker relative is applying solely for a relative child, only the child's income is counted. ( )

**103. COOPERATION RESPONSIBILITY.**

The parent, or caretaker relative included in the grant, must cooperate with the Department to identify and locate any non-custodial parent, establish paternity, and establish, modify and enforce the child support order, unless good cause exists. ( )

**104. GOOD CAUSE FOR NOT COOPERATING.**

Good cause for not cooperating with Child Support Services (CSS) are limited to: ( )

01. Rape or Incest. Proof is provided that the child was conceived as a result of rape or incest. ( )

**02. Physical or Emotional Harm.** Proof is provided that the non-custodial parent may inflict physical or emotional harm to the children, the custodial parent, or the caretaker relative. ( )

**03. Minimum Information Cannot be Provided.** Substantial and credible proof is provided indicating the participant cannot provide the minimum information regarding the non-custodial parent. ( )

**105. – 110. (RESERVED)**

**111. SUBSTANCE ABUSE SCREENING AND TESTING NOTICE AT APPLICATION.**  
The Department will provide notice of substance abuse screening and possible testing to each TANF applicant. ( )

**01. Screening Requirement.** The Department conducts substance abuse screening as a condition of receiving TANF cash assistance. ( )

**02. Testing Requirement.** The Department conducts substance abuse testing as a condition for receiving TANF cash assistance, if screening indicates the applicant is engaged in, or at high risk of, substance abuse. ( )

**03. Treatment Requirement.** Participants must enter a substance abuse treatment program and cooperate with treatment, if screening, assessment or testing shows them in need of substance abuse treatment. ( )

**112. INDIVIDUAL RESPONSIBILITY PLAN (IRP).**

**01. Contract.** A personal responsibility contract must be negotiated and signed by the mandatory adult household members as defined in these rules, with all application activities completed before eligibility can be approved. The household must continue to comply with ongoing personal responsibility contract requirements to remain eligible. ( )

**02. Modifications.** If the participant cannot meet an IRP condition, the participant must notify the Department. The IRP may be renegotiated or modified when conditions change. ( )

**113. INTENTIONAL PROGRAM VIOLATIONS (IPV).**  
If an individual commits IPV the Department will take all reasonable steps to recover the overpayment from the responsible individual. ( )

**114. SANCTIONS FOR NON-COMPLIANCE.**

**01. Applicant Voluntary Quit.** An adult household member who quits a 20+ hour/week job within 60 days of application without good cause results in 90 days of ineligibility. ( )

**02. Striking.** If any adult household member is on strike, the entire household is ineligible. ( )

**03. Work Activity Noncompliance.** Failure to meet work activity requirements in the IRC, without good cause, counts as an occurrence. Penalties are based on the number of occurrences as follows: ( )

**a. First Occurrence.** The household is ineligible for one (1) month or until compliance, whichever is longer. ( )

**b. Second Occurrence.** The household is ineligible for three (3) months or until compliance, whichever is longer. ( )

**c. Third Occurrence.** The household permanently is ineligible. ( )

**04. Work Activity Penalties.** Work activity penalties are applied as follows: ( )

**a.** Individual Penalty. Penalties for individuals count towards an individual's total number of sanctions. Any household an individual resides in during the period is subject to the penalty period. ( )

**b.** Child Work Activity Penalty. A fifty-dollar (\$50) penalty per month, per child sixteen (16) years of age or older, will be subtracted from the household grant if they do not meet work activity requirements while living in the household. ( )

**c.** School Attendance Penalty. A fifty dollar (\$50) monthly deduction per child applies if school-age children fail to attend school, unless participating in IRP-approved work activities. ( )

**05.** Paternity. If the grant is reduced by fifty percent (50%) for failure to establish paternity within twelve (12) months, child support penalties apply first before school or work penalties. ( )

**06.** IRP Noncompliance. Failing to meet IRP requirements without good cause will result in applicable penalties. ( )

**115. OVERPAYMENT.**

In the event of an overpayment the participant will be notified of the overpayment including details on the recovery process, hearing rights, repayment methods, and the need to schedule a repayment interview. ( )

**116. – 199. (RESERVED)**

**LIHEAP**  
**(Sections 200 – 299)**

**200. LIHEAP ELIGIBILITY.**

To be eligible for LIHEAP, households must meet the following requirements: ( )

**01.** Application. Submit a signed application or have active Supplemental Nutrition Assistance Program (SNAP) benefits in the current LIHEAP season (October to September); ( )

**02.** Citizenship. Meet citizenship eligibility requirements; ( )

**03.** Income. Meet income eligibility requirements; ( )

**04.** Residency. Reside in Idaho; ( )

**05.** Verifications. Provide requested verifications; ( )

**06.** Benefits. Only one (1) LIHEAP regular assistance benefit and one (1) LIHEAP Crisis benefit per LIHEAP season; ( )

**07.** Responsibility. A household member is responsible for home energy costs and incur the costs either directly or as an undesignated portion of their rent; and ( )

**08.** Federal Income. Households in which one (1) or more individuals are receiving Supplemental Security Income (SSI) under Title XVI of the Social Security Act, SNAP, or means tested Veterans Affairs (VA) benefits are eligible for LIHEAP. ( )

**201. MANDATORY LIHEAP HOUSEHOLD MEMBERS.**

All individuals or groups of individuals who are living together as one economic unit for whom residential energy is customarily purchased in common or who make undesignated payments for energy in the form of rent. ( )

**202. INCOME.**

Gross income is counted for all household members, including income from ineligible household members, as determined by the Department. ( )



**203. OVERPAYMENTS.**

In the event of an overpayment, the participant will be notified of the overpayment, including details on the recovery process, hearing rights, and repayment methods. ( )

**204. RECOUPMENT OF OVERPAYMENT.**

The Department will take all reasonable steps to recover the overpayment from the responsible individual who provided intentionally false or misleading information to obtain program eligibility. ( )

**205. PROVISIONS CONTINGENT UPON FEDERAL FUNDING.**

This program is contingent upon availability and receipt of funds appropriated through federal legislation. When federal funds are not available, these provisions or any part therein are considered dormant; there may be no advance notice of termination or reduction of benefits. If additional funds are available, a supplemental payment may be made at the discretion of the Administrator. ( )

**206. – 999. (RESERVED)**

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**  
**16.04.14 – LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM (LIHEAP)**  
**DOCKET NO. 16-0414-2501 (CHAPTER REPEAL)**  
**NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section 56-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 16th, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

Under [Executive Order 2020-01: Zero-Based Regulation](#), the Department is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter to streamline or simplify this rule language. As such, the chapters of 16.03.08, 16.06.13, and 16.04.14 are consolidated into what is proposed to be entitled IDAPA 16.03.08.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted for 16.03.08 which is being proposed to be consolidated with 16.04.14 and 16.06.13. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking for 16.03.08 was published in the April 2nd, 2025 Idaho Administrative Bulletin, [Volume 25-4, pages 21 and 22](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov). Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23rd, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**IDAPA 16.04.14 IS PROPOSED TO BE REPEALED IN ITS ENTIRETY.**

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

### **16.06.02 – FOSTER CARE LICENSING**

**DOCKET NO. 16-0602-2501**

### **NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The effective date of the temporary rule is July 1st, 2025.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed regular rulemaking procedures have been initiated. The action is authorized pursuant to Sections 39-1211, 39-1213, 56-1003, 56-1004A, and 56-1005(8), Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearings concerning this rulemaking will be held as follows:

<b>VIRTUAL TELECONFERENCES Via WebEx</b>
<b>Wednesday, July 16, 2025 4:00 PM (MT)</b>
<p><b>Join from the meeting link</b> <a href="https://idhw.webex.com/idhw/j.php?MTID=mb2272ba0917e189d2dff63ab211af5a6">https://idhw.webex.com/idhw/j.php?MTID=mb2272ba0917e189d2dff63ab211af5a6</a></p> <p><b>Join by meeting number</b> <b>Meeting number (access code): 2831 291 3655</b> <b>Meeting password: BMw2g3Quin4</b> <b>Meeting password when dialing from a phone or video system: 26924378</b></p> <p><b>Join by phone</b> <b>+1-415-527-5035 United States Toll</b> <b>+1-303-498-7536 United States Toll (Denver)</b></p>
<b>Thursday, July 17, 2025 10:00 AM (MT)</b>
<p><b>Join from the meeting link</b> <a href="https://idhw.webex.com/idhw/j.php?MTID=m4ee995425b29c39ad0bd5110ebde51a3">https://idhw.webex.com/idhw/j.php?MTID=m4ee995425b29c39ad0bd5110ebde51a3</a></p> <p><b>Join by meeting number</b> <b>Meeting number (access code): 2830 341 3870</b> <b>Meeting password: 233Eq2H4WFP</b> <b>Meeting password when dialing from a phone or video system: 23337244</b></p> <p><b>Join by phone</b> <b>+1-415-527-5035 United States Toll</b> <b>+1-303-498-7536 United States Toll (Denver)</b></p>

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

During the 2025 Idaho Legislative Session House Bill 245 was passed and signed into law which increased the maximum age of extended foster care from age 21 to 23 years old. As such, the rule needed to be updated by July 1st to be in congruence with statute. This temporary and proposed rule also addresses the second component of House Bill 245 which called on the Department to make a separate path for licensure for kin. Finally, this rule makes changes to the application process for foster parents which grant the Department the ability to deny an application in the event of the preponderance of evidence and the underlying facts and circumstances indicating that a prior offense has been committed.

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

This temporary and proposed rule is being published to comply with the changes made to foster care in House Bill 245 from the 2025 legislative session which are set to take effect on July 1st, 2025. Furthermore, the changes made to this chapter for kin licensure will allow for a quicker and less burdensome process for kin of foster children to become licensed foster parents.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(2), Idaho Code, negotiated rulemaking was not conducted because this is in direct response to a bill that passed the legislature this year, during which time input was taken from the public in both the House and Senate committees.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23rd, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT  
OF DOCKET NO. 16-0602-2501  
(Only Those Sections With Amendments Are Shown.)**

**16.06.02 – FOSTER CARE LICENSING**

**000. LEGAL AUTHORITY.**

Sections 39-1211, 39-1213, 56-1003, 56-1004A, and 56-1005(8) Idaho Code, ~~authorize the Department and the Board to adopt and enforce rules for licensing foster homes.~~ (7-1-25)(7-1-25)T

**001. – 009. (RESERVED)**

**010. DEFINITIONS.**

~~In addition to those terms used in Title 39, Chapter 12, the following apply:~~ The terms listed in this section apply to this chapter. Terms not defined below are defined in Title 39, Chapter 12, and IDAPA 16.06.01. (7-1-25)(7-1-25)T

**01. Caregiver.** A foster parent with whom a child in foster care has been placed or a designated official for a child care institution in which a child in foster care has been placed. (7-1-25)

**02. Child.** Includes individuals age eighteen (18) to twenty-~~one~~three (24~~3~~) who are ordered into or voluntarily entered Extended Foster Care through the Department. (7-1-25)(7-1-25)T

**03. Department.** The Idaho Department of Health and Welfare or its authorized representatives. (7-1-25)

**04. Foster Home.** Includes both foster homes and relative foster homes as set forth in Idaho Code. (7-1-25)

**05. Foster Parent.** ~~A Licensed~~ person(s) residing in a private home under their direct control ~~to whom a foster care license has been issued.~~ (7-1-25)(7-1-25)T

**06. Household Member.** Any person, other than a foster child, who resides in, or on the property of, a foster home. (7-1-25)

**07. Medical Professionals.** Persons who have received a degree in nursing or medicine and are licensed as a registered nurse, nurse practitioner, physician's assistant, or medical doctor. (7-1-25)

**08. Noncompliance.** Violation of, or inability to meet, the requirements of these rules or terms of licensure. (7-1-25)

**09. Plan of Correction.** The detailed procedures and activities developed between the Department and caregiver required to bring a foster family into conformity with these rules. (7-1-25)

**10. Restraint.** Physical interventions to control the range and motion of a child. (7-1-25)

**11. Supervision.** ~~Is defined as b~~ Being within sight and normal hearing range of ~~the a child or children~~ being cared for. (7-1-25)(7-1-25)T

**011. – 101. (RESERVED)**

**102. DISPOSITION OF APPLICATIONS.**

The Department will expeditiously initiate action on each completed application within one (1) business day after receipt that addresses each requirement for the specific type of home. (7-1-25)

**01. Approval of Application.** The Department will issue a license to any foster home complying with these rules. (7-1-25)

**02. Regular License.** The Department will issue a regular license to any foster home complying with these rules and will specify the terms of licensure, ~~such as:~~ (7-1-25)(7-1-25)T

~~a. The number of children who may receive care at any one (1) time; and (7-1-25)~~

~~b. Age range and sex if there are conditions in the foster home making such limitations necessary; (7-1-25)~~

~~c. The regular license for a foster home is in effect for one (1) year from the date of issuance unless suspended or revoked earlier; (7-1-25)~~

~~d. If the license for a foster home is for a specific child, the name of that child will be shown on the foster home license. (7-1-25)~~

**03. Kin-specific License.** A license for kin to become foster parents through a separate and expedited path. To qualify, applicants must: (7-1-25)T

~~a. Have a relationship with a foster child as described in Idaho law; (7-1-25)T~~

~~b. Receive a background check clearance in accordance with this chapter; and (7-1-25)T~~

~~c. Complete an abbreviated kin caregiver assessment focused solely on determining kin family's ability to meet the child(ren)'s needs and how the Department can support the needs of kin and the child(ren). (7-1-25)T~~

**04. Limited License.** May be issued for the care of a specific child in a home which may not meet the requirements for a license, provided: (7-1-25)

**a.** The child is already in the home and has formed strong emotional ties with the foster parents; and (7-1-25)

**b.** It can be shown that the child's continued placement in the home would be more conducive to their welfare than removal to another home. (7-1-25)

**05. Denial of Application.** If an application is denied, a signed letter will be sent ~~directly~~ to the applicant by registered or certified mail, advising the applicant of the denial and stating the basis for such denial. An applicant whose application has been denied may not reapply until one (1) year after the date ~~on the denial of application~~ of denial. (7-1-25)(7-1-25)T

**06. Failure to Complete Application Process.** ~~Failure to complete the application process within six (6) months from the original date of application will result in vacation of the application. An application will be deemed vacated if the application process is not completed within six (6) months of the original date of application. (7-1-25)(7-1-25)T~~

**07. Facilitating Applications.** (7-1-25)

**a.** The Department may, within its appropriation, cover reasonable expenses to ensure homes meet the requirements of these rules ~~including the home health and safety requirements and sleeping arrangements.~~ (7-1-25)(7-1-25)T

**b.** The Department will establish procedures to fast-track applications from candidates who have a

successful track record of serving as a foster home in other states. (7-1-25)

**08. Reactivating an Idaho License.** If less than twelve (12) months has elapsed from the last licensed foster home visit required by Section 39-1217, Idaho Code, the Department may fast-track reactivating the license if the prior licensee: (7-1-25)

a. Relinquished the license in good standing; and (7-1-25)

b. Attests to maintaining conformity with the standards established by the Department. (7-1-25)

**103. RESTRICTIONS ON APPLICABILITY AND NONTRANSFER.**

~~01. Department Issued License. A license is nontransferable and~~ applies only to the foster home or the person and premises designated. Each license is issued in the individual's name, and to the address specified on the application. A license issued in the name of a foster parent applies to the period and services specified in the license. Any change in address renders the license null and void, ~~and the foster parent must immediately return the license to the Department.~~ (7-1-25)(7-1-25)T

~~02. Nontransferable. A license is nontransferable from one (1) individual to another or from one (1) location to another.~~ (7-1-25)

~~03. Change in Location. When there is a change in foster home location, the foster home parent must reapply for a license.~~ (7-1-25)

**104. (RESERVED)**

**105. REVISIT AND RELICENSE.**

Revisit and relicense studies will document how the foster home continues to meet licensing standards. ~~Consideration must be given to each standard, including a review of the previous study and original application to determine what changes have occurred. A renewal application must be made by the foster home on the Department furnished form and filled out prior to the expiration date of the license in effect. The existing license will, unless officially revoked, remain effective until the Department has acted on the application for renewal. A renewal application must be submitted to the Department prior to the expiration of the existing license. Unless revoked, the existing license will remain effective until the Department has acted on the renewal application.~~ (7-1-25)(7-1-25)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**108. ~~(RESERVED)~~ SUSPENSION OR REVOCATION AND TRANSFER OF CHILDREN**

**01. Suspension.** The Department may summarily suspend a foster care license. (7-1-25)T

**02. Revocation.** The Department may revoke the license of a foster home when the Department determines the home is not in compliance and in the following circumstances: (7-1-25)T

a. Any condition that endangers the health or safety of any child. (7-1-25)T

b. A foster home is not in substantial compliance with these rules. (7-1-25)T

c. A foster home has made little or no progress in correcting deficiencies within thirty (30) days from the date the Department accepted a plan of correction. (7-1-25)T

d. Repeat violation of these rules or Idaho Law. (7-1-25)T

e. Knowingly misrepresented or omitted information on the application or other documents pertinent to obtaining a license. (7-1-25)T

f. Refusal to allow Department representatives full access to the foster home and its grounds, facilities, and records. (7-1-25)T

g. Violating any of the terms of a provisional license. (7-1-25)T

h. The Department concludes that an adult in the foster home fails to live a law-abiding lifestyle and by a preponderance of the evidence determines the adult has committed a prior offense set forth in IDAPA 16.06.02.201.05. (7-1-25)T

i. The Department may revoke a license even when: (7-1-25)T

(1) The adult received an order under Section 20-525A, Idaho Code, or other equivalent law; a withheld judgment; an order under Section 19-2604, Idaho Code, or other equivalent law; or the record has been sealed. (7-1-25)T

(2) Law enforcement did not investigate, charges were never filed, where charges were dismissed, or where a person was acquitted. (7-1-25)T

ii. Before the Department revokes a license pursuant to this subsection, the Department shall notify the licensee of its intent to revoke the license pursuant to law and give the licensee an opportunity to provide pertinent information about the offense, later good conduct, or treatment before the license is revoked. (7-1-25)T

iii. A clearance from the background check unit does not preclude the revocation of a license under this subsection. (7-1-25)T

**~~109. ENFORCEMENT REMEDY OF SUMMARY SUSPENSION AND TRANSFER OF CHILDREN.~~**

~~The Department may summarily suspend a foster home license. Children in a foster home require the program to transfer children when the Department has determined a child's health and safety are in immediate jeopardy.~~

~~(7-1-25)~~

**~~110. ENFORCEMENT REMEDY REVOCATION OF LICENSE AND TRANSFER OF CHILDREN.~~**

~~The Department may revoke the license of a foster home when the Department determines the home is not in compliance with these rules. Revocation and transfer of children may occur under the following circumstances:~~

~~(7-1-25)~~

~~01. Endangers Health or Safety. Any condition that endangers the health or safety of any child.~~

~~(7-1-25)~~

~~02. Not in Substantial Compliance. A foster home is not in substantial compliance with these rules.~~

~~(7-1-25)~~

~~03. No Progress to Meet Plan of Correction. A foster home has made little or no progress in correcting deficiencies within thirty (30) days from the date the Department accepted a plan of correction.~~ (7-1-25)

~~04. Repeat Violations. Repeat violations of these rules or of Title 39, Chapters 11 and 12, Idaho Code.~~

~~(7-1-25)~~

~~05. Misrepresented or Omitted Information. A foster home has knowingly misrepresented or omitted information on the application or other documents pertinent to obtaining a license.~~ (7-1-25)

~~06. Refusal to Allow Access. Refusal to allow Department representatives full access to the foster home and its grounds, facilities, and records.~~ (7-1-25)

~~07. Violation of Terms of Provisional License. A foster home, that has violated any of the terms of a provisional license.~~ (7-1-25)



109. -- 110.      (RESERVED)

**(BREAK IN CONTINUITY OF SECTIONS)**

**201. FOSTER PARENT QUALIFICATIONS AND SUITABILITY.**

An applicant for licensure as a foster parent must meet the following: (7-1-25)

- 01. Age.** Be eighteen (18) years old or older. (7-1-25)
- 02. Communication.** Be able to communicate with the child, the children's agency, and health care and other service providers. (7-1-25)
- 03. Income and Resources.** Have a defined and sufficient source of income and be capable of managing that income to meet the needs of the foster family without relying on the payment made for the care of a foster child. (7-1-25)
- 04. Literacy.** At least one (1) adult caretaker in the home must have functional literacy, ~~such as the ability to read medication labels.~~ (7-1-25)(7-1-25)T

**05. Law-Abiding Lifestyle.** Not have committed a prior offense described in IDAPA 16.05.06.210.01. However, the Department may in its discretion deny a license if the applicant has committed a prior offense described in IDAPA 16.05.06.210.02 or 16.05.06.210.03. The commission of any prior offense is proven by a preponderance of the evidence and by the underlying facts and circumstances. (7-1-25)T

**202. BACKGROUND CHECKS.**

All applicants for a foster care license and other adult members of the household must comply with IDAPA 16.05.06; ~~"Criminal History and Background Checks,"~~ and the following: (7-1-25)(7-1-25)T

- 01. Change in Household Membership.** By the next working day after another adult begins residing in a foster home, a foster parent must notify the children's agency of the change in household membership and assure that the new adult household member will complete a background check within fifteen (15) days of residence in the foster home. (7-1-25)
- 02. Foster Parent's Child Turns Eighteen.** A foster parent's child who turns eighteen (18) and lives continuously in the home is not required to have a background check except as specified in this rule. (7-1-25)
  - a.** After turning eighteen (18) years old, if the foster parent's adult child no longer lives in the foster parent's home and subsequently resumes living in the foster home, they will be considered an adult household member and must complete a background check within fifteen (15) days from the date they became an adult household member. (7-1-25)
  - b.** If the adult child leaves the foster home for the purpose of higher education or military service, and periodically returns to the home for less than ninety (90) days, they are not considered to be an adult household member and are not required to complete a background check. While in the home, they cannot have any unsupervised direct care responsibilities for any foster children in the home. Should they remain in the foster home for more than ninety (90) days, they will immediately be considered an adult household member and must complete a background check within fifteen (15) days from the date they became an adult household member. (7-1-25)
  - c.** If the adult child continues to live in their parent's foster home or on the same property, they must complete a background check within fifteen (15) days of turning twenty-one (21). This requirement is not necessary if the adult child has completed a background check between the ages of eighteen (18) and twenty-one (21). (7-1-25)
- 03. Background Check at Any Time.** The Department retains the authority to require a background check at any time on individuals who are residing in a foster home or on the foster parent's property. (7-1-25)

**04. Emergency Placement of Children.** An emergency occurs when a child enters or experiences an unplanned placement change in foster care. The Department may request that a criminal justice agency perform a Federal Interstate Identification Index name-based criminal history record check of each adult residing in the home. This refers to those limited instances when placing a child in the home of relatives or kin, as a result of a sudden unavailability of the child's parent or caretaker. (7-1-25)

**a.** All adult household members will submit fingerprints to the Department's Background Check Unit within ten (10) calendar days and follow requirements outlined in IDAPA 16.05.06, ~~“Criminal History and Background Checks.”~~ The Department forwards the fingerprints to the State Central Record Repository for submission to the FBI within fifteen (15) calendar days from the date the name search was conducted. The Department's background check unit will positively identify the individual that is being considered to receive the child in an emergency situation as their fingerprints are submitted. (7-1-25)(7-1-25)T

**b.** When placement of a child in a home is denied as a result of the Department review of the name-based criminal history record check of any adult household member, all adults must still comply with Subsection 202.054.a. of this rule and IDAPA 16.05.06, ~~“Criminal History and Background Checks.”~~ (7-1-25)(7-1-25)T

**c.** The child will be removed from the home immediately if any adult household member fails to provide written permission to perform a federal criminal history record check, submit fingerprints, or any adult household member is denied a Department background check clearance. (7-1-25)

**05. Exceptions to Background Checks.** Background checks are optional for certain youth in foster care who reach the age of eighteen (18) but are less than twenty-one (21) years of age and continue to reside in the same licensed foster home. (7-1-25)

**203. INITIAL AND ONGOING EVALUATION.**

An applicant must participate in the process and tasks to complete an initial evaluation for foster care licensure. (7-1-25)

**01. Applicant Participation.** The applicant must do all the following: (7-1-25)

**a.** Cooperate with and allow the children's agency to determine compliance with these rules to conduct an initial foster home study; (7-1-25)

**b.** Inform the children's agency if the applicant is currently licensed or has been previously licensed as a foster parent or the applicant has been involved in the care and supervision of children or adults; (7-1-25)

**c.** All household members must disclose current mental health and/or substance abuse issues. (7-1-25)

**d.** All household members must provide information on their physical and mental health history, including any history of drug or alcohol abuse or treatment. (7-1-25)

**e.** Provide two (2) satisfactory references, one (1) of which may be from a person related to the applicant(s). An applicant will provide additional references upon the request of the children's agency. (7-1-25)

**02. Disclosure of Information and Assurances.** An applicant must provide the children's agency with the following or any additional information the children's agency deems necessary to complete the initial family home study: (7-1-25)

**a.** Names, including maiden or other names used, and ages of the applicant(s); (7-1-25)

**b.** Social Security Number; (7-1-25)

**c.** Education; (7-1-25)

**d.** Verification of marriages and divorces; (7-1-25)

- e. Religious and cultural practices of the applicant including their willingness and ability to accommodate or provide care to a foster child of a different race, religion, or culture; (7-1-25)
  - f. Statement of income and financial resources and the family's management of these resources; (7-1-25)
  - g. Reasons for applying to be a foster parent; (7-1-25)
  - h. Report any prior arrest, investigation, or other official action regarding a sexual offense or impropriety. (7-1-25)
  - i. Provide and abide by the following written assurances: (7-1-25)
    - ~~i. Applicants will not use corporal or degrading punishment. (7-1-25)~~
    - ii. Applicants will not use any illegal substances, abuse alcohol by consuming it in excess amounts, or abuse legal prescription and/or nonprescription drugs by consuming them in excess amounts or using them contrary to as indicated. (7-1-25)
    - iii. Applicants and their guests will not smoke in the foster family home, in any vehicle used to transport the child, or in the presence of the child in foster care. (7-1-25)
    - ~~iv. Applicants will adhere to the Department's reasonable and prudent parent standard. (7-1-25)~~
- 03. Home Study.** The applicant must complete an agency home study, which is a written comprehensive family assessment to include the following elements: (7-1-25)
- a. At least one scheduled on-site visit to assess the home to ensure that it meets the standards set forth in these rules; (7-1-25)
  - b. At least one scheduled in-home interview for each household member to observe family functioning and assess the family's capacity to meet the needs of a child or children in foster care; (7-1-25)
  - c. The Department has discretion on whether to interview or observe each household member based on his or her age and development. (7-1-25)

**(BREAK IN CONTINUITY OF SECTIONS)**

**239. TRANSPORTATION.**

Applicants must ensure that the ~~family~~ child(ren) always has reliable, legal and safe transportation. Reliable transportation includes a properly maintained vehicle or access to reliable public transportation; ~~if a privately owned vehicle owned by the applicant's family or friends is used to transport the child in foster care,~~ legal transportation includes having a valid driving license, insurance and registration; and safe transportation includes safety restraints as appropriate for the child. ~~(7-1-25)~~ (7-1-25)T

**240. – 241. (RESERVED)**

**242. CHILD PLACEMENT REQUIREMENTS.**

A foster family may mutually accept the placement of children into the home within the terms of the foster home license and the children's agency placement agreement. The following provisions will be considered for determining placement: (7-1-25)

- 01. Determining Factors.** The number and the age group of children placed in a foster home will be determined by the following: (7-1-25)

- a. The accessibility, accommodations, and the space in the home; (7-1-25)
- b. The interest of the foster family; and (7-1-25)
- c. The experience, training, or skill of the foster family. (7-1-25)

**02. Maximum Number of Children.** Except as specified, the maximum number of children in care at any time, including the foster family's own children, or daycare children, will be limited to not more than six (6) children. (7-1-25)

**03. Children Under Two Years Old.** Except as specified in Subsection 242.04 of this rule, the maximum number of children under two (2) years old, including those of the foster family, will be limited to two (2) children or less. (7-1-25)

**04. Special Circumstances Regarding Maximum Numbers of Children.** The maximum number of children in care at any time may be ~~based on the children's agency assessment and at a minimum one (1) of the following extended in order:~~ (7-1-25)(7-1-25)T

- a. To allow siblings to remain together; (7-1-25)
- b. To allow a child who has an established, meaningful relationship with the family to remain with the family; (7-1-25)
- c. To allow a family with special training or skills to provide care for a child who has a severe disability; or (7-1-25)
- d. To allow a parenting youth in foster care to remain with the child of the parenting youth. (7-1-25)

**05. Continued Care.** A foster child who reaches the age of eighteen (18) may continue in foster care placement until the age of twenty-~~one~~<sup>three</sup> (2+3) if the safety, health, and well-being of other foster children residing in the home is not jeopardized. (7-1-25)(7-1-25)T

**(BREAK IN CONTINUITY OF SECTIONS)**

**246. BEHAVIOR MANAGEMENT AND DISCIPLINE.**

Methods of behavior management and discipline for children must be positive and consistent. These methods must be based on each child's needs, stage of development, and behavior. ~~Discipline is to promote self-control, self-esteem, and independence.~~ (7-1-25)(7-1-25)T

- 01. Prohibitions.** The following types of punishment of a foster child are prohibited: (7-1-25)
- a. Physical force or any kind of punishment inflicted on the body, including spanking; (7-1-25)
  - b. Cruel and unusual physical exercise or forcing a child to take an uncomfortable position; (7-1-25)
  - c. Use of excessive physical labor with no benefit other than for punishment; (7-1-25)
  - d. Mechanical, medical, or chemical restraint; (7-1-25)
  - e. Locking a child in a room or area of the home; (7-1-25)
  - f. Denying necessary food, clothing, bedding, rest, toilet use, bathing facilities, or entrance to the foster home; (7-1-25)

- g.** Mental or emotional cruelty; (7-1-25)
  - h.** Verbal abuse, ridicule, humiliation, profanity, threats, or other forms of degradation directed at a child or a child's family; (7-1-25)
  - i.** Threats of removal from the foster home; (7-1-25)
  - j.** Denial of visits or communication with a child's family unless authorized by a children's agency in its service plan for the child and family; and (7-1-25)
  - k.** Denial of necessary educational, medical, counseling, or social services. (7-1-25)
- 02. Restraint.** A foster parent who has received specific training in the use of child restraint may use reasonable restraint methods, approved by the children's agency, to prevent a child from harming themselves, other persons or property, or to allow a child to gain control of themselves. (7-1-25)
- 03. Authority.** The authority for the discipline of a foster child must not be delegated by a foster parent to other members of the household. (7-1-25)
- 04. Agency Consultation.** A foster parent must consult with the children's agency prior to using any behavior management or discipline technique that exceeds the scope of these rules. (7-1-25)

**247. MEDICAL AND DENTAL CARE.**

- 01. Health Care Services.** A foster parent must follow and carry out the health or dental care plan for a child as directed by a medical professional. (7-1-25)
- 02. Child Injury and Illness.** Follow the children's agency approved policies for medical care of a child ~~who is injured or ill.~~ (7-1-25)(7-1-25)T
- 03. Dispensing of Medications.** Provide prescription medication strictly as directed by a medical professional. ~~A foster parent must not discontinue or in any way change the medication provided to a child unless directed to do so by a medical professional.~~ (7-1-25)(7-1-25)T

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

### **16.06.03 – DAYCARE LICENSING**

#### **DOCKET NO. 16-0603-2501 (CHAPTER REWRITE)**

#### **NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 39-1107, 39-1111, 56-1003, 56-1004A, 56-1005(8), 56-1007, and 56-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearings concerning this rulemaking will be held as follows:

<b>VIRTUAL TELECONFERENCES Via WebEx</b>
<b>Tuesday, July 15, 2025</b> <b>1:00 PM (MT)</b>
<p><b>Join from the meeting link</b> <a href="https://idhw.webex.com/idhw/j.php?MTID=m6359ed9bafa6a855d48c6efbdde204c9">https://idhw.webex.com/idhw/j.php?MTID=m6359ed9bafa6a855d48c6efbdde204c9</a></p> <p><b>Join by meeting number</b> <b>Meeting number (access code): 2824 295 1479</b> <b>Meeting password: 8BTbtGWMS33</b> <b>Meeting password when dialing from a phone or video system: 82828496</b></p> <p><b>Join by phone</b> <b>+1-415-527-5035 United States Toll</b> <b>+1-303-498-7536 United States Toll (Denver)</b></p>
<b>Tuesday, July 29, 2025</b> <b>3:00 PM (MT)</b>
<p><b>Join from the meeting link</b> <a href="https://idhw.webex.com/idhw/j.php?MTID=m966ad820ca5158be545aa683a2355941">https://idhw.webex.com/idhw/j.php?MTID=m966ad820ca5158be545aa683a2355941</a></p> <p><b>Join by meeting number</b> <b>Meeting number (access code): 2827 449 9066</b> <b>Meeting password: 46Cb7tP5kpm</b> <b>Meeting password when dialing from a phone or video system: 46227875</b></p> <p><b>Join by phone</b> <b>+1-415-527-5035 United States Toll</b> <b>+1-303-498-7536 United States Toll (Denver)</b></p>

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

Under [Executive Order 2020-01: Zero-Based Regulation](#), the Department is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter to streamline or simplify this rule language. As such, the chapters of 16.06.12 and 16.06.03 are consolidated into what is proposed to be entitled IDAPA 16.06.03.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted for 16.06.12 which has been consolidated into the greater chapter of 16.06.03. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking for 16.06.12 was published in the April 2nd, 2025 Idaho Administrative Bulletin, [Volume 25-4, pages 31 and 32](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

The provider manual is intended to include procedural guidance and clarifications that have been removed from formal rule but remain essential for consistent program administration. This includes topics not directly related to eligibility determinations, such as methods for averaging self-employment income, converting income to a monthly amount, and explaining good cause determinations etc. These operational details support accurate and uniform application of policy across the program.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 30th, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 16-0603-2501**  
**(Chapter Rewrite)**

**16.06.03 – DAYCARE LICENSING AND IDAHO CHILD CARE PROGRAM (ICCP)**

**000. LEGAL AUTHORITY.**

Sections 39-1107, 39-1111, 56-1003, 56-1004A, 56-1005(8), ~~and 56-1007, and 56-202~~, Idaho Code, ~~authorize the Department and the Board to adopt and enforce rules for licensing daycare centers, group daycare facilities, and family daycare homes.~~ (7-1-24)( )

**001. INCORPORATION BY REFERENCE.**

**01. Occupational Safety Health Act (OSHA).** A copy of OSHA may be obtained at the Idaho Industrial Commission, 317 Main Street., P.O. Box 83720, Boise, Idaho, 83720-0041 or at <https://www.osha.gov/sites/default/files/publications/OSHA2001.pdf>. (7-1-24)

**02. Crib Safety – Full Size Baby Cribs. Crib Safety.** Consumer Product Safety Commission, Compliance information for full size cribs can be found at <https://www.cpsc.gov/Business--Manufacturing/Business-Education/FAQ?p=3019&tid%5b3028%5d=3028>. (7-1-24)

**03. Crib Safety -- Non-Full-Size Baby Cribs. Crib Safety.** Consumer Product Safety Commission, Compliance information for non-full size cribs can be found at <https://www.cpsc.gov/Business--Manufacturing/Business-Education/FAQ?p=3019&tid%5b3029%5d=3029>. (7-1-24)

**04. Idaho Child Care Program Manual.** The Idaho Child Care Program Manual can be found at: <https://healthandwelfare.idaho.gov/services-programs/children-families-older-adults/idaho-child-care-program>. ( )

**002. DEFINITIONS.**

**01. Earned Income.** Income received by a person as wages, tips, or self-employment income before deductions for taxes or any other purpose. ( )

**02. Foster Care.** The twenty-four (24) hour substitute care of children in the legal custody of the state of Idaho provided in a state licensed foster home by persons who may or may not be related to a child. Foster care is provided in lieu of parental care and is arranged through a private or public agency. ( )

**03. Foster Child.** A child in the legal custody of the state of Idaho placed for twenty-four (24) hour substitute care by a private or public agency. ( )

**04. Fraud.** An intentional deception or misrepresentation made by a person with knowledge that the deception could result in some unauthorized benefit to himself or some other person. ( )

**05. Good Cause.** The conduct of a reasonably prudent person in the same or similar circumstances, unless otherwise defined in these rules. ( )

**06. Incapacitated Parent.** A parent who is determined by a licensed practitioner of the healing arts to be unfit, incapable, or significantly limited in their ability to provide adequate care for their child or ward. ( )

**07. Legal Guardian.** A court-appointed individual who acts as the primary caretaker of a child or minor. ( )

**08. Online Classes.** Schooling completed primarily through online platforms regardless of occasional in-person classes. ( )

**09. Parent.** A person responsible for a child because of birth, adoption, marriage, legal guardianship, foster care; or a person acting in loco parentis. ( )



**10. Plan of Correction.** Procedures and activities developed between the Department and provider to bring a daycare facility into compliance. ( )

**11. Regularly on the Premises.** Twelve (12) hours or more in any one (1) month, or daily during operating hours. ( )

**12. Relative Provider.** Grandparent, great-grandparent, aunt, uncle, or adult sibling by blood or current marriage who provides child care. ( )

**13. Special Needs.** Any child with physical, mental, emotional, behavioral disabilities, or developmental delays identified on an Individual Education Plan (IEP) or an Individualized Family Service Plan (IFSP). ( )

**14. Unearned Income.** Unearned income includes retirement, interest, child support, and any other income received from a source other than employment or self-employment. ( )

**0023. – 008. (RESERVED)**

**009. BACKGROUND CHECK REQUIREMENTS.**

**01. Compliance.** ~~Department enhanced background checks are required for individuals licensed under these rules and must comply with IDAPA 16.05.06, “Criminal History and Background Checks.” Applicants, providers, and individuals subject to criminal history checks must submit evidence of clearance from the Department before they are allowed to provide services or receive licensure, or certification to become an ICCP provider. After receiving a clearance, any new convictions must be reported to the Department once the provider learns of the conviction. A background check may be requested for individuals providing child care at any time.~~ (7-1-24)( )

**02. Background Check Requirements.** ~~Each owner, operator, or applicant seeking licensure for a daycare facility must submit evidence that the following individuals successfully completed and received a clearance for a Department enhanced background check, at least every five (5) years, under Sections 39-1105 and 39-1113, Idaho Code:~~ (7-1-24)

- ~~a. Owners, operators, and staff;~~ (7-1-24)
- ~~b. All other individuals thirteen (13) years old or older who have unsupervised direct contact with children; or~~ (7-1-24)
- ~~c. All other individuals thirteen (13) years old or older who are in the household or regularly on the premises;~~ (7-1-24)

**03. Family Daycare Homes.** ~~Under Section 39-1114, Idaho Code, any person providing daycare for four (4) or more children in a family daycare home is required to comply with Sections 39-1105 and 39-1113, Idaho Code.~~ (7-1-24)

**04. Background Check Frequency.** ~~The Department can require a background check at any time on any individual who is an owner, operator, staff, household member of a daycare facility, and all other individuals who are thirteen (13) years old or older who have unsupervised direct contact with children or who are regularly on the premises.~~ (7-1-24)

**05. Juvenile Justice Records.** ~~The enhanced background check for individuals under eighteen (18) years, must include a check of the juvenile justice records, as authorized by the minor and their parent or guardian. Records must be checked for each jurisdiction in which the individual has resided since becoming thirteen (13) through eighteen (18) years old. Each owner, operator, or applicant is responsible for requesting a check of the juvenile justice record, the associated costs of these records, and submitting them to the Department for review. A check of the juvenile justice records must include the following:~~ (7-1-24)

- ~~a. Juvenile justice records of adjudication of the magistrate division of the district court; (7-1-24)~~
- ~~b. County probation services; and (7-1-24)~~
- ~~c. Department records. (7-1-24)~~

~~06. Cost of Background Check and Juvenile Justice Records. Each individual who requests and obtains a Department background check is responsible for the cost of the background check and check of juvenile justice records. (7-1-24)~~

~~07. Private Schools and Private Kindergartens. Under Section 39-1105, Idaho Code, any person who owns, operates, or is employed by a private school for educational purposes for children four (4) through six (6) years old or a private kindergarten must comply with Sections 39-1105 and 39-1113, Idaho Code. (7-1-24)~~

~~08. Reporting Convictions. Following completion of a background check and clearance, additional criminal convictions, and juvenile justice adjudications for disqualifying crimes under Section 39-1113, Idaho Code, must be self disclosed by the individual to the owner or operator of a daycare facility. The owner or operator must report these additional convictions and adjudications to the Department within five (5) days of learning of the conviction or adjudication. (7-1-24)~~

010. – 120. (RESERVED)

**121. APPLICATION FOR DAYCARE LICENSE OR RENEWAL.**

Any individual applying for licensure as a daycare facility must ~~be at least eighteen (18) years old, apply, and provide information required by the Department under this rule;~~ to include: (7-1-24)(    )

**01. Completed Licensing Application. (7-1-24)**

**02. Licensing Fee.** The ~~applicant~~ nonrefundable fee must ~~pay the appropriate licensing fee~~ be paid prior to the issuance of a daycare license. (7-1-24)(    )

**03. Inspection Reports.** The following ~~reports~~ must be submitted ~~to the Department~~ with the application that prove the facility or proposed facility meets: (7-1-24)(    )

- ~~a. Building code under IDAPA 24.39.30, “Rules of Building Safety (Building Code Rules),” where required; (7-1-24)(    )~~
- ~~b. Electrical code under IDAPA 24.39.10, “Rules of the Idaho Electrical Board,” where required; (7-1-24)(    )~~
- ~~c. Fire code under Section 41-253, Idaho Code, where required; and (7-1-24)~~
- ~~d. Local planning and zoning requirements. All daycare facilities must comply with applicable city and county ordinances. (7-1-24)~~

**04. Proof of Insurance.** The applicant must provide proof of current fire and liability insurance coverage for the daycare facility. (7-1-24)

~~05. Background Clearance. Evidence that the applicant and all individuals required to have a background check have received a clearance from the Department. (7-1-24)~~

~~06. Statement to Comply. As part of the application, the a Applicant must thoroughly read, and review, these rules and agree that they are prepared to comply with all these provisions. Providers must also certify that they will not harm, shake, or abuse children, and that children in their care will not experience ensuring no maltreatment occurs under 45 CFR 98.41. (7-1-24)(    )~~

~~07. Statement Disclosing Revocation or Disciplinary Actions. A written statement that discloses~~

~~disclosing~~ any revocation or other disciplinary action ~~taken or in the process of being taken~~ against the applicant as a daycare provider in any jurisdiction, or a statement ~~from the applicant~~ stating ~~they have never been involved in any such action~~ there has been none. (7-1-24)( )

**087. Other Information as Requested.** The applicant must provide ~~other~~ any additional information ~~that may be~~ requested by the Department for ~~the proper administration and rule~~ enforcement of these rules. (7-1-24)( )

**098. Health and Safety Inspection.** The Department will order a health and safety inspection of the daycare facility once the application for licensure is complete, and the licensing fee has been paid. (7-1-24)( )

**1009. Additional Requirements for License Renewal.** A daycare license must be renewed every two (2) years. ~~The daycare operator must submit to the Department by submitting~~ the renewal application, fee, and ~~all~~ required documentation in this rule documents at least forty-five (45) days ~~prior to the~~ before expiration of the current daycare license. (7-1-24)( )

**140. Relicense.** ~~When a~~ A correctly completed renewal application ~~has been completed correctly,~~ keeps the existing license ~~will,~~ unless ~~officially~~ revoked, ~~remain in force~~ valid until the Department ~~has acted~~ acts on the application for renewal it. (7-1-24)( )

**122. (RESERVED)**

**123. DISPOSITION OF APPLICATIONS.**

The Department will ~~initiate action~~ act on ~~each~~ completed application within thirty (30) days ~~after receipt that addresses each requirement for the specific type of daycare license. Upon receipt of a completed application, the Department will~~ and review the m-materials for compliance with ~~these rules~~ daycare license requirements. (7-1-24)( )

**01. Termination of Application Process.** Failure ~~of the applicant~~ to cooperate with the Department ~~in~~ during the application process may ~~result in the~~ lead to termination ~~of the application process. Failure to cooperate means that the information requested is~~ This includes not ~~provided~~ providing requested information within ninety (90) days, or not ~~provided~~ in the ~~form~~ requested ~~by the Department, or both~~ format. (7-1-24)( )

**02. Denial of Application.** If an application is denied, a signed letter will be sent ~~directly~~ to the applicant by registered or certified mail, ~~advising~~ stating the ~~applicant of the~~ denial and ~~stating~~ the basis ~~for such denial. An~~ The applicant ~~whose application has been denied~~ may not reapply until after one (1) year has elapsed from the date on the denial of application. (7-1-24)( )

**03. Failure to Complete Application Process.** Failure ~~of the applicant~~ to complete the application process within six (6) months ~~of the original date of application~~ will result in a denial ~~of the application~~. (7-1-24)( )

**04. Denial of Licensure.** If the Department determines the applicant is ~~not in compliance with these rules and further~~ non-compliant and determines not to issue a daycare license, ~~the Department it~~ will, ~~within thirty (30) days from the date the completed application is submitted,~~ issue a letter of denial of licensure letter within thirty (30) days of the completed application stating the ~~basis for the denial~~ reason. (7-1-24)( )

**05. Incomplete Application.** The Department ~~is not required to take any action~~ acts on an application ~~until the application~~ only when it is complete. (7-1-24)( )

**06. Notification of License Renewal.** The Department will notify the licensed daycare operator at least ninety (90) days ~~prior to expiration of~~ before the license expires. (7-1-24)( )

**124. – 149. (RESERVED)**

**150. RESTRICTIONS ON APPLICABILITY AND NONTRANSFER.**

**01. Issued License.** A license applies only to the designated daycare facility ~~licensed by the Department, or the person and premises designated. Each license~~ It is issued in the business ~~name~~ or individual name, and only ~~to for~~ the specified address identified on the application ~~of the facility. A The~~ license ~~issued in the name of a daycare facility licensed by the Department applies~~ is valid only ~~to for~~ the period and services ~~specified detailed~~ in the license it. (7-1-24)(    )

**02. Return of License.** The operator must immediately return their license to the Department under any of the following circumstances: (7-1-24)

- a. Changes of management or address; (7-1-24)
- b. Upon suspension or revocation of the license; or (7-1-24)
- c. Upon voluntary discontinuation of service. (7-1-24)

**03. Nontransferable.** A license is nontransferable or assignable ~~from one (1) between~~ individuals, ~~to another, from one (1) business entity entities, or governmental unit to another, or from one (1) locations to another.~~ (7-1-24)(    )

**04. Change in Ownership or Location.** ~~When there is a change in If~~ ownership or location changes, the daycare facility must reapply for a license. ~~A license must be obtained~~ before starting operations. (7-1-24)(    )

**151. – 199. (RESERVED)**

**200. STAFF AND OTHER RECORD REQUIREMENTS.**

~~Each Daycare~~ owners s or operators ~~of a daycare facility~~ must maintain a current list ~~covering the previous twelve month period~~ of all staff and ~~other~~ individuals thirteen (13) years old or older ~~who have with~~ unsupervised direct contact with children, or are regularly on the premises. ~~The record over the past year and~~ must contain the following: (7-1-24)(    )

- 01. Legal Name.** (7-1-24)
- 02. Proof of Age.** (7-1-24)
- 03. Phone Number.** (7-1-24)
- 04. Training Records.** (7-1-24)
- 05. Verification of Background Check Clearance.** (7-1-24)
- 06. Results of Juvenile Justice Records.** (7-1-24)
- 07. Verification of Pediatric Rescue Breathing, Infant-Child CPR, and Pediatric First Aid Certification from a Certified Instructor.** (7-1-24)
- 08. Times, Dates, and Records of Hours on the Premises Each Day.** (7-1-24)

**201. CHILD RECORD REQUIREMENTS.**

~~Each Daycare~~ owners s or operators ~~of a daycare facility~~ must maintain records for each child in attendance ~~covering for the previous twelve-months period. and The record~~ must contain the following: (7-1-24)(    )

- 01. Child's Full Name.** (7-1-24)
- 02. Date of Birth.** (7-1-24)
- 03. Parent or Guardian's Name, Address, and Contact Information.** (7-1-24)

**04. Emergency Contact Information.** (7-1-24)

**05. Child's Health Information.** (7-1-24)

**a.** Immunization record or waiver of exemption form or statement; (7-1-24)

**b.** Any medical conditions or allergies that could affect the care of the child; and (7-1-24)

**c.** Medications the child is taking or may be allergic to. (7-1-24)

**06. Times, Dates, and Record of Attendance Each Day.** Sign-in/out records, electronic or manual, including the signature of a parent or guardian. (7-1-24)

**202. – 359. (RESERVED)**

**360. FIRE SAFETY STANDARDS.**

Each daycare facility must comply with the following. (7-1-24)

**01. Inspections.** Must be completed by the local fire official or designee. For a daycare located outside of the area of authority under Section 39-1109, Idaho Code, the Department can designate an approved inspector for daycare licensing purposes only. (7-1-24)

**02. Daycare Fire Inspection Fees.** Are payable to the local fire department or fire district official. (7-1-24)

**03. Unobstructed Exits.** Required exits must be located in such a way that an unobstructed path outside the building is provided to a public way or area of refuge. (7-1-24)

**a.** Exit doors must open from the inside without the use of a key or any special knowledge or effort. (7-1-24)

**b.** ~~There must be at least two (2) exits, located a distance apart of not less than~~ spaced at least one-half (1/2) the ~~diagonal dimension of the building's or portion used for daycare~~ diagonal dimension, but not to exceed over seventy-five (75) feet ~~apart are required~~. An exception may be made for the following: (7-1-24)( )

**i.** The distance between exits may be extended to ninety (90) feet if the building is totally protected throughout with smoke detectors; or (7-1-24)

**ii.** The distance between exits may be increased to one hundred ten (110) feet if the building is equipped with an automatic fire sprinkler system. (7-1-24)

**c.** ~~The required dimensions of exits must not be less than~~ be at least thirty-two (32) inches ~~of clear exit width wide~~ and ~~not be less than~~ six (6) feet, eight (8) inches ~~in height tall~~. ~~An exception for sliding patio doors will be accepted can serve as a required second exit in a family daycare home and group daycare facility only facilities.~~ (7-1-24)( )

**d.** ~~Each sleeping room exits must be provided with at least one (1)~~ have an emergency egress window ~~having at least a single net clear opening with a minimum clear opening size~~ of five point seven (5.7) square feet, ~~minimum a~~ height ~~of~~ twenty-four (24) inches, ~~minimum a~~ width ~~of~~ twenty (20) inches, and ~~maximum a~~ finished sill height not over forty-four (44) inches. (7-1-24)( )

**i.** Approved egress windows from sleeping areas must be operable from the inside without the use of separate tools. (7-1-24)

**ii.** In lieu of egress windows, an approved exit door is acceptable. (7-1-24)

**iii.** An approved piece of furniture or platform, if anchored in place, may be approved to sit in front of

a window if the sill height is over forty-four (44) inches. (7-1-24)

**e.** Where children are located on a story below the level of exit discharge (basement), there must be at least two (2) exits, one (1) of which must open directly to the outside. More than one (1) exit from the basement opening directly to the outside may be required, depending on the structure of the building, to ensure the safety of the occupants. (7-1-24)

**f.** Where children are located on a story above the level of exit discharge, there must be two (2) exits, one (1) of which must open directly to the outside and comply with building codes. (7-1-24)

**361. FACILITY CAPACITY AND DETERMINING OCCUPANT LOAD.**

Occupant load is determined by the local fire official or designee. (7-1-24)

**01. Area for Daycare Use Only.** The local fire official or designee will only use those areas used for daycare purposes when determining the occupant load. (7-1-24)

**02. Facilities with an Occupancy Load of Fifty or More.** Must meet the requirements in Section 360 of these rules and this rule. (7-1-24)

**a.** Exit doors must swing in the direction of egress. (7-1-24)

**b.** Exit doors from rooms, if provided with a latch, must have panic hardware installed. (7-1-24)

**03. Exit Signs.** Must be installed at required exit doorways and wherever else necessary to clearly indicate the direction of egress. (7-1-24)

**362. FIRE EXTINGUISHERS AND SAFETY REQUIREMENTS.**

Each daycare facility must comply with the following fire extinguisher and safety requirements as applicable for size and type of facility. (7-1-24)

**01. Portable Fire Extinguisher.** There must be an approved portable fire extinguisher (minimum 2A-10BC) mounted securely in a visible location not to exceed five (5) feet from the floor to the top of the extinguisher and not more than seventy five (75) feet travel distance to an extinguisher and maintained properly. (7-1-24)

**02. Kitchen Area.** An approved fire extinguisher must be present, or a hood-type fire suppression system be installed in the kitchen area. (7-1-24)

**03. Fire Extinguishers.** Approved fire extinguishers must be maintained properly. (7-1-24)

**04. Facilities Over Three Thousand Square Feet.** Each daycare facility over three thousand (3,000) square feet is required to have additional fire extinguishers as approved by the local fire official or designee. (7-1-24)

**05. Fire Alarm System.** Each daycare facility with over fifty (50) children, must have an approved fire alarm system installed. (7-1-24)

**06. Smoke Detectors.** Must be installed and maintained in the following locations: (7-1-24)

**a.** On the ceiling, wall outside, or each separate sleeping area in the immediate vicinity of bedrooms; (7-1-24)

**b.** In each room used for sleeping purposes; and (7-1-24)

**c.** In each story within a facility including basements. (7-1-24)

**d.** If there is a basement, there must be a smoke detector installed in the basement having a stairway which opens from the basement into the facility. Such detector must be connected to a sounding device or other detector to provide an alarm that is audible in the sleeping area. (7-1-24)

**07. Automatic Sprinkler Systems.** Must be provided in all daycare facilities greater than twenty thousand (20,000) square feet in area or when the number of children under the age of eighteen (18) months exceeds one hundred (100). (7-1-24)

**363. FIRE SAFETY AND EVACUATION PLANS.**

Each daycare facility must have an approved fire safety and evacuation plan prepared that includes the following: (7-1-24)

**01. Evacuation.** Procedures and policies for accounting for staff and children after an evacuation is completed. (7-1-24)

**02. Evacuation Plan and Assembly Point for Children and Staff.** (7-1-24)

**03. Locations of Facility Exits.** (7-1-24)

**04. Evacuation Routes.** (7-1-24)

**05. Location of Fire Alarms.** (7-1-24)

**06. Location of Fire Extinguishers.** (7-1-24)

**07. Annual Review.** Fire safety and evacuation plans must be reviewed or updated annually and available in the facility for reference and review. (7-1-24)

**08. Fire and Emergency Evacuation Drills.** Must be conducted on a routine schedule at least two (2) times each year and all staff and children must participate. (7-1-24)

**364. – 379. (RESERVED)**

**380. HEALTH STANDARDS.**

Each daycare facility licensed by the Department, must comply with the following. Health inspections must be conducted annually by a qualified inspector designated by the Department and will be unannounced. (7-1-24)

**01. Food.** Must be from an approved source under IDAPA 16.02.19, ~~“Idaho Food Code.”~~ Food must not be served past expiration or “use by” date. (7-1-24)( )

**02. Food Preparation.** Food for use in daycare facilities must be prepared and served in a sanitary manner with sanitized utensils and on surfaces that have been cleaned, rinsed, and sanitized prior to use to prevent cross-contamination. (7-1-24)

**a.** Frozen food must be thawed in the refrigerator, under cold running water, or as part of the cooking process and cooked to proper temperatures under IDAPA 16.02.19, ~~“Idaho Food Code.”~~ (7-1-24)( )

**b.** Individuals preparing food must use proper hand-washing techniques, minimize bare hand contact with food, and wear clean clothes. (7-1-24)

**03. Food Temperatures.** Potentially hazardous foods must be kept refrigerated at forty-one degrees Fahrenheit (41°F) or below, held hot at one hundred thirty-five degrees Fahrenheit (135°F) or more, and reheated or cooled at safe temperatures under IDAPA 16.02.19, ~~“Idaho Food Code.”~~ Refrigerators must be equipped with an accurate thermometer. (7-1-24)( )

**04. Food Storage.** ~~All food that is served in daycare facilities must be stored in such a manner that protects it from potential contamination.~~ There must be no evidence of pests present in the daycare facility. (7-1-24)( )

**05. Food Contact Surfaces.** Must be kept clean and sanitized, including counters, serving tables, high



chair trays, and cutting boards. (7-1-24)

**06. Dishwashing Sanitizing.** Dishes, glasses, utensils, silverware, and all other objects used for food preparation and eating must be sanitized using appropriate sanitizing procedures. (7-1-24)

**07. Utensil Storage.** Clean utensils must be stored on clean shelves or drawers and not subject to recontamination, and sharp knives and other sharp objects be kept out of reach of children. (7-1-24)

**08. Garbage.** Must be kept covered or inaccessible to children. (7-1-24)

**09. Hand Washing.** Children and facility staff must be provided with individual or disposable towels for hand drying, and the hand washing area be equipped with soap and warm and cold running water. (7-1-24)

**10. Diaper Changing.** Must be ~~conducted in such a manner as to prevent the spread of communicable diseases, be~~ separate from food preparation and serving areas, and have easy access to a hand washing sink. (7-1-24)(      )

**11. Sleeping Areas.** Children sleeping at the facility must have separate cots, mats, or beds and blankets. (7-1-24)

**12. Safe Sleep.** Providers must place newborn infants up to twelve (12) months old in a safe sleep environment. Safe sleep practices include alone, on their backs, and in a Consumer Product Safety Commission (CPSC) certified sleep space. (7-1-24)

**13. Restrooms, Water Supply, and Sewage.** All daycare facilities must have restrooms. (7-1-24)

**a.** Each facility must have at least one (1) flushable toilet and one (1) hand washing sink with warm and cold water per restroom. (7-1-24)

**b.** Plumbing and bathroom fixtures must be in good condition. (7-1-24)

**c.** All daycare facilities and homes must comply with ~~IDAPA 24.39.30, "Rules of Building Safety (Building Code Rules)."~~ (7-1-24)(      )

**14. Water Supply.** The facility's water supply must meet one (1) of the following requirements: (7-1-24)

**a.** Be from a public water system that is maintained under ~~IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems,"~~ at the time of initial or renewal application; or (7-1-24)(      )

**b.** Be from a private source, such as well or spring, be tested annually for bacteria and nitrate, and be approved by the Department. (7-1-24)

**c.** Water used for consumption at a daycare facility is from an acceptable source. Temporary use of bottled water or boiled water may be allowed for a period specified by the Department. (7-1-24)

**15. Sewage Disposal.** Facility sewage must be disposed of through a public system, or in the absence of a public system, in a manner approved by the local health authority under ~~IDAPA 58.01.03 "Individual/Subsurface Sewage Disposal Rules."~~ (7-1-24)(      )

**16. Alcohol and Illegal Drugs.** Must not be used by providers, owners, operators, staff, volunteers, children, or visitors at daycare facilities, in the presence of children during hours of operation, or in vehicles while transporting children. (7-1-24)

**a.** Any individual under the influence of alcohol or drugs is not permitted at or in the daycare facility. (7-1-24)



~~b. Illegal drugs are prohibited by law and therefore are not allowed on the premises of any licensed daycare facility at any time.~~ (7-1-24)

17. **Smoke-Free Environment.** Children must be afforded a smoke-free environment during all daycare hours, whether indoors or outdoors. While children are in care, the operator and all staff must ensure that no smoking or other tobacco use occurs within the facility, in outdoor areas, or in vehicles when children are present. (7-1-24)

18. **Transportation.** ~~Provider that transports a child(ren) will possess a valid driver's license, be insured under Idaho Law, and abide by all traffic laws including the requirement that all children are in proper safety restraints while being transported under Section 49-672, Idaho Code, and Section 49-673, Idaho Code.~~ Vehicles used to transport children will be properly maintained and in good working condition. (7-1-24)( )

19. **Disaster and Emergency Planning.** Providers must have documented plans for emergencies resulting from a natural disaster, or human-caused event that include: (7-1-24)

a. Procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, and accommodation of infants and toddlers and children with disabilities or chronic medical conditions. (7-1-24)

b. Procedures for staff and volunteer emergency preparedness training and practice drills. (7-1-24)

c. Guidelines for the continuation of daycare services in the period following the emergency or disaster. (7-1-24)

d. Procedures for the prevention of and response to emergencies due to food and allergic reactions. (7-1-24)

20. **Medication.** No person can administer any medication to a child without it first being authorized by a parent or caretaker. All medications, refrigerated or unrefrigerated, must be in a locked box or otherwise in inaccessible to children. (7-1-24)

21. **Adequate Heat, Light, and Ventilation.** A daycare facility must have adequate heat, light and ventilation. Windows and doors must be screened if used for ventilation. (7-1-24)

22. **Immunizations.** Daycare operators must comply with requirements under IDAPA 16.02.11; ~~"Immunization Requirements for Licensed Daycare Facility Attendees."~~ (7-1-24)( )

### 381. MISCELLANEOUS SAFETY REQUIREMENTS.

Each daycare facility licensed by the Department must comply with the following: (7-1-24)

01. **Telephone.** An operable telephone ~~or cell phone~~ must always be available in the facility with the following conditions: (7-1-24)( )

a. The telephone number used must be made available to parents and guardians. (7-1-24)

b. Emergency phone numbers ~~to include~~ including 911, an adult ~~emergency~~ substitute operator, and the ~~facility~~ address, and phone number ~~of the facility~~ must be posted by the telephone or ~~in a location that is~~ easily and always visible at all times. (7-1-24)( )

02. **Heat-Producing Equipment.** A furnace, fireplace, wood-burning stove, water heater, and other flame or heat-producing equipment must be installed and maintained as recommended by the manufacturer and protected on all surfaces by screens or other means. (7-1-24)

03. **Portable Heating Devices.** Must be limited and approved for use and location by the Fire Inspector prior to use within a facility and will not be used during sleeping hours. (7-1-24)

**04. Storage of Weapons, Firearms, and Ammunition.** Firearms or other weapons stored at a daycare facility must be kept in a locked cabinet, gun safe, or other container that is inaccessible to children, while children are in attendance. Keys to these containers must also be inaccessible to children. (7-1-24)

**a.** Ammunition must be stored in a locked container separate from firearms. (7-1-24)

**b.** Matches, lighters, and any other means of starting fires must be kept away from and out of the reach of children. (7-1-24)

**c.** Other weapons that could cause harm must be stored out of reach of children. (7-1-24)

**05. Animals and Pets.** Any pet or animal present at the facility, indoors or outdoors, must be in good health, show no evidence of carrying disease, and be a friendly companion of the children. The operator must maintain the animal's vaccinations and vaccination records which will be made available to the Department upon request. (7-1-24)

**06. Hazardous Materials.** Cleaning materials, flammable liquids, detergents, aerosol cans, pesticides, and other poisonous and toxic materials must be kept in their original containers and in a place inaccessible to children. They must be used in such a way that will not contaminate play surfaces, food, food preparation areas, or constitute a hazard to the children. Biocontaminants must be disposed of appropriately. (7-1-24)

**382. – 399. (RESERVED)**

**400. BUILDINGS, GROUNDS, FURNISHINGS, AND EQUIPMENT.**

Each daycare facility licensed by the Department must comply with the following: (7-1-24)

**01. Appliances and Electrical Cords.** All appliances, lamp cords, exposed light sockets, and electrical outlets will be protected to prevent electrocution. (7-1-24)

**02. Balconies and Stairways.** Balconies and stairways accessible to children will have substantial railings as required by IDAPA 24.39.30, ~~“Rules of Building Safety (Building Code Rules).”~~ (7-1-24) ( )

**03. Stairway Protection.** Where an operator cares for children less than three (3) years old, stairways will be protected to prevent child access to stairs. (7-1-24)

**04. Hazardous Area Restrictions.** Based on the age and functioning level of children in care and the type of hazard and the area surrounding the hazard, the area will be restricted to prevent easy access to the hazard. (7-1-24)

**05. Fueled Equipment.** Fueled equipment including motorcycles, mopeds, lawncare equipment, and portable cooking equipment. This equipment will not be stored or repaired in areas where children are present. (7-1-24)

**06. Water Hazards.** Above and below ground pools, hot tubs, ponds, and other bodies of water that are on the daycare facility premises must provide the following safeguards: (7-1-24)

**a.** The area surrounding the body of water must be fenced and locked in a manner that prevents access by children and meets the following (7-1-24)

**i.** The fence will be at least four (4) feet high with no vertical opening more than four (4) inches wide and designed so that a young child cannot climb or squeeze under or through the fence. The fence will surround all sides of the pool and have a self-closing gate that has a self-latching mechanism in proper working order that is out of the reach of young children. (7-1-24)

**ii.** If the house forms one (1) side of the barrier for the pool, all doors that provide unrestricted access to the pool will have alarms that produce an audible sound when the door is opened. (7-1-24)

**b.** Furniture or other large objects will not be left near the fence in a manner that would enable a child to climb on the furniture or other large object and gain access to the pool. If the area surrounding a pool, hot tub, pond, or other body of water is not fenced and locked, there will be a secured protective covering that prevents access by a child. (7-1-24)

**c.** Wading pools and buckets will be empty when not in use. (7-1-24)

**d.** Children will be under direct supervision of adult staff who are certified in pediatric CPR and pediatric first aid while using a bathtub, pool, hot tub, pond, or other body of water. (7-1-24)

**e.** A minimum of a four (4) foot high fence that prevents access from the daycare facility premises if the daycare premises are adjacent to a body of water. (7-1-24)

**07. Indoor Play Areas and Toys.** The indoor play areas will be clean, have age-appropriate toys, and be free from accumulation of dirt, rubbish, or other health hazards. (7-1-24)

**08. Outdoor Play Areas and Toys.** Any outdoor play area must be maintained free from hazards such as wells, machinery, and animal waste. (7-1-24)

**a.** If any part of the play area is adjacent to a busy roadway, drainage or irrigation ditch, stream, large holes, or other hazardous areas, the play area will be enclosed with a fence in good repair that is at least four (4) feet high without any holes or spaces greater than four (4) inches in diameter. (7-1-24)

**b.** Outdoor equipment, such as climbing apparatus, slides, and swings will be anchored firmly and placed in a safe location and according to the manufacturer's instructions. (7-1-24)

**c.** Outdoor play areas will be designed so that all parts are always visible and easily supervised by staff. (7-1-24)

**d.** Toys, play equipment, and any other equipment used by the children will be of substantial construction and free from rough edges and sharp corners. Unguarded ladders on slides will be kept in good repair and well-maintained. (7-1-24)

**e.** Toys and objects with a diameter of less than one (1) inch (two point five (2.5) centimeters), objects with removable parts that have a diameter of less than one (1) inch (two point five (2.5) centimeters), plastic bags, styrofoam objects, and balloons will not be accessible to children ages three (3) and under, or children who are known to place such objects in their mouths. (7-1-24)

**401. – 419. (RESERVED)**

**420. CONTINUED COMPLIANCE, REPORTING CHANGES, AND CRITICAL INCIDENTS.**

Each daycare owner or operator must always comply with the fire, safety, and health requirements under these rules and the following: (7-1-24)

**01. Department Access.** The ~~owner, operator, or staff of a daycare facility~~ Department must be allowed ~~ed the Department~~ access to the premises and records for reinspection ~~at any time~~ anytime during the licensing period. (7-1-24)( )

**02. Posting Information.** A daycare must post the Department's contact information and the statewide number to file daycare complaints. (7-1-24)

**03. Reporting Changes.** The ~~owner, operator, or staff of a daycare facility~~ notifies the Department ~~must be notified~~ of any changes ~~that affect the terms of~~ affecting licensure or ~~could affect~~ the health, well-being, or safety of children. (7-1-24)( )

**04. Critical Incidents.** A daycare operator must report ~~any of~~ the following to the Department within twenty-four (24) hours: (7-1-24)( )

- a. Any injury that requires hospitalization of a child. (7-1-24)
- b. Death or near death of a child in care. (7-1-24)
- c. When a child is missing from a daycare facility. (7-1-24)
- d. Any arrests, citations, withheld judgments, or criminal convictions of disqualifying crimes under Section 39-1113, Idaho Code, of an operator or any individual regularly on the premises ~~of the facility and provide with documentation that proving they individual is do not working with children or is are not on the premises present.~~ (7-1-24) ( )

**421. ICCP ELIGIBILITY FOR BENEFITS.**

The following requirements must be met to be considered for ICCP: ( )

**01. Application.** Applicants must complete and sign an application. Verifications are required within thirty (30) days, otherwise a new application is required: ( )

**02. Residency.** Applicants must live within the state of Idaho with no immediate intention of leaving: ( )

**03. Asset Cap.** An applicant's family assets must not exceed one million dollars (\$1,000,000): ( )

**04. Cooperation with Child Support Services.** An applicant must cooperate with establishing paternity and obtaining child support if applicable, unless good cause is granted; and ( )

**05. Eligible Child.** A family may receive child care benefits so long as the child(ren) is: ( )

**a.** A citizen or living lawfully in the United States; and ( )

**b.** Thirteen (13) years old unless the child is physically or mentally unable to self-care and is verified by a licensed mental health professional, or licensed medical professional, or is under court supervision, in which case benefits may continue until the month of the child's nineteenth (19th) birthday. ( )

**422. INCOME LIMITS.**

A family must have income that does not exceed the following published Federal Poverty Guidelines (FPG): ( )

**01. Income at Application.** One hundred thirty percent (130%) of FPG for a family of the same size. ( )

**02. Income During Eligibility Period.** Eighty-five percent (85%) of the State Median Income (SMI) for a family of the same size. ( )

**03. Income at Redetermination.** One hundred forty-five percent (145%) of FPG for a family of the same size. The family may be eligible to receive a graduated phase out of child care assistance. ( )

**423. COUNTABLE INCOME.**

All gross earned and unearned income is counted in determining eligibility and the child care benefit amount, unless specifically excluded under these rules. ( )

**424. EXCLUDED INCOME.**

The following sources of income are not counted: ( )

**01. Earned Income of a Dependent Child.** Income earned by a dependent child under age eighteen (18) is not counted, unless the child is a parent who is seeking or receiving child care benefits. ( )

**02. Income Received for Person Not Residing With the Family.** ( )

03. Educational Funds. Including grants, scholarships, AmeriCorps Education Award, and federal and state work-study income. ( )

04. Assistance. Assistance to meet a specific need from other organizations and agencies. ( )

05. Lump Sum Income. Non-recurring lump sum income is excluded. ( )

06. Loans. Funds received that are to be repaid. ( )

07. TANF and AABD Benefits. ( )

08. Foster Care Payments and Foster Parents' Income. Income of licensed foster parents are excluded when determining eligibility for a foster child. When determining eligibility for the foster parent's child(ren), income is counted. ( )

09. AmeriCorps/VISTA Volunteers. Living allowances, wages and stipends paid under 42 U.C.S. 5044, P.L. 93-113, Title IV, Section 404(g). ( )

10. Income Tax Refunds and Earned Income Tax Credits. ( )

11. Travel Reimbursements. Work-related travel funds from employers. ( )

12. Tribal Income. Income received from a tribe for any purpose other than direct wages. ( )

13. Temporary Census Income. Census Bureau temporary pay related to U.S. Census activities are excluded for up to six (6) months during the regular ten-year U.S. Census. ( )

14. Workforce Investment Act (WIA) Benefits or Workforce Innovation and Opportunity Act (WIOA) Benefits. ( )

425. INCOME DEDUCTIONS.  
Court-ordered child support payments made by a parent receiving child care benefits are deducted from income eligibility, with verification of actual payment and legal obligation. ( )

426. CHANGE REPORTING REQUIREMENTS.  
A family must report the following permanent changes by the tenth of the month following in which the change occurred. The Department will take action the month in which the change was reported. ( )

01. Permanent Address. ( )

02. Qualifying Activity. ( )

03. Household Composition. ( )

04. Income. When the household's total gross income for a family of the same size exceeds any of the following: ( )

a. One hundred and thirty percent (130%) of the Federal Poverty Guidelines (FPG); ( )

b. Eighty-five percent (85%) of the State Median Income (SMI); or ( )

c. The graduated phase-out income limit. ( )

05. Change in Child Care Provider or Child Permanently Stops Attending. ( )

427. REDETERMINATION OF ELIGIBILITY FOR CHILD CARE BENEFITS.

01. **Redetermination.** The Department will redetermine eligibility for child care benefits at least every twelve (12) months. ( )

02. **Graduate Phase Out.** At redetermination, if a household's income exceeds one hundred forty percent (140%) of FPG for a family of the same size, eligible children may receive a graduated phase out benefit that is limited to twelve (12) months following the completion of redetermination. ( )

**428. FAMILY COMPOSITION.**

A family is a group of individuals living in a common residence, whose combined income is considered in determining eligibility and the child care benefit amount. No individual may be considered a member of more than one (1) family in the same month. The following individuals are included in determining the family composition: ( )

01. **Married Parents.** Married parents, includes biological, adoptive, step-parent, guardian, and foster parent. ( )

02. **Unmarried Parents.** Unmarried parents who have a child in common living with them. ( )

03. **Dependents.** Individuals who are dependents of a parent, guardian, or caretaker relative. ( )

04. **Minor Parent.** A minor parent under the age of eighteen (18) and child are considered a separate family when they apply for child care benefits, even if they live with other relatives. ( )

05. **A Legal Guardian.** An individual who is eligible to apply for child care benefits, and the child's natural or adoptive parents are not living in the home. ( )

06. **Citizenship or Alien Status Requirement.** Family members who are not citizens or living lawfully in the United States will not be counted in the family size. Their income will be counted when determining the household's income. ( )

07. **Child Custody.** A child may alternate between parents' homes; but not be a member of both. If not agreed, primary custody determines household for child care benefits, based on where the child stays fifty-one (51%) or more nights. If only one parent applies for benefits, the child may be in their household without primary custody. ( )

**429. INCAPACITATED PARENT.**

An incapacitated parent, in a two (2) parent family, is not required to have any qualifying activities, as long as the other parent is participating in qualifying activities. A single parent family in which the parent is incapacitated is not eligible for ICCP. A parent with a disability does not automatically qualify as an incapacitated parent. ( )

**430. QUALIFYING ACTIVITIES FOR CHILD CARE BENEFITS.**

Each parent included in the household must need child care because they are engaged in one (1) qualifying activities listed below. ( )

01. **Employment.** The parent is currently employed in a job paying wage or salary at federal minimum wage, including work paid by commission or in-kind compensation. ( )

02. **Self-Employment.** The parent is currently self-employed in a business that is a sole proprietorship. Restrictions apply as follows: ( )

a. **Actual activity hours** are used for the first twelve (12) months. ( )

b. At month thirteen (13), activity hours are limited by dividing self-employment income by the federal minimum wage, taking the lesser of the calculated activity hours or actual activity hours. ( )

03. **Training or Education.** The parent is attending an accredited education or training program that

must prepare the trainee for employment. Restrictions apply as follows: ( )

a. On-line classes and post baccalaureate classes cannot be counted. ( )

b. More than forty-eight (48) months of post-secondary education has been used as a qualifying activity. ( )

04. Preventive Services. The parent is receiving preventive services that aim to prevent out-of-home placement by engaging in activities to reduce the need for protective intervention. Verification of continued need will be done every three (3) months. ( )

05. Personal Responsibility Contract (PRC) or Other Negotiated Agreement. The parent is completing Personal Responsibility Contract (PRC) or other self-sufficiency activities negotiated between the Department and the parent. ( )

**431. PROJECTING QUALIFYING ACTIVITY HOURS.**

Activity hours are projected for each month to determine if payment is made on a full-time {thirty-two (32)} hours or more per week) or part-time {sixteen (16) to thirty-on (31)} hours per week) basis. Past activity hours may be used to project future activity hours if the employer and number of hours worked are the same and are expected to remain the same throughout the certification period. Hours for each qualifying activity must be projected individually and converted to a monthly amount. ( )

**432. CESSATION OF QUALIFYING ACTIVITIES.**

An eligible family who ceases its qualifying activity, may continue to receive assistance for up to three (3) months. ( )

**433. IN-HOME CARE.**

Parents must request and obtain approval for in-home child care from the Department and have qualified activities outside their home. Approval is limited to the following circumstances: ( )

01. Availability. Child care is needed during any period when out-of-home care is not available. ( )

02. Residency. The family lives in an area where out-of-home care is not available. ( )

03. Illness or Disability. A child has a verified illness or disability and would place the child or other children in an out-of-home facility at risk. ( )

**434. ALLOWABLE CHILD CARE COSTS.**

Care provided to an eligible child by an eligible child care provider is payable subject to the following conditions: ( )

01. Parent's Qualifying Activities. Child care must be reasonably related to the parent's qualifying activities. ( )

02. One-Time Registration Fees. One-time fees for registering a child in a child care facility are payable above the local market rate, if the fee is charged to all who enroll in the facility with reimbursement capped at one hundred fifty dollars (\$150) and must be usual and customary rates charged to all families. Registration fees are separate from local market rates. ( )

**435. NON-ALLOWABLE CHILD CARE COSTS.**

Care provided to an eligible child is not payable under the following conditions: ( )

01. Family Member or Guardian Providing Child Care. A parent, step-parent, or guardian providing child care to their own child or ward. ( )

02. Provider Living at Same Address as Child. If the provider lives at the same address as the child

who in-home child care is provided to. ( )

**03. School Tuition, Academic Credit, or Tutoring.** ( )

**a.** Any services provided to such students during the regular school day, including kindergarten; ( )

**b.** Any services for which such students receive academic credit toward graduation; or ( )

**c.** Any instructional services which supplant or duplicate the academic program of any public or private school. ( )

**436. AMOUNT OF PAYMENT.**

Child care payments will be based on the following: ( )

**01. Payment Rate.** Payment will be based on the provider's usual and customary rates or the Local Market Rate (LMR), whichever is lower. ( )

**a.** Local market rates are the maximum monthly amounts ICCP pays for specific child care types in designated regions determined by the Department through surveys every three years. The survey will use the age of child, the type of child care, and the designated area where the provider does business. ( )

**b.** Payment rates will be determined by the location of the child care facility. ( )

**c.** If the child care facility is not in Idaho, the local market rate will be the rate where the family live. ( )

**02. Usual and Customary Rates.** Rates charged by the child care provider must not exceed the usual and customary rates charged for child care to persons not entitled to receive benefits under ICCP. ( )

**03. In-Home Care.** Parents are responsible to pay persons providing care in the child's home the minimum wage, as required by the Fair Labor Standards Act (29 U.S.C. 206a) and other applicable state and federal requirements. ( )

**04. Payments.** Payments will be issued directly to eligible providers. ( )

**437. COPAYMENTS.**

Eligible families, except TANF families participating in non-employment TANF activities and guardians of foster children, must pay part of their child care costs. ( )

**01. Provider Responsibility.** Providers are responsible for ensuring families pay the determined child care costs and must not waive these costs. ( )

**02. Family Payment.** Family income and activity for the month of the child care will determine the family costs. The Department's payment equals the lower of allowable local market rate or billed costs, minus the co-payment. ( )

**438. STUDENT CO-PAYMENT REQUIREMENTS.**

**01. Post-Secondary Student.** ( )

**a.** A student working less than ten (10) hours per week will be required to pay a co-payment. ( )

**b.** A student working ten (10) hours or more per week will have a co-payment based on family income. ( )

**02. High School Student.** A student who is in high school, or who is taking GED courses will have a



co-payment based on family income. ( )

**439. INTERIM CHILD CARE PAYMENT.**

If child care arrangements would otherwise be lost, child care may be paid when a child temporarily stops attending child care for no longer than (1) calendar month and plans to return. ( )

**440. FUNDING RESTRICTIONS.**

If a funding shortfall is projected, the Department may take action to ensure that ICCP operates within its appropriation. ( )

**441. REFUSAL TO ENTER INTO AN AGREEMENT.**

The Department may refuse to enter into a provider agreement for the following reasons: ( )

**01. Convicted of a Felony.** The provider has been convicted of a felony or is under investigation for the commission of a felony. ( )

**02. Committed an Offense or Act Not in Best Interest of Child Care Participants.** The provider has committed an offense or act which the Department determines is inconsistent with the best interests of ICCP participants. ( )

**03. Failed to Repay.** The provider has failed to repay the Department monies which had been previously determined to have been owed to the Department. ( )

**04. Investigation Pending.** The provider has a pending investigation for program fraud or abuse. ( )

**05. Terminated Provider Agreement.** The provider was the managing employee, officer, owner, or spouse, partner, or relative of an owner of an entity, whose provider agreement was terminated under Section 750 of these rules. ( )

**06. Excluded Individuals.** The provider has a current exclusion from participation in federal programs by the Office of Inspector General List of Excluded Individuals and Entities. ( )

**442. PROVIDER NOTIFICATION.**

When the Department determines actions defined in these rules are appropriate, it will send written notice of the decision to the provider or person. The notice will state the basis for the action, the length of the action, the effect of the action on that person's ability to provide services under state and federal programs, and the person's appeal rights. ( )

~~421~~**43.** – 999. (RESERVED)

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

### **16.06.12 – IDAHO CHILD CARE PROGRAM (ICCP)**

#### **DOCKET NO. 16-0612-2501 (ZBR CHAPTER REPEAL)**

#### **NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 56-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 16th, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

Under [Executive Order 2020-01: Zero-Based Regulation](#), the Department is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter to streamline or simplify this rule language. As such, the chapters of 16.06.12 and 16.06.03 are consolidated into what is proposed to be entitled IDAPA 16.06.03.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted for 16.06.12 which has been proposed to be consolidated into the greater chapter of 16.06.03. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking for 16.06.12 was published in the April 2nd, 2025 Idaho Administrative Bulletin, [Volume 25-4, pages 31 and 32](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov). Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23rd, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**IDAPA 16.06.12 IS PROPOSED TO BE REPEALED IN ITS ENTIRETY.**

**IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE**  
**16.06.13 – EMERGENCY ASSISTANCE FOR FAMILIES AND CHILDREN**  
**DOCKET NO. 16-0613-2501 (CHAPTER REPEAL)**  
**NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Section(s) 56-202, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 16th, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

Under [Executive Order 2020-01: Zero-Based Regulation](#), the Department is striving to prevent the accumulation of costly, ineffective, and outdated regulations and reduce regulatory burden to achieve a more efficient operation of government. The rule changes are intended to perform a comprehensive review of this chapter to streamline or simplify this rule language. As such, the chapters of 16.03.08, 16.06.13, and 16.04.14 are consolidated into what is proposed to be entitled IDAPA 16.03.08.

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

Fees will not be increased as a result of this rulemaking.

**FISCAL IMPACT:** The following is 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 as a result of this rulemaking:

There is not anticipated to be a negative fiscal impact exceeding \$10,000.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted for 16.03.08 which is being proposed to be consolidated with 16.04.14 and 16.06.13. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking for 16.03.08 was published in the April 2nd, 2025 Idaho Administrative Bulletin, [Volume 25-4, pages 21 and 22](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: N/A.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Jared Larsen at [DHWRules@dhw.idaho.gov](mailto:DHWRules@dhw.idaho.gov). Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23rd, 2025.

DATED this 28th day of May, 2025.

Jared Larsen  
Chief, Legislative and Regulatory Affairs  
Idaho Department of Health & Welfare  
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)

**IDAPA 16.06.13 IS PROPOSED TO BE REPEALED IN ITS ENTIRETY.**

## **IDAPA 17 – INDUSTRIAL COMMISSION**

### **17.01.01 – ADMINISTRATIVE RULES UNDER THE WORKER'S COMPENSATION LAW**

**DOCKET NO. 17-0101-2500L**

#### **NOTICE OF FINAL RULE – AGENCY FILING**

**EFFECTIVE DATE:** The effective date of the legislative action affecting this final rule is July 1, 2025.

**AUTHORITY:** In compliance with Section 67-5291(2)(d), Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this final rule promulgated under IDAPA 17.01.01, “Administrative Rules Under the Worker's Compensation Law.” The affected section is being republished here following this notice pursuant to this legislative action.

**DESCRIPTIVE SUMMARY:** The following is an explanatory statement of the legislative action regarding the rejection of the final rule:

Pursuant to Senate Concurrent Resolution No. 109 (**SCR 109**), the Idaho Legislature rejected Subsection 305.01.a., only, in IDAPA 17.01.01, “Administrative Rules Under the Worker's Compensation Law” because it found that the rule was inconsistent with legislative intent. The Idaho Legislature had previously approved that rule as final on March 23, 2022, under omnibus Docket No. 17-0000-2100F.

In accordance with SCR 109, Subsection 305.01.a., only, has been rejected and declared null, void, and of no force and effect. Section 305 is being reprinted in its entirety as a final rule following this notice and as it will be codified into the 2025 Idaho Administrative Code.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this notice, contact Brad Hunt, Administrative Rules Coordinator, at (208) 854-3096.

DATED this 1st day of July, 2025.

George Gutierrez, Director  
Industrial Commission  
11321 W. Chinden Blvd.  
P.O. Box 83720  
Boise, Idaho 83720-0041  
Phone: 208-334-6000  
Fax: 208-334-2321

#### **THE FOLLOWING IS THE FINAL TEXT OF THE SECTION AFFECTED BY SCR 109, ONLY**

The rule text below is the codified final rule and includes the rejected  
final rule text ~~shown here as stricken.~~

**305. REQUIREMENTS FOR MAINTAINING IDAHO WORKER'S COMPENSATION CLAIMS FILES.**

**01. Idaho Office.** (3-23-22)

***[Final Rule Subsection 350.01.a. has been rejected by SCR 109]***

~~**a.** All insurance carriers, self-insured employers, and licensed adjusters servicing Idaho worker's compensation claims shall maintain an office within the state of Idaho. The offices shall be staffed by adequate personnel to conduct business.~~ (3-23-22)

**bg.** The insurance carrier or self-insured employer shall authorize and require a member of its in-state staff or an Idaho licensed resident adjuster to service and make decisions regarding claims pursuant to Section 72-305, Idaho Code. (3-23-22)

**eh.** As staffing changes occur and, at least annually, the insurance carrier, self-insured employer, or licensed adjuster shall submit to the Commission Secretary the names of those authorized to make decisions regarding claims pursuant to Section 72-305, Idaho Code. Each authorized insurance carrier shall designate only one (1) Claims Administrator for each policy of worker's compensation insurance. (3-23-22)

**02. Claim Files.** All Idaho worker's compensation claim files shall be maintained within the state of Idaho in either hard copy or immediately accessible electronic format. Claim files shall include all documents relevant to the claim file: (7-1-25)

- a.** FROI and Claim for Benefits; (3-23-22)
- b.** Copies of bills for medical care; (3-23-22)
- c.** Copy of lost-time computations, if applicable; (3-23-22)
- d.** Correspondence reflecting reasons for any delays in payments, the resolution of such delays, and acceptance or denial of compensability; (3-23-22)
- e.** Employer's return-to-work communications; and (3-23-22)
- f.** Medical reports. (3-23-22)

**03. Correspondence.** All original correspondence involving adjusting decisions regarding Idaho worker's compensation claims shall be authorized and accessible through electronic reproduction by the resident Idaho adjuster. (7-1-25)

**04. Date Stamp.** Each of the documents listed in Subsections 305.02 and 305.03, above, shall be date-stamped with the name of the receiving office on the day received, and by each receiving agent or vendor acting on behalf of the claims office. (3-23-22)

**05. Notice and Claim.** All First Reports of Injury, Claims for Benefits, notices of occupational illnesses, and fatalities shall be sent directly to the in-state adjuster for the insurance carrier or self-insured employer. An EDI Filing of the FROI, Claim for Benefits, and notices of occupational illness and fatality shall be sent electronically to the Industrial Commission. (7-1-25)

**06. Compensation Payments - Generally.** (3-23-22)

- a.** All compensation, as defined by Section 72-102, Idaho Code, must be issued from the in-state office. (3-23-22)
- b.** Except as ordered otherwise by the Commission, the insurance carrier or self-insured employer

may make compensation payments by either: (3-23-22)

i. Check or other readily negotiable instrument; (3-23-22)

ii. Upon the Claimant's written request, through an electronic payment transfer to an account designated by the Claimant. The Claimant or Claimant's attorney may discontinue receiving the electronic transfer payment and revert to receiving compensation payments via check by written notification; or (7-1-25)

iii. An insurance carrier or a self-insured employer may pay compensation through either: (1) an automated teller machine (ATM) card, (2) debit card, or (3) access card (hereinafter, collectively referred to as an "access card") to a Claimant if there is a signed agreement between the insurance carrier or self-insured employer and the Claimant. An insurance carrier or self-insured employer shall not reduce compensation payments paid to a Claimant through an access card for any fees, surcharges, and adjustments unless they are for direct costs in replacing an access card through an expedited mail service, international transaction fees, or out-of-network ATM fees. The Claimant or Claimant's attorney may discontinue receiving payment via access card by written notification. (7-1-25)

c. Notwithstanding subsection (ii) and (iii) above if the Claimant is represented by an attorney who may have an attorney's lien for fees due on such compensation payments, the attorney must agree to payment by electronic transfer to Claimant's account or payment through an access card before such compensation may be paid other than by a check made payable to the Claimant and the attorney. Upon request, updated electronic payment history shall be provided by written notification to represented parties. (7-1-25)

**07. Checks and Drafts.** Checks must be signed and issued within the state of Idaho; drafts are prohibited. (3-23-22)

a. The Commission may, upon receipt of a written Application for Waiver, grant a waiver from the provisions of Subsections 305.06 and this subsection of this rule to permit an insurance carrier or a self-insured employer to sign and issue checks outside the state of Idaho. (7-1-25)

b. An Application for Waiver must be accompanied by an affidavit signed by an officer or principal of the insurance carrier or self-insured employer, attesting to the fact that the insurance carrier or self-insured employer is prepared to comply with all statutes and rules pertaining to prompt payments of compensation. (3-23-22)

c. All waivers shall be effective from the date the Commission issues the order granting the waiver. A waiver shall remain in effect until revoked by the Industrial Commission. At least annually, staff of the Industrial Commission may review the performance of any insurance carrier or self-insured employer for which a waiver under this rule has been granted to assure that the insurance carrier or self-insured employer is complying with all statutes and rules pertaining to prompt payments of compensation. (3-23-22)

d. If at any time after the Commission has granted a waiver, the Commission receives information permitting the inference that the insurance carrier or self-insured employer has failed to provide timely benefits to any Claimant, the Commission may issue an order to show cause why the Commission should not revoke the waiver; and, after affording the insurance carrier or self-insured employer an opportunity to be heard, may revoke the waiver and order the insurance carrier or self-insured employer to comply with the requirements of Subsections 305.06 and this subsection of this rule. (7-1-25)

**08. Copies of Checks.** Copies of checks and/or electronically reproducible copies of the information contained on the checks must be maintained in the in-state files for Industrial Commission audit purposes. Notice of the first income benefit check shall be sent to the Industrial Commission electronically on the same day of issuance. (7-1-25)

**09. Prompt Claim Servicing.** Prompt claim servicing includes, but is not limited to: (3-23-22)

a. Making an initial decision to accept or deny a Claim for an injury or occupational disease within thirty (30) days of the date the Claims Administrator receives knowledge of the same. The worker shall be given notice of that initial decision in accordance with Section 72-806, Idaho Code. Nothing in this rule shall be construed as amending the requirement to start payment of income benefits no later than four (4) weeks or twenty-eight (28)

days from the date of disability under the provisions of Section 72-402, Idaho Code. (3-23-22)

**b.** Payment of medical bills in accordance with the provisions of Section 803 of these rules. (3-23-22)

**c.** Payment of income benefits on a weekly basis, unless otherwise approved by the Commission. (3-23-22)

**i.** The first payment of income benefits under Section 72-408, Idaho Code, shall constitute application by the insurance carrier or self-insured employer for a waiver to pay Temporary Total Disability (TTD) benefits on a bi-weekly basis, Temporary Partial Disability (TPD) benefits on other than a weekly basis, Permanent Partial Disability (PPD) benefits based on permanent impairment and Permanent Total Disability (PTD) benefits every twenty-eight (28) days, rather than on a weekly basis. (3-23-22)

**ii.** Such waiver application shall be granted upon receipt and remain in effect unless revoked by the Industrial Commission in accordance with Subparagraph 305.11.c.iii. (3-23-22)

**iii.** If at any time after a waiver has been granted pursuant to this section the Commission receives information permitting the inference that the insurance carrier or self-insured employer has failed to service claims in accordance with Idaho law, or that such waiver has created an undue hardship on a Claimant, the Commission may issue an order to show cause why the Commission should not revoke that waiver, and after affording the insurance carrier or employer an opportunity to be heard, may revoke the waiver with respect to all or certain Claimants and order the insurance carrier or self-insured employer to comply with the requirements of Subsection 305.11.c. of this rule. (3-23-22)

**d.** Payment of the first Permanent Partial Disability (PPD) benefit based on permanent impairment no later than fourteen (14) days after receipt of the Medical Report providing the impairment rating. The first payment shall include payment of benefits retroactive to the date of medical stability. (3-23-22)

**e.** Temporary Partial Disability (TPD) payments may be calculated using the employee's pay period, whether weekly, bi-weekly, or semi-monthly. TPD payments owed for a particular pay period shall issue no later than seven (7) days following the date on which employee is ordinarily paid for that pay period. (7-1-25)

**10. Audits.** The Industrial Commission may perform audits to ensure compliance with the above requirements. (7-1-25)

**11. Non-Compliance.** Non-compliance with the above requirements may result in the revocation of the authority of an insurance carrier to write worker's compensation insurance or self-insured employer to self-insure its worker's compensation insurance obligations in the state of Idaho, or such lesser sanctions as the Industrial Commission may impose. (3-23-22)

**IDAPA 20 – IDAHO DEPARTMENT OF LANDS**  
**20.03.14 – RULES GOVERNING GRAZING, FARMING, AND CONSERVATION LEASES**  
**DOCKET NO. 20-0314-2500L**  
**NOTICE OF FINAL RULE – AGENCY FILING**

**EFFECTIVE DATE:** The effective date of the legislative action affecting this final rule is July 1, 2025.

**AUTHORITY:** In compliance with Section 67-5291(2)(d), Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this final rule promulgated under IDAPA 20.03.14, “Rules Governing Grazing, Farming, and Conservation Leases.” The affected section is being republished here following this notice pursuant to this legislative action.

**DESCRIPTIVE SUMMARY:** The following is an explanatory statement of the legislative action regarding the rejection of the final rule:

Pursuant to Senate Concurrent Resolution No. 112 (**SCR 112**), the Idaho Legislature rejected Subsection 050.02, only, in IDAPA 20.03.14, “Rules Governing Grazing, Farming, and Conservation Leases,” because it found that the rule was inconsistent with legislative intent. The Idaho Legislature had previously approved that rule as final on March 18, 2022, under omnibus Docket No. 20-0000-2100F.

In accordance with SCR 112, Subsection 050.02, only, has been rejected and declared null, void, and of no force and effect. Section 050 is being reprinted in its entirety as a final rule following this notice and as it will be codified into the 2025 Idaho Administrative Code.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this notice, contact Brad Hunt, Administrative Rules Coordinator, at (208) 854-3096.

DATED this 1st day of July, 2025.

Addie Faust  
Natural Resource Leasing Program Manager  
Idaho Department of Lands  
300 N. 6th Street, Suite 103  
P.O. Box 83720  
Boise, Idaho 83702  
Phone: (208) 334-0275  
[rulemaking@idl.idaho.gov](mailto:rulemaking@idl.idaho.gov)

**THE FOLLOWING IS THE FINAL TEXT OF THE SECTION AFFECTED BY SCR 112, ONLY**

The rule text below is the codified final rule and includes the rejected  
final rule text ~~shown here as stricken.~~



**050. LEASE CANCELLATION.**

Leases may be canceled by the Director for the following reasons:

(3-18-22)

**01. Non-Compliance.** If the lessee is not complying with the Lease provisions or if resource damage attributable to the lessee's management is occurring to leased endowment land, the lessee will be provided written notification of the violation by regular and certified mail. The letter will set forth the reasons for the Department's cancellation of the Lease and provide the lessee thirty (30) days' notice of the cancellation. (7-1-25)

***[Final Rule Subsection 050.02 has been rejected by SCR 112]***

~~**02. Change in Land Use.** A lease may be canceled in whole or in part upon one hundred eighty (180) days written notice by the Department if the state endowment trust lands are to be leased for any other use as designated by the Board or the Department and the new use is incompatible with the existing lease. In the event of early cancellation due to a change in land use, the lessee will be entitled to a prorated refund of the premium bid for a conflicted lease. (3-18-22)~~

**032. Land Sale.** The Department reserves the right to sell endowment lands covered under the Lease. The lessee will be notified that the endowment lands are being considered for sale prior to submitting the sales plan to the Board for approval. The lessee will also be notified of a scheduled sale at least thirty (30) days prior to sale. In the event of early cancellation due to land sale, the lessee will be entitled to a prorated refund of the premium bid for a conflicted lease. (7-1-25)

**043. Mutual Agreement.** Leases may be canceled by mutual agreement between the Department and the lessee. (3-18-22)

## **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**

#### **DOCKET NO. 21-0101-2501 (ZBR CHAPTER REWRITE)**

#### **NOTICE OF RULEMAKING – PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 65-202, 65-204, and 66-907, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 16, 2025.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

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

This rule change excises obsolete language related to the no longer existing domiciliary and residential program at the Idaho State Veterans Home in Boise. Additionally, it updates language regarding the skilled nursing program in line with changes to federal CMS regulations in CFR.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A.

**FISCAL IMPACT:** The following is 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 resulting from this rulemaking: N/A.

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the April 2, 2025, Idaho Administrative Bulletin, [Volume 25-4 pages 39-40](#).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: 5 U.S.C. Section 2108(I) is the federal definition of Veterans and dependents eligible for services and 38 CFR Part 51, Subpart A, B, C, and D are the relevant sections of federal code governing State Veterans Homes.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance on technical questions concerning the proposed rule, contact Kevin Wallior 208-780-1308.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 23, 2025.

DATED this 16th day of May, 2025.

Kevin R. Wallior, Management Assistant  
Idaho Division of Veterans Services  
351 N. Collins Road  
Boise, ID 83702  
Ph: 208-780-1308  
fax: 208-780-1301  
Email: [kevin.wallior@veterans.idaho.gov](mailto:kevin.wallior@veterans.idaho.gov)

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 21-0101-2501**  
**(ZBR Chapter Rewrite)**

**21.01.01 – RULES GOVERNING ADMISSION, RESIDENCY, AND MAINTENANCE**  
**CHARGES IN IDAHO STATE VETERANS HOMES AND DIVISION OF**  
**VETERANS SERVICES ADMINISTRATIVE PROCEDURE**

**000. LEGAL AUTHORITY.**

~~The Administrator of the Division of Veterans Services with the advice of the Veterans Affairs Commission is authorized by the Idaho Legislature to establish rules governing requirements for admission to Idaho State Veterans Homes and to establish rules governing charges for residency, pursuant to Sections 65-202, 65-204, and 66-907, Idaho Code.~~ (3-23-22)( )

**001. ~~TITLE AND SCOPE.~~**

~~**01. Title.** These rules are titled IDAPA 21.01.01, “Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure.”~~ (3-23-22)

~~**02. Scope.** These rules contain provisions for determining eligibility for admission and for establishing charges for residency in Idaho State Veterans Homes, together with rules of administrative procedure before the Idaho Veterans Affairs Commission.~~ (3-23-22)( )

**002. POLICY.**

Through the facilities and services available at Idaho State Veterans Homes, the Division of Veterans Services will provide necessary care for honorably discharged eligible veterans. No applicant will be denied admission on the basis of sex, race, color, age, political or religious opinion or affiliation, national origin, or lack of income, nor will any care or other benefit at a Home be provided in a manner, place, or quality different than that provided for other residents with comparable disabilities and circumstances. However, if residents are financially able to do so, they must contribute to the cost of their care, with allowances made for retention of funds for their personal needs. (3-23-22)

**003. INCORPORATION BY REFERENCE.**

**01. Incorporated Documents.** These rules incorporate by reference: (3-23-22)

**a.** 5 U.S.C. Section 2108(1) dated October 7, 2015. (3-23-22)

**b.** 38 CFR Part 51, Subpart A, B, C, ~~and D, and E~~ dated ~~December~~ November 28, 2018. (3-23-22)( )

**02. Document Availability.** Copies are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402-0001. (3-23-22)

**004. -- 009. (RESERVED)**

**010. DEFINITIONS.**

For the purposes of the rules contained in this Chapter, the following terms are used as defined: (3-23-22)

**01. Applicant.** A person who has expressed interest in applying for residency in an Idaho State Veterans Home. (3-23-22)

**02. Asset.** Real or personal property that is owned in whole or in part by an applicant or resident,

including stocks, bonds, goods, rights of action, evidences of debt, and cash or money that is not income. Insurance payments or monetary compensation for loss of or damage to an asset is an asset. Income not expended in the calendar month received is an asset beginning on the first day of the next calendar month. (3-23-22)

**03. Bona Fide Resident.** A person who maintains a principal or primary home or place of abode in the state of Idaho coupled with the present intent to remain at that home or abode and return to it after any period of absence pursuant to Section 66-901, Idaho Code. (3-23-22)

**04. Commission.** The Idaho Veterans Affairs Commission. (3-23-22)

**05. Division.** Division of Veterans Services in the Idaho Department of Self Governing Agencies. (3-23-22)

**06. Division Administrator.** The Administrator of the Division of Veterans Services in the Department of Self Governing Agencies, or his designee. The chief officer of the Division of Veterans Services. (3-23-22)

**07. Home Administrator.** Administrator of an Idaho State Veterans Home. The chief officer of each respective Veterans Home. (3-23-22)

**08. Home.** An Idaho State Veterans Home. (3-23-22)

**09. Idaho State Veterans Home.** Pursuant to Section 66-901, Idaho Code, a Home for eligible veterans. (3-23-22)

**10. Income.** Money received from any source including wages, tips, commissions, private pension and retirement payments, social security benefits, unemployment compensation, veterans assistance benefits, and gifts. (3-23-22)

**11. Legal Dependents.** The mother, father, spouse, or minor children of an applicant or a resident who, by reason of insufficient financial resources, or non-minor children who because of disease, handicap or disability, must have financial support from the applicant or resident in order to maintain themselves. (3-23-22)

**12. Liquid Assets.** Those assets which are cash or can be liquidated for cash within a reasonable period of time including, but not limited to, money market certificates, certificates of deposit, stocks and bonds, and some tax shelter investments. (3-23-22)

**13. Maintenance Charge.** A charge made for care and residence at an Idaho State Veterans Home, based upon the current established rate. (3-23-22)

**14. Net Income.** That income used to compute charges after allowable deductions have been made. (3-23-22)

**15. Resident.** A person who is a resident of an Idaho State Veterans Home. (3-23-22)

**16. Spouse.** The husband or wife, under a marriage recognized by Title 32, Idaho Code, of a veteran or the widow or widower of a veteran under a marriage recognized by Title 32, Idaho Code. (3-23-22)

**17. VA.** United States Department of Veterans Affairs. (3-23-22)

**18. Veteran.** Has the meaning established in Section 65-203, Idaho Code. The separation or discharge considered under this definition means the conditions of the most recent separation or discharge from military service. (3-23-22)

**011. -- 049. (RESERVED)**

**050. ADMINISTRATIVE POWERS.**

The Home Administrator has full authority in the management of a Home, subject to review by the Division

Administrator and Commission. A Home Administrator can, in the execution of his duties, delegate certain responsibilities to his staff. When requested by the Division Administrator, the Home Administrator will attend regular and special meetings of the Commission. (3-23-22)

**01. Representative Powers.** The Division Administrator is authorized to represent the Commission in all official transactions between the Homes and other departments of Idaho state government. (3-23-22)

**02. Investigation Powers.** Upon receipt of an application for residency and for the duration of residency of any resident, the Division is authorized to conduct an investigation to determine the total value of the property and assets of the applicant/resident to determine his ability to pay maintenance charges established in this Chapter pursuant to Section 66-907, Idaho Code. (3-23-22)

**03. Inspection Powers.** Inspection of the rooms and facilities of a Home, as well as of the dress and appearance of all residents, can be conducted at any time by the Home Administrator. (3-23-22)

**04. Emergency Powers.** In an emergency, the Home Administrator is authorized to use his judgment in matters not specifically covered by a statute, order, rule, or policy. (3-23-22)

**051. -- 074. (RESERVED)**

**075. ADMINISTRATIVE DUTIES.**

The Home Administrator will enforce all orders and rules and implement all policies of the Division in the administration of a Home. (3-23-22)

**01. Management of Records.** The Home Administrator must maintain accurate fiscal and resident records. (3-23-22)

**a.** Nursing care records. Records relating to each ~~nursing care~~ resident of a Home will be kept in accordance with Idaho Department of Health and Welfare Rules, IDAPA 16.03.02, ~~"Rules and Minimum Standards for Skilled Nursing and Intermediate Care Facilities in Idaho,"~~ and VA Rules 38 CFR Part 51; Subpart A, B, C, and D dated ~~December~~ November 28, 2018. (3-23-22)( )

**b.** ~~Residential and domiciliary care records. Records relating to each residential care resident of a Home will be kept in accordance with VA Rules 38 CFR Part 51; Subpart A, B, C, and E dated December 28, 2018.~~ (3-23-22)

**02. Response to Complaints.** The Home Administrator will respond in writing to any written and signed complaint made by a resident pursuant to Section 300 of these rules. (3-23-22)

**076. -- 099. (RESERVED)**

**100. ELIGIBILITY REQUIREMENTS.**

Applicants and residents must satisfy the following requirements: (3-23-22)

**01. Veterans or Eligible Spouse.** (3-23-22)

**a.** ~~Nursing Care.~~ Applicants for and residents of ~~nursing care~~ a Home must be a veteran or the spouse of a veteran who is eligible for admission to a Home. The death of a veteran shall not disqualify a resident spouse if the veteran was eligible for admission to a Home at the time of death. (3-23-22)( )

**b.** ~~Residential Care and Domiciliary Care. Applicants for and residents of residential care and domiciliary care must be a veteran. A Home will not grant spouses admission for residential care or domiciliary care.~~ (3-23-22)

**02. Idaho Residency.** ~~The applicant must be a bona fide resident of the state of Idaho at the time of admission to a Home.~~ (3-23-22)

**032. Incompetent Applicants.** Applicants and residents who are incompetent must provide copies of a legally sufficient guardianship or power of attorney. (3-23-22)

**043. Necessity of Services.** Applicants and residents must meet the requirements for the level of care for which they apply or are receiving. ~~At the request of the Home, residents must provide recertification of their need for services from a VA physician or a physician currently licensed by the Idaho Board of Medicine to practice medicine or surgery in the state of Idaho.~~ (3-23-22)( )

**a.** ~~At the time each resident is admitted, the facility must have physician orders for the resident's immediate care and a medical assessment in accordance with VA Rules 38 CFR Part 51; Subpart A.~~ ( )

**b.** ~~At the request of the Home, residents must provide recertification of their need for services from a VA physician or a physician currently licensed by the Idaho Board of Medicine to practice medicine or surgery in the state of Idaho.~~ ( )

~~**a.** Nursing Care. To be eligible to receive nursing care in a Home, applicants must be referred by a VA physician or a physician currently licensed by the Idaho Board of Medicine to practice medicine or surgery in the state of Idaho.~~ (3-23-22)

~~**b.** Residential and Domiciliary Care. Each applicant must submit to a physical examination performed by a licensed physician and meet the physical limitation requirements for residential care and domiciliary care. Applicants and residents must be unable to earn a living and have no adequate means of support due to wounds, old age, or physical or mental disabilities. However, each residential care and domiciliary care resident must ambulate independently or with the aid of a wheelchair, walker, or similar device and be capable of performing at the time of admission, and for the duration of his residency, all of the following with minimal assistance:~~ (3-23-22)

- ~~i. Making his bed daily;~~ (3-23-22)
- ~~ii. Maintaining his room in a neat and orderly manner at all times;~~ (3-23-22)
- ~~iii. Keeping all clothing clean through proper laundering;~~ (3-23-22)
- ~~iv. Observing cleanliness in person, dress and living habits and dressing himself;~~ (3-23-22)
- ~~v. Bathing or showering frequently;~~ (3-23-22)
- ~~vi. Shaving daily or keeping his mustache or beard neatly groomed;~~ (3-23-22)
- ~~vii. Proceeding to and returning from the dining room and feeding himself;~~ (3-23-22)
- ~~viii. Securing medical attention on an ambulatory basis and managing medications;~~ (3-23-22)
- ~~ix. Maintaining voluntary control over body eliminations or control by use of an appropriate prosthesis; and~~ (3-23-22)
- ~~x. Making rational decisions as to his desire to remain or leave the Home.~~ (3-23-22)

**054. Placement Restriction.** A Home shall not accept applicants or continue to extend care to residents for whom the facility does not have the capability or services to provide an appropriate level of care. (3-23-22)

**065. Financial Statement.** Each applicant must file a signed, dated statement with the Home Administrator containing a report of income from all sources and a report of all liquid assets which will be used to determine the amount of the maintenance charge which is required in accordance with Section 66-907, Idaho Code, and these rules. (3-23-22)

**076. Social Security Benefits.** If eligible for Social Security benefits, the applicants and residents and their spouses must apply for those benefits unless waived by the Home Administrator. (3-23-22)

**087. Medicare Coverage.** If eligible for Medicare, the applicants and residents must elect to participate, unless participation is waived by the Home Administrator. (3-23-22)

~~**09. Income Limitation.**~~ (3-23-22)

~~**a. Nursing Care. None.**~~ (3-23-22)

~~**b. Residential and Domiciliary Care.** An applicant whose total monthly net income, at the time of his application for residency, exceeds the current maximum annual rate of VA pension for a single veteran pursuant to Public Law 95588 divided by twelve (12) cannot be admitted unless granted a waiver by the Home Administrator. This waiver must include a statement from a VA Medical Center physician indicating the veteran is in "need of continuing medical care."~~ (3-23-22)

~~**108. VA Pension—Nursing Care.**~~ Unless waived by the Home Administrator, a wartime veteran, as defined in 5 U.S.C. Section 2108, who is ~~an nursing care~~ applicant or resident must be eligible for, apply for, or be in receipt of a VA disability pension in accordance with Public Law 95588. Such waivers may be considered only when the applicant or resident has signed a statement that he is able to defray the necessary expenses of the medical care for which he is applying or receiving and arrangements are made to secure medical services not provided by the VA. (3-23-22)( )

~~**109. Agreements for Behavior and Care Needs.**~~ The Homes may require that applicants or residents enter into agreements concerning the applicant or resident's behavior or care needs while residing in the Home. The resident's failure to perform these agreements is a basis for discharge from the Home. (3-23-22)

~~**120. Limit on Admission of Spouses.**~~ Unless waived in writing by the Division Administrator, a Home shall not accept spouses for admission if the Home's residency is at ninety-five percent (95%) or more of capacity. Homes shall not admit a spouse if the number of spouses residing in the home will exceed twenty-five percent (25%) of the residents of the Home following admission of the applicant. (3-23-22)

**101. -- 149. (RESERVED)**

**150. APPLICATION PROCEDURE.**

**01. Submission of Application.** An application may be submitted to the administrative offices of a Home on a form from the Division. (3-23-22)

**02. Application Processing.** Completed applications will be processed no later than three (3) working days from receipt. (3-23-22)

**03. Waiting List.** An applicant who is approved for admission for whom a vacancy does not exist will be placed on a waiting list and accepted on a first come, first served basis dependent on the Home's ability to provide a level of care consistent with the needs of the applicant. The Home Administrator may award "priority status" to prospective Home residents resulting in their names being placed near the top of the Home waiting list, provided they have completed all preadmission requirements and meet one (1) or more of the following criteria: (3-23-22)

**a.** Veterans who served during any war or conflict officially engaged in by the government of the United States. (3-23-22)

**b.** Previous residents of Homes who have been discharged for therapeutic treatment or to live in a lesser level of care or in an independent setting and whose discharge plan indicates a readmission priority. (3-23-22)

**c.** Current Home residents who demonstrate a need for a level of care provided by a Home and who would benefit from maintaining a stable environment. (3-23-22)

**d.** Receive special consideration as per the request of the medical director because of his desire to provide a very specific continuum of care. (3-23-22)

~~04. **Provision If Application Rejected.** An applicant whose application has been rejected and who feels he meets the eligibility requirements can request a hearing in accordance with the procedures specified in Section 982, et seq., of these rules. (3-23-22)~~

**151. -- 199. (RESERVED)**

**200. DENIAL OF ADMISSION.**

Admission may be denied to an otherwise eligible applicant for any reason for which an admitted resident could be involuntarily discharged. (4-6-23)

**201. (RESERVED)**

**202. ACKNOWLEDGMENT OF CONDITIONS LEADING TO DISCHARGE.**

Upon admission to a Home, each resident will be advised in writing of the conditions under which immediate discharge will occur, as specified in Section 350 of these rules. Each resident must acknowledge receipt of this information by signature, and that acknowledgment will be a permanent part of each resident's file. (3-23-22)

**203. -- 299. (RESERVED)**

**300. CONDUCT OF RESIDENTS.**

Each resident must comply with applicable rules in this Chapter and with any order or directive of the Home Administrator. All complaints made by the residents concerning food, quarters, ill treatment, neglect, abusive language, or other violations of any rule or standard applicable to the Home, or complaints against the operation of a Home may be made either verbally or in writing to the Home Administrator. (3-23-22)

**01. No Operation of Motor Vehicles by ~~Nursing Care~~ Residents.** The operation or storage of privately owned motor vehicles by ~~nursing care~~ residents is prohibited on Home property. (3-23-22)(    )

~~**02. Operation of Motor Vehicles by Domiciliary and Residential Care Residents.** Each authorized domiciliary and residential care resident who drives a motor vehicle onto the grounds of a Home must adhere to the following: (3-23-22)~~

~~a. Requirements: (3-23-22)~~

~~i. Possess a valid driver's license; (3-23-22)~~

~~ii. Have a current motor vehicle registration; (3-23-22)~~

~~iii. Operator is insured against liability and property damage in accordance with Idaho law; and (3-23-22)~~

~~iv. Park only in assigned spaces. (3-23-22)~~

~~b. Prohibitions. Nonoperable motor vehicles and motor vehicle repairs are not permitted on the grounds of a Home. (3-23-22)~~

~~**032. Housekeeping.** (3-23-22)~~

~~a. Housekeeping services for ~~nursing care~~ residents shall be provided by the Home. (3-23-22)(    )~~

~~b. Each residential and domiciliary care resident must adhere to the following requirements (residential care residents may need minimal assistance): (3-23-22)~~

~~i. Making his bed daily; (3-23-22)~~

~~ii. Maintaining his room in a neat and orderly manner at all times; and (3-23-22)~~



- ~~iii. Assuring that all clothing is appropriately marked, stored and kept clean through proper laundering.~~  
~~(3-23-22)~~
- eb.** All residents are prohibited from: (3-23-22)
- i. Washing clothes or other articles which present a health or safety hazard in resident rooms or bathrooms; (3-23-22)
- ii. Using electrical devices, including televisions, radios, recorders, and shavers, until they have been certified by Home maintenance staff as being safe for use; (3-23-22)
- iii. Entering the kitchen, laundry, shop or mechanical spaces without permission; and (3-23-22)
- iv. Interfering or tampering with the heating, refrigeration or air conditioning systems, televisions, lighting, appliances, plumbing, or mechanical equipment at the Home without authorization. (3-23-22)
- 043. Personal Conduct.** Each resident must adhere to the following: (3-23-22)
- a.** Requirements: (3-23-22)
- i. Observing cleanliness in person, dress and in living habits; (3-23-22)
- ii. Bathing or showering frequently; and (3-23-22)
- iii. Observing the smoking policies of a Home; and in accordance with Section 300.03.b.vi. of these Rules. ~~(3-23-22)~~ ( )
- ~~iv. Residential and domiciliary care residents must retire to a recreation area or utilize an individual bed light if desiring to read between 10 p.m. and 6:30 a.m. during which time all room overhead lights are turned off.~~  
~~(3-23-22)~~
- b.** Prohibitions: (3-23-22)
- i. Creating a disturbance or using intoxicating beverages or nonprescribed controlled substances in the buildings or on the grounds (unless prescribed by a physician); (3-23-22)
- ii. Marking or writing on the walls of a building, or damaging the grounds or any other property; (3-23-22)
- iii. Using profanity or exhibiting vulgar behavior in the Home or in any other public place; (3-23-22)
- iv. Becoming involved in quarrels, persistent dissension or criticism of others; (3-23-22)
- v. Lending money to, or borrowing money from, another resident or an employee of the Home; (3-23-22)
- vi. Smoking in an unauthorized area on state property, unless grandfathered in prior to each Home becoming a smoke-free facility for residents (on or about July 1, 2023). Residents smoking adjacent to state property without a proper assessment is also unauthorized; ~~(3-23-22)~~ ( )
- vii. Taking food (other than fresh fruit for consumption within a reasonable time period), condiments, dishes or utensils from the dining room; (3-23-22)
- viii. Cooking or using heating devices in residents' rooms or other unauthorized areas; and (3-23-22)
- ix. Storing flammable or combustible material including, but not limited to, gasoline, butane, solvents,

and acetone on Home grounds. (3-23-22)

**301. -- 349. (RESERVED)**

**350. TRANSFER AND DISCHARGE OF RESIDENTS.**

A resident can be transferred or discharged, for a period to be determined by the Home Administrator, for the bases set forth in Section 350 of these rules. The Home Administrator will provide notice of transfer or discharge and the opportunity to appeal a transfer or discharge in accordance with Section 980 of these rules. (3-23-22)

**01. Emergency Discharge or Transfer.** Upon determination by the Home Administrator that an emergency exists, a resident may be immediately discharged or transferred. (3-23-22)

**02. General Discharge or Transfer.** If the Home Administrator determines that one (1) or more of the following is present or has occurred, the resident may be discharged or transferred from the Home: (3-23-22)

**a.** Possession of a lethal weapon of any kind by the resident on Division property; possession of wine, beer, or liquor by the resident on Division property, unless prescribed by the resident's physician; or possession of a controlled substance or medication by the resident, unless prescribed by the resident's physician; ~~(3-23-22)~~ ( )

**b.** Excessive or habitual intoxication; (3-23-22)

**c.** Willfully destroys or wrongfully appropriates state or another person's property; (3-23-22)

**d.** Failure to comply with the rules of this Chapter or a written directive of the Home Administrator or the Division Administrator; (3-23-22)

**e.** Financial conditions set forth in Section 950 of these rules are present; (3-23-22)

**f.** Engages in a pattern of behavior that infringes upon the rights of another person; (3-23-22)

~~**g.** Unauthorized absences from the Home in excess of those permitted by Section 352 of these rules;~~ ~~(3-23-22)~~

~~**h.**~~ **g.** Endangers the safety, wellbeing, or health of the resident or other persons or disrupts the peace of the home; (3-23-22)

~~**i.**~~ **h.** The resident is required by law to register as a sex offender. Should it be determined by the Home that it must provide resources in excess of those provided to other residents to ensure the safety of the resident or other persons; (3-23-22)

~~**j.**~~ **i.** The resident does not meet the requirements and limitations set forth in Section 100 of these rules. (3-23-22)

**03. Discharge or Transfer During Absence.** A resident who is absent from the Home may be discharged or transferred due to one (1) or more of the following: (3-23-22)

**a.** The Home will not have the capability or services to provide an appropriate level of care to the resident upon the resident's return to the Home; (3-23-22)

~~**b.** The resident has not returned to the Home from an absence prior to the expiration of the bed hold period established by a third party payer paying more than half of the resident's maintenance charges;~~ **The resident has not resided in the facility for 30 days.** ~~(3-23-22)~~ ( )

**c.** The resident ceases to pay the resident's maintenance charges or a bed hold charge applicable to an absence. (3-23-22)

**04. Voluntary Transfer or Discharge.** A resident may be transferred or discharged at any time upon

voluntary consent of the resident. (3-23-22)

**351. (RESERVED)**

**352. UNAUTHORIZED ABSENCES — RESIDENTIAL AND DOMICILIARY CARE.**

**01. Unauthorized Absences Prohibited.** For residential and domiciliary care residents, no more than three (3) unauthorized absences may be accumulated in a thirty (30) day period. If more than three (3) unauthorized absences are accumulated, the resident may be discharged for a period of thirty (30) days. (3-23-22)

**02. Yearly Maximum.** The maximum number of unauthorized absences allowable in a one (1) year period is twelve (12). Any resident who exceeds twelve (12) unauthorized absences in one (1) year may be discharged for a period of up to one (1) year. (3-23-22)

**03. Readmission Requirements.** Residents discharged for unauthorized absences must reapply for admission and are subject to the same restrictions and conditions as other applicants. (3-23-22)

**353~~1~~. -- 850. (RESERVED)**

**851. AVAILABLE SERVICES.**

The Division will make available the following services. (3-23-22)

**01. Residential and Domiciliary Care Services.** The Division will make available the services listed below for residential and domiciliary care residents: (3-23-22)( )

- |                       |                           |           |
|-----------------------|---------------------------|-----------|
| <b>a.</b>             | <u>Dental Hygiene.</u>    | ( )       |
| <b>b.</b>             | <u>Lab.</u>               | ( )       |
| <b>c.</b>             | <u>Nursing (Skilled).</u> | ( )       |
| <b>d.</b>             | <u>Pharmaceutical.</u>    | ( )       |
| <b>e.</b>             | <u>Physical Therapy.</u>  | ( )       |
| <b>f.</b>             | <u>Physician.</u>         | ( )       |
| <b>g.</b>             | <u>Speech Therapy.</u>    | ( )       |
| <b>h.</b>             | <u>X-Ray.</u>             | ( )       |
| <b><del>a</del>i.</b> | Barber/Beauty Shop.       | (3-23-22) |
| <b><del>b</del>j.</b> | Chaplain.                 | (3-23-22) |
| <b><del>e</del>k.</b> | Dietary.                  | (3-23-22) |
| <b><del>d</del>l.</b> | Laundry.                  | (3-23-22) |
| <b><del>e</del>.</b>  | <u>Nursing (limited).</u> | (3-23-22) |
| <b><del>f</del>m.</b> | Referral.                 | (3-23-22) |
| <b><del>g</del>n.</b> | Social Work.              | (3-23-22) |
| <b><del>h</del>o.</b> | Therapeutic Recreation.   | (3-23-22) |

~~d.~~ Limited Transportation. (3-23-22)

~~02. Nursing Care.~~ In addition to the services listed in Subsection 851.01, the Division will make available the services listed below for nursing care residents: (3-23-22)

~~a. Dental Hygiene.~~ (3-23-22)

~~b. Lab.~~ (3-23-22)

~~c. Nursing (Skilled).~~ (3-23-22)

~~d. Pharmaceutical.~~ (3-23-22)

~~e. Physical Therapy.~~ (3-23-22)

~~f. Physician.~~ (3-23-22)

~~g. Speech Therapy.~~ (3-23-22)

~~h. X-Ray.~~ (3-23-22)

**852. -- 879. (RESERVED)**

**880. FINANCIAL CONDITION OF APPLICANTS/RESIDENTS.**

Each applicant/resident or his legal representative must submit a signed and dated financial statement to the Home Administrator on which his income and liquid assets from all sources are reported. The statement must also indicate whether the applicant/resident is responsible for the support of any legal dependent who should be considered in fixing the amount of monthly charges. If changes occur in the applicant's/resident's income or liquid assets, it is the applicant's/resident's responsibility to submit an accurate financial statement immediately. (3-23-22)

**01. Investigation of Financial Condition.** The Division is authorized to investigate the financial condition of applicants/residents to determine their ability to pay maintenance charges. An applicant/resident may need to provide a power of attorney or a release of information to the Home Administrator in order to assist in investigating his financial condition and to aid in securing any benefits for which he may be eligible. (3-23-22)

**02. Retroactive Income.** In the event an applicant/resident is awarded retroactive income from any source, he is responsible to report this award to the Home Administrator and to pay his maintenance charge retroactive to the effective date of income. (3-23-22)

**881. -- 914. (RESERVED)**

**915. MAINTENANCE CHARGES.**

Upon becoming a resident of a Home, each resident is liable for the payment of a maintenance charge as well as expenses for supplies, medication, equipment, and services (other than basic services for the assigned level of care) that are not provided or paid for by VA, Medicaid, Medicare, or other insurance unless otherwise determined by the Home Administrator. Residents living in a Home for any part of a month must pay for each day, based on the actual number of days in the month, at that fraction of their total charge. Refusal or failure to pay the established maintenance charge or related expenses is cause for discharge from the Home. (3-23-22)

**01. Nursing Care Charges.** Charges shall be computed, based on payment source to include VA, Medicaid, Medicare, or full cost of care. (3-23-22)

~~02. Residential and Domiciliary Care Charges.~~ Charges will be computed, based on the following factors: (3-23-22)

~~a. If the resident has an income, those items used to compute the charge will include:~~ (3-23-22)

- ~~i. Social Security benefits; (3-23-22)~~
- ~~ii. Retirement benefits; (3-23-22)~~
- ~~iii. Income from annuities; (3-23-22)~~
- ~~iv. Insurance benefits; (3-23-22)~~
- ~~v. Rental from property; (3-23-22)~~
- ~~vi. Farm income; (3-23-22)~~
- ~~vii. VA pensions or compensations; (3-23-22)~~
- ~~viii. Tax refunds; and (3-23-22)~~
- ~~ix. Income from any and all other sources. (3-23-22)~~
- ~~b. If the resident is single, incompetent, and has liquid assets in excess of one thousand five hundred dollars (\$1,500), he will be assessed the current maximum charge until those assets are reduced to less than one thousand five hundred dollars (\$1,500). (3-23-22)~~
- ~~c. If the resident is single, competent, and has liquid assets in excess of fifteen hundred dollars (\$1,500), he will be assessed the current maximum charge until those assets are reduced to less than fifteen hundred dollars (\$1,500). (3-23-22)~~
- ~~d. Joint income will be used in computing charges for married persons. If the resident has dependents who rely upon him for financial support, the amount of liquid assets will not be drawn upon after they have declined to a level of five thousand dollars (\$5,000). (3-23-22)~~
- ~~e. Residential Care. After allowable deductions, a resident will be assessed a fee of seventy five percent (75%) of the remaining portion of his net monthly income up to the maximum charge. The maximum monthly maintenance charge shall be seventy five percent (75%) of the current maximum annual rate of VA pension for a single veteran pursuant to Public Law 95-588 divided by twelve (12). (3-23-22)~~
- ~~f. Domiciliary Care. After allowable deductions, a resident will be assessed a fee of sixty percent (60%) of the remaining portion of his net monthly income up to the maximum charge. The maximum monthly maintenance charge shall be sixty percent (60%) of the current maximum annual rate of VA pension for a single veteran pursuant to Public Law 95-588 divided by twelve (12). (3-23-22)~~
- ~~03. Exclusions from Income or Payment for Residential and Domiciliary Care. The only exclusions in computing monthly charges will be: (3-23-22)~~
  - ~~a. Those funds which a resident receives from the sale of hobby/craft items constructed and sold as part of a Home occupational therapy program; or (3-23-22)~~
  - ~~b. Those unusual expenses specified below, which are incurred after the resident's admission to a Home and are approved by the Home Administrator, up to a maximum monthly allowance which is established pursuant to Section 916 of these rules: (3-23-22)~~
    - ~~i. Prosthetic, orthopedic, and paraplegic appliances; (3-23-22)~~
    - ~~ii. Sensory aids; (3-23-22)~~
    - ~~iii. Wheelchairs; (3-23-22)~~

- ~~iv. Therapy services; (3-23-22)~~
- ~~v. Hospital, medical, surgical expenses and bills for prescription drugs incurred and paid by the individual in the current month and documented by a paid receipt. (3-23-22)~~
- ~~e. Reasonable medical insurance premiums, as paid, with documentation of payment. Other insurance premiums are excluded from consideration; or (3-23-22)~~
- ~~d. An allowance established pursuant to Section 916 of these rules for retention by a resident for personal needs; (3-23-22)~~
- ~~e. That amount necessary for a resident of a Home to contribute to the support of a legal dependent where proof of actual payment is documented. A monthly allowance will be established for a spouse or additional dependents pursuant to Section 916 of these rules. (These allowances take into consideration housing and utility costs.) (3-23-22)~~
- 04. Income Eligibility Limits. (3-23-22)**
- ~~a. Nursing Care. None. (3-23-22)~~
- ~~b. Residential and Domiciliary Care. A resident's total monthly net income, from all sources, may not exceed the current maximum annual rate of VA pension for a single veteran pursuant to Public Law 95-588 divided by twelve (12) unless waived by the Home Administrator in accordance with Subsection 100.08 of these rules. (3-23-22)~~
- ~~e. While in residence at a Home, a domiciliary resident may seek outside employment and receive income so that his total monthly net income from all sources will exceed the current maximum annual rate of VA pension for a single veteran pursuant to Public Law 95-588 divided by twelve (12) for a one-month transitional period. At the end of this one month transitional period, the resident will be discharged. (3-23-22)~~
- 05. Continued Eligibility. (3-23-22)**
- ~~a. Nursing Care. A resident may continue to be eligible for residency in a Home, regardless of income changes, if the conditions defined in Subsection 100.09 of these rules continue to be met. (3-23-22)~~
- ~~b. Residential and Domiciliary Care. If a resident's net monthly income exceeds the income eligibility limit after admission to the Home, the resident may appeal to the Home Administrator for a waiver of the income eligibility limit which may be granted for good cause. Consideration for good cause must include "need for continuing medical care" as documented by a VA Medical Center physician. (3-23-22)~~
- 06. Payment Schedule.** Maintenance charges are due the first of each month and must be paid in full by the resident or guardian on or before the tenth day of the month. Payments may be made either by cash or by check, and a receipt will be issued. (3-23-22)
- ~~**07. Security Deposit.** A deposit of one hundred dollars (\$100) will be required by domiciliary and residential care residents upon admission to a Home, unless waived by the Home Administrator. This deposit will be held until the resident leaves. Any debts or liabilities on behalf of the resident will be offset against this deposit at that time. After payment of any debts or liabilities, the remaining balance of the deposit will be returned to the outgoing resident. (3-23-22)~~
- 08. Leave of Absence or Hospitalization.** Residents receiving Medicaid, Medicare, or VA per diem will be charged for leave of absence or hospitalization in accordance with Medicaid, Medicare, and VA requirements. The Home will not reduce charges for leave of absence or hospitalization of residents not qualifying for Medicaid, Medicare, or VA payment for such absence and each day will count as if the resident were present at a Home. Unless waived by the Home Administrator or prohibited by law, the Home will charge residents receiving Medicaid, Medicare, or VA per diem the current VA per diem rate for each absent day of a leave of absence or hospitalization in excess of the period eligible for payment by Medicaid, Medicare, or the VA. (3-23-22)

**094. Medicaid Eligibility.** All ~~nursing care~~ residents, including re-admitted residents must either apply for or become eligible for Medicaid benefits, or must pay the maximum monthly charge as it may be established from time to time. Eligibility for Medicaid benefits is determined entirely by the Idaho Department of Health and Welfare and its agents. Residents who cannot, or choose not to, qualify for Medicaid are required to pay for services in full from other than Medicaid funds. Care and services for those residents who are Medicaid eligible will be billed to and paid by Medicaid. Residents eligible for Medicaid will be assessed a fee equal to the resident's liability as determined by Medicaid. (3-23-22)(    )

**916. MONTHLY CHARGES AND ALLOWANCES.**

**01. Nursing Care Establishment.** Pursuant to Section 66-907, Idaho Code, maximum monthly charges are established by the Division Administrator with the advice of the Commission. A schedule of charges will be available in the business office of each Home. Charges will be reviewed from time to time by the Division Administrator and the Commission. (3-23-22)(    )

**a.** Changes to Charges. Members of the public may comment on proposed changes at meetings of the Commission when changes are considered. (3-23-22)

**b.** Notification and Posting. When changes are made to charges, residents or their families or sponsors will receive written notification and changes will be posted in the business office of each Home a minimum of thirty (30) days prior to the effective date of the change. (3-23-22)

~~**02. Residential and Domiciliary Care.** Pursuant to Section 66-907, Idaho Code, maximum monthly charges and allowances are established by the Division Administrator with the advice of the Commission. A schedule of charges and allowances will be available in the business office of the Homes. Allowances will be reviewed from time to time by the Division Administrator and the Commission. (3-23-22)~~

~~**a.** Changes to Charges and Allowances. Pursuant to Paragraphs 915.02.e. and 915.02.f. of these rules, monthly charges for residential and domiciliary care will be adjusted automatically when a change is made to the current maximum annual rate of VA pension for a single veteran pursuant to Public Law 95588 divided by twelve (12). Relative to monthly allowances, members of the public may comment on proposed changes at meetings of the Commission when changes are considered. (3-23-22)~~

~~**b.** Notification and Posting of Changes to Allowances. When changes are made to allowances, residents or their families or sponsors will receive written notification, and changes will be posted in the business office of the Veterans Homes directly following notification pursuant to Public Law 95-588. (3-23-22)~~

**917. -- 949. (RESERVED)**

**950. FINANCIAL GROUNDS FOR REJECTION OR DISCHARGE.**

The following circumstances may be considered as grounds for rejection of an application for residency or for revocation of residency and subsequent discharge. (When an application is rejected or a resident discharged, the applicant/resident will be given notification of intended application rejection or discharge, in accordance with the provisions in Section 982 of these rules.) (3-23-22)

**01. Disposal of Assets.** If the Home Administrator determines that an applicant/resident has disposed of assets following or within sixty (60) months preceding initial application for residency, which would have the effect of reducing his maintenance charge, such action can lead to rejection of the application or discharge from a Home. (3-23-22)

**02. Failure to Pay Maintenance Charge.** Refusal or failure to pay the established maintenance charge can be cause for discharge from a Home. If the resident is so discharged, or leaves a Home voluntarily, the resident will not be eligible for readmission to a Home until all indebtedness to the Home is paid in full, or acceptable arrangements have been made with the Home Administrator for repayment. (3-23-22)

**03. Failure to Pay for Services.** (3-23-22)

a. Residents who are excluded from receiving free services from a VA Medical Center may elect to purchase such services through a sharing agreement or contract between a Home and a VA Medical Center or an outside provider when such sharing agreement or contract exists. In those cases where sharing agreement or contract costs are borne by a Home, the resident must reimburse the Home for the costs of services provided. (3-23-22)

b. Failure to reimburse a Home or a service provider within ten (10) days after receipt of a bill for services provided under a sharing agreement or contract may result in a resident's discharge from the Home. (3-23-22)

**951. -- 979. (RESERVED)**

**980. NOTICE OF RESIDENT TRANSFER OR DISCHARGE AND NOTICE OF DENIAL OF AN APPLICATION FOR RESIDENCY.**

The Home Administrator or his designee must notify the applicant or resident of any action to be taken regarding rejection of an application or involuntary transfer or discharge from a Home. The Home does not need to provide notice of voluntary transfer or discharge pursuant to Subsection 350.04 of these rules. (4-6-23)

**01. Form of Notice. ( )**

a. Notices of ~~denial of application or ineligibility for residency;~~ involuntary transfer; or discharge must be in writing. (4-6-23)( )

b. Notices of denial of application or ineligibility for residency can be made orally. ( )

**02. Content of Notice of Transfer or Discharge.** The notice must state the following: (3-23-22)

a. The reason for the impending action and a reference to the pertinent rules under which the action is being brought or decision has been made; (3-23-22)

b. The effective date of the action; (3-23-22)

c. The location to which the resident is transferred or discharge, ~~which is established for Nursing Care transfers and discharges only;~~ (3-23-22)( )

d. The ~~applicant's or~~ resident's right to request a hearing according to the deadlines in Section 982 of these rules; and (4-6-23)( )

e. The procedure for requesting a hearing, as provided in Subsection 982.02 of these rules. (3-23-22)

f. The name, address, and telephone number of the State long term care ombudsman; (3-23-22)

g. The name, address, and telephone number of the State Disability Rights agency responsible for the protection and advocacy for those residents with developmental disabilities or mental illness. (3-23-22)

**03. Notification Deadlines.** Notice shall be provided to the applicant or resident according to the following deadlines: (4-6-23)

a. Denial of application or findings of ineligibility. Notice of a denial of application or findings of ineligibility for residency ~~must be mailed to the applicant within three (3) working days after receipt of the completed application~~ will be made as soon as practical citing the reasons for rejection. (4-6-23)( )

b. ~~Domiciliary Care. Discharge or transfer notices to residents receiving Domiciliary Care must be sent to the resident three (3) days prior to the intended effective date of the action, except under the conditions noted in Subsections 350.01, 350.03 and 350.04 of these rules.~~ (4-6-23)

c. ~~Residential Care. Discharge or transfer notices to residents receiving Residential Care must be sent~~



~~to the resident fifteen (15) days prior to the intended effective date of the action, except under the conditions noted in Subsections 350.01, 350.03 and 350.04 of these rules.~~ (4-6-23)

~~db.~~ ~~Nursing Care.~~ ~~Discharge or transfer notices to R~~residents ~~receiving Nursing Care~~ must ~~be~~ received notice as follows: (4-6-23)( )

i. Notices of general discharge or transfer pursuant to Subsections ~~s~~ 350.02 ~~and 350.03.c.~~ of these rules must be sent to the resident thirty (30) days prior to the intended effective date of the action. (3-23-22)( )

ii. Notices of emergency discharge or transfer pursuant to Subsection 350.01 of these rules must be sent to the resident as soon as practical. (3-23-22)

iii. ~~Notices of discharge or transfer during absence pursuant to Subsection 350.03 of these rules must be sent to the resident within three (3) working days of the Home's determination to transfer or discharge~~ Notice of discharge or transfer for a resident who has not resident in the facility for thirty (30) days pursuant to Subsections 350.03.a. and 350.03.b. must be made as soon as practicable before the action is taken. (4-6-23)( )

iv. ~~Notice of discharge or transfer for unauthorized absences pursuant to Paragraph 350.02.g. of these rules must be sent to the resident within three (3) days of the last unauthorized absence establishing a basis for discharge.~~ (4-6-23)

#### **981. APPEAL PROCEDURE.**

Upon notification to a resident of transfer or discharge from a Home by the Home Administrator, the resident may request a hearing in accordance with the provisions in Section 982, "Provisions for Contested Cases," of these rules. Any additional violation of Home rules by a resident while on notice of transfer or discharge will be treated independent of any pending appeal. (3-23-22)

#### **982. PROVISIONS FOR CONTESTED CASES.**

**01. Hearing Rights.** Residents ~~and applicants~~ have the following rights to a hearing: (3-23-22)( )

a. If a resident of a Home is notified of transfer or discharge, the resident will be afforded an opportunity for a hearing. ~~A resident of a Home must attempt to resolve the bases stated on the notice of action through verbal discussions with the Home Administrator or his designee prior to submission of a written request for a hearing.~~ A resident will not be afforded an opportunity for a hearing based upon a voluntary transfer or discharge under Subsection 350.04 of these rules. (3-23-22)( )

~~b.~~ ~~If an application for residency in a Home is rejected, the applicant may request a hearing.~~ (3-23-22)

**02. Requesting a Hearing for Nursing Care.** A request for a hearing from a ~~nursing care~~ resident for residency in a Home must be submitted to the Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. Requests for appeal should be received by the Idaho Department of Health and Welfare before thirty (30) days have passed in order to stop the discharge or transfer before it occurs. (4-6-23)( )

~~03. Requesting a Hearing for Residential and Domiciliary Care.~~ (3-23-22)

~~a.~~ ~~A request for a hearing from a resident for residential and domiciliary care residency in a Home must be submitted through the Home Administrator to the Division Administrator for possible resolution or the scheduling of a hearing. A resident's request must contain a description of what effort he has taken to satisfy the requirements of Paragraph 982.01.a. of these rules.~~ (3-23-22)

~~b.~~ ~~A request for a hearing must be in writing and signed by the applicant/resident.~~ (3-23-22)

~~c.~~ ~~A request for a hearing must be submitted within three (3) days of receipt of the written notice of action or denial.~~ (3-23-22)

~~d.~~ ~~Pending a hearing, benefits will be continued or held in abeyance as follows:~~ (3-23-22)

~~i. Benefits for domiciliary care, residential care, and nursing care residents will not be continued when the transfer or discharge is an emergency discharge under Subsection 350.01 of these rules or a discharge for unauthorized absences under Paragraph 350.02.g. of these rules. If the hearing request is made before the effective date of action and within three (3) days of receipt of the notice, no action will be taken by the Home Administrator on a general discharge under Subsection 350.02 of these rules, except Paragraph 350.02.g., or a transfer under Subsection 350.03 of these rules pending receipt of the final order. (3-23-22)~~

~~e. The Division Administrator will not accept a request for a hearing from a voluntary transfer or discharge pursuant to Subsection 350.04 of these rules. (3-23-22)~~

~~**04. Public Inspection.** All final decisions and orders of the Commission must be maintained by the Division Administrator and made available for public inspection after service on the parties. (3-23-22)~~

**983. -- 999. (RESERVED)**

## **IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES**

### **24.24.01 – RULES OF THE GENETIC COUNSELORS LICENSING BOARD**

#### **DOCKET NO. 24-2401-2500L**

#### **NOTICE OF FINAL RULE – AGENCY FILING**

**EFFECTIVE DATE:** The effective date of the legislative action affecting this final rule is July 1, 2025.

**AUTHORITY:** In compliance with Section 67-5291(2)(d), Idaho Code, notice is hereby given that the legislature has taken action by concurrent resolution on this final rule promulgated under IDAPA 24.24.01, “Rules of the Genetic Counselors Licensing Board.” The affected section is being republished here following this notice pursuant to this legislative action.

**DESCRIPTIVE SUMMARY:** The following is an explanatory statement of the legislative action regarding the rejection of the final rule:

Pursuant to House Concurrent Resolution No. 14 (**HCR 14**), the Idaho Legislature rejected Section 002, Section II, Item 3. of the incorporated by reference “National Society of Genetic Counselors Code of Ethics,” only, in IDAPA 24.24.01, “Rules of the Genetic Counselors Licensing Board,” because it found that the rule was inconsistent with legislative intent. The Idaho Legislature had previously approved that rule as final on March 28, 2023, under omnibus Docket No. 24-0000-2201F.

In accordance with HCR 14, a certain provision in Section 002, only, has been rejected and declared null, void, and of no force and effect. Section 002 is being reprinted in its entirety as a final rule following this notice and as it will be codified into the 2025 Idaho Administrative Code.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on technical questions concerning this notice, contact Brad Hunt, Administrative Rules Coordinator, at (208) 854-3096.

DATED this 1st day of July, 2025.

Kolby K. Reddish  
Lead Counsel  
11341 W. Chinden Blvd., Bldg. #4  
Boise, ID 83714  
Phone: (208) 577-2519  
Email: [kolby.reddish@dopl.idaho.gov](mailto:kolby.reddish@dopl.idaho.gov)

#### **THE FOLLOWING IS THE FINAL TEXT OF THE SECTION AFFECTED BY HCR 14, ONLY**

The rule text below is the codified final rule and includes the rejected  
final rule text ~~shown here as stricken.~~

**002. INCORPORATION BY REFERENCE.**

The document titled “National Society of Genetic Counselors Code of Ethics,” dated April 2017, is incorporated by reference into this rule and is available at the Board’s office and on the Board’s web site: <https://dopl.idaho.gov/wp-content/uploads/2023/11/GEN-NSGC-Code-of-Ethics.pdf>. [*\*note – Section II, Item 3 of this document is declared null, void, and of no force and effect.*] (7-1-25)

***[Final Rule Section 002, Section II, Item 3. of the incorporated by reference document “National Society of Genetic Counselors Code of Ethics,” has been rejected by HCR 14]***

**Section II: Genetic Counselors and Their Clients**

The counselor-client relationship is based on values of care and respect for the client's autonomy, individuality, welfare, and freedom in clinical and research interactions. Therefore, genetic counselors work to:

1. Provide genetic counseling services to their clients within their scope of practice regardless of personal interests or biases, and refer clients, as needed, to appropriately qualified professionals.
2. Clarify and define their professional role(s) and relationships with clients, disclose any real or perceived conflict of interest, and provide an accurate description of their services.
- ~~3. Provide genetic counseling services to their clients regardless of their clients' abilities, age, culture, religion, ethnicity, language, sexual orientation and gender identity.~~
4. Enable their clients to make informed decisions, free of coercion, by providing or illuminating the necessary facts, and clarifying the alternatives and anticipated consequences.
5. Respect their clients' beliefs, inclinations, circumstances, feelings, family relationships, sexual orientation, religion, gender identity, and cultural traditions.
6. Refer clients to an alternate genetic counselor or other qualified professional when situations arise in which a genetic counselor's personal values, attitudes and beliefs may impede his or her ability to counsel a client.
7. Maintain the privacy and security of their client's confidential information and individually identifiable health information, unless released by the client or disclosure is required by law.
8. Avoid the exploitation of their clients for personal, professional, or institutional advantage, profit or interest.

**OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR,  
DIVISION OF FINANCIAL MANAGEMENT**  
**IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES**  
**24.36.01 – RULES OF THE IDAHO STATE BOARD OF PHARMACY**  
**DOCKET NO. 24-3601-2500**  
**NOTICE OF REVOCATION OF FINAL RULES**

**EFFECTIVE DATE:** The effective date of the legislative action affecting this final rule is July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5202(2), 67-5203(4)(d), and 67-5204(2)(b)-(c), Idaho Code, and House Bill 200 notice is hereby given that the Office of Administrative Rules Coordinator has taken action to revise Idaho's Administrative Code to remove certain rules that have been repealed by an act of the Idaho Legislature.

**DESCRIPTIVE SUMMARY:** The following is a concise explanatory statement of the reasons for publishing this notice:

The Idaho Legislature passed [House Bill 200](#) with broad support and Governor Little signed it on March 18, 2025. This legislation moved administrative rules relating to the state board of pharmacy to statute. Section 50 contained a sunset clause that made IDAPA 24.36.01 null, void, and of no force and effect on and after July 1, 2025.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance with technical questions concerning the revocation of these final rules, contact Lauren Smyser at (208) 854-3097.

DATED 1st day of July, 2025.

Brad Hunt  
Administrative Rules Coordinator  
Office of the Administrative Rules Coordinator  
Division of Financial Management  
P.O. Box 83720, Boise, ID 83720-0032  
Phone: (208) 854-3096  
[adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)

**IDAPA 28 – DEPARTMENT OF COMMERCE**  
**28.02.03 – DEPARTMENT OF COMMERCE GRANT PROGRAM RULES**  
**DOCKET NO. 28-0203-2501**  
**NOTICE OF INTENT TO PROMULGATE RULES –**  
**ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-4733, and 67-4744 Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<p style="text-align:center"><b>Monday, July 14, 2025</b> <b>10:00 a.m. MT</b></p>
<p style="text-align:center"><b>In person:</b> <b>Idaho Department of Commerce</b> <b>JRW Building</b> <b>700 W State St. Floor 2</b> <b>Boise, ID 83702</b> <b>Clearwater Conference Room</b></p> <p style="text-align:center"><b>Join via Microsoft Teams:</b> <b><a href="#">Join the meeting now</a></b> <b>Meeting ID: 254 222 306 801 4</b> <b>Passcode: Qz6rU2Eh</b></p>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

- All comments should be submitted no later than two business days before the negotiated rule making meeting.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Removing items repealed by statute, improving definitions to align programs, and removing redundant language already in statute.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Ewa Szewczyk 208-287-0784. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Commerce website at the following web address: [commerce.idaho.gov](https://commerce.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 July 11th, 2025, or at the scheduled meeting.

DATED this 6th day of June, 2025.

Ewa Szewczyk  
Grants & Contracts Manager  
Idaho Commerce  
700 W State St.  
Boise, ID 83702  
(208) 334-2470  
[ewa.szewczyk@commerce.idaho.gov](mailto:ewa.szewczyk@commerce.idaho.gov)  
[commerce.idaho.gov](http://commerce.idaho.gov)

## **IDAPA 28 – DEPARTMENT OF COMMERCE**

### **28.04.01 – RULES GOVERNING THE IDAHO REIMBURSEMENT INCENTIVE ACT**

**DOCKET NO. 28-0401-2501**

#### **NOTICE OF INTENT TO PROMULGATE RULES – ZERO-BASED REGULATION (ZBR) NEGOTIATED RULEMAKING**

**AUTHORITY:** In compliance with Sections 67-5220(1) and 67-5220(2), Idaho Code, notice is hereby given that this agency intends to promulgate rules and desires public comment and input prior to initiating formal rulemaking procedures. This negotiated rulemaking action is authorized pursuant to Sections 67-4733, and 67-4744 Idaho Code.

**MEETING SCHEDULE:** A negotiated rulemaking meeting will be held as follows:

<p><b>Monday, July 14, 2025</b> <b>10:00 a.m. MT</b></p>
<p><b>In person:</b> <b>Idaho Department of Commerce</b> <b>JRW Building</b> <b>700 W State St. Floor 2</b> <b>Boise, ID 83702</b> <b>Clearwater Conference Room</b></p> <p><b>Join via Microsoft Teams:</b> <b><a href="#">Join the meeting now</a></b> <b>Meeting ID: 254 222 306 801 4</b> <b>Passcode: Qz6rU2Eh</b></p>

The meeting site(s) will be accessible to persons with disabilities, if needed. Requests for accommodation must be made not later than five (5) days prior to the meeting to the agency address below.

**METHOD OF PARTICIPATION:** Persons wishing to participate in the negotiated rulemaking must do the following:

- All comments should be submitted no later than two business days before the negotiated rule making meeting.

Upon conclusion of the negotiated rulemaking, any unresolved issues, all key issues considered, and conclusion 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 AND STATEMENT OF PURPOSE:** The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rulemaking and the principal issues involved:

Removing items repealed by statute, improving definitions to align programs, and removing redundant language already in statute.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS, OBTAINING DRAFT COPIES:** For assistance on technical questions concerning this negotiated rulemaking or to obtain a preliminary draft copy of the rule text (if available), contact Ewa Szewczyk 208-287-0784. Materials pertaining to the negotiated rulemaking, including any available preliminary rule drafts, can be found on the Idaho Commerce website at the following web address: [commerce.idaho.gov](https://commerce.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 July 11th, 2025, or at the scheduled meeting.

DATED this 6th day of June, 2025.

Ewa Szewczyk  
Grants & Contracts Manager  
Idaho Commerce  
700 W State St.  
Boise, ID 83702  
(208) 334-2470  
[ewa.szewczyk@commerce.idaho.gov](mailto:ewa.szewczyk@commerce.idaho.gov)  
[commerce.idaho.gov](http://commerce.idaho.gov)

# IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

## 58.01.02 – WATER QUALITY STANDARDS

### DOCKET NO. 58-0102-2501

#### NOTICE OF RULEMAKING – PROPOSED RULE

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking. This action is authorized by Sections 39-105, 39-107, and Chapter 36, Title 39, Idaho Code.

**PUBLIC HEARING SCHEDULE:** No hearings have been scheduled. Pursuant to Section 67-5222(2), Idaho Code, a public hearing will be held if requested in writing by twenty-five (25) persons, a political subdivision, or an agency. Written requests for a hearing must be received by the undersigned on or before July 18, 2025. If no such written request is received, a public hearing will not be held.

**DESCRIPTIVE SUMMARY:** This rulemaking has been initiated to make administrative revisions. The proposed rule:

1. Deletes arsenic from the table in IDAPA 58.01.02.210.02, Factors for Calculating Hardness Dependent Metals Criteria, as the calculations no longer apply for arsenic.
  2. Includes revisions for consistency with the final actions taken by the U.S. Environmental Protection Agency (EPA) on the rule dockets listed below. These dockets were promulgated by DEQ and submitted to EPA for review under the Clean Water Act (CWA). Pursuant to 40 CFR 131.21, water quality standards adopted and submitted to EPA are not effective for federal CWA purposes until EPA approves them. Notation boxes that had been inserted to explain the status of effectiveness for CWA purposes are no longer necessary and will be deleted.
- Docket No. 58-0102-1101: Removal of statewide thermal treatment numeric limits on induced variation for point source wastewater dischargers, submitted to EPA on August 7, 2012. [EPA Action Letter and Technical Support Document](#) (12/19/24). EPA disapproved the removal of IDAPA 58.01.02.401.01.c. – e., statewide thermal treatment numeric limits on induced variation for point source wastewater dischargers. This proposed rule reinstates 401.01.c. – e. as currently published in the [2011 Idaho Administrative Code](#).
  - Docket No. 58-0102-1803: Addition of a de minimis temperature allowance of up to 0.3 degrees Celsius above applicable temperature criteria, submitted to EPA on April 15, 2019. [EPA Action Letter and Technical Support Document](#) (12/19/24). EPA disapproved this docket except that the non-substantive revision in current rule 401.01.c., “above the natural background conditions” was approved. In this proposed rule, the remaining version of current rule 401.01.c. now takes the place of deleted 401.01.c., and current rule 401.01.d. is deleted.
  - Docket No. 58-0102-2201 (Negotiated under Docket No. 58-0102-1801): Revisions to Idaho’s Surface Water Quality Standards for Arsenic Human Health Criteria, submitted to EPA on July 6, 2023. [EPA Action Letter and Technical Support Document](#) (9/29/23). EPA approved this docket except that the provision, in IDAPA 58.01.02.210.03.e.v.(4), to calculate bioaccumulation factors using “... other scientifically defensible method for deriving protective BAF” was disapproved. This proposed rule deletes the disapproved phrase.

The proposed rule text is in legislative format. Language the agency proposes to add is underlined. Language the agency proposes to remove is struck out. It is these additions and deletions to which public comment should be addressed. If adopted by the Idaho Board of Environmental Quality and approved by concurrent resolution of the 2026 Idaho State Legislature, the rule will become effective on July 1, 2026, unless otherwise specified in the concurrent resolution.

**FISCAL IMPACT:** The following is 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 resulting from this rulemaking: Not applicable.

**NEGOTIATED RULEMAKING:** Negotiated rulemaking was not conducted. DEQ determined that negotiated rulemaking is not feasible due to the simple nature of this rulemaking. This rulemaking makes the necessary

administrative revisions to IDAPA 58.01.02, Water Quality Standards, for consistency with EPA actions on previously adopted water quality standards submitted to EPA for review.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: Not applicable.

**IDAHO CODE SECTION 39-107D STATEMENT:** This proposed rule does not regulate an activity not regulated by the federal government, nor is it broader in scope or more stringent than federal regulations.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this proposed rulemaking, contact Elizabeth Spelsberg at [elizabeth.spelsberg@deq.idaho.gov](mailto:elizabeth.spelsberg@deq.idaho.gov) or (208) 373-0158.

**SUBMISSION OF WRITTEN COMMENTS:** Anyone may submit written comments regarding this proposed rule. The Department will consider all written comments received on or before August 1, 2025. Submit written comments to:

Elizabeth Spelsberg  
Department of Environmental Quality  
1410 N. Hilton, Boise, ID 83706  
[elizabeth.spelsberg@deq.idaho.gov](mailto:elizabeth.spelsberg@deq.idaho.gov)

Dated this 2nd day of July, 2025.

Diane Cutler, Rules and Planning Analyst  
Department of Environmental Quality  
1410 N. Hilton Street  
Boise, Idaho 83706  
208-373-0165  
[diane.cutler@deq.idaho.gov](mailto:diane.cutler@deq.idaho.gov)

**THE FOLLOWING IS THE PROPOSED TEXT OF DOCKET NO. 58-0102-2501**  
**(Only Those Sections With Amendments Are Shown.)**

**58.01.02 – WATER QUALITY STANDARDS**

**210. NUMERIC CRITERIA FOR TOXIC SUBSTANCES FOR WATERS DESIGNATED FOR AQUATIC LIFE, RECREATION, OR DOMESTIC WATER SUPPLY USE.**

**01. Criteria for Toxic Substances.** The criteria of Section 210 apply to surface waters of the state as provided in Tables 1 and 2. Criteria for metals (arsenic through zinc) listed in Tables 1 and 2 are expressed as a dissolved fraction (i.e., passes through a forty-five hundredths (0.45) micron filter) unless otherwise noted. (4-6-23)

- a.** Table 1 contains criteria to protect aquatic life. (4-6-23)

Table 1. Criteria for Protection of Aquatic Life					
Compound	<sup>a</sup> CAS Number	<sup>b</sup> CMC (µg/L)		<sup>b</sup> CCC (µg/L)	
Inorganic Compounds/Metals					
Arsenic	7440382	340	c	150	c
Cadmium	7440439	1.3	f	0.6	f
Chromium III	16065831	570	f	74	f
Chromium VI	18540299	16	c	11	c
Copper	7440508	12.3	k	7.6	k
Lead	7439921	65	f	2.5	f
Mercury	7439976		e		e
<b>Note:</b> In 2005, Idaho adopted EPA's recommended methylmercury fish tissue criterion for protection of human health (docket 58-0102-0302). The decision was made to remove the old tissue-based aquatic life criteria and rely on the fish tissue criterion to provide protection for aquatic life as well as human health. Thus, current Idaho water quality standards do not have mercury water column criteria for the protection of aquatic life. While EPA approved Idaho's adoption of the fish tissue criterion in September 2005, it had withheld judgment on Idaho's removal of aquatic life criteria. On December 12, 2008, EPA disapproved Idaho's removal of the old aquatic life criteria. The water column criteria for total recoverable mercury published in <a href="#">2004 Idaho Administrative Code</a> continue to apply and are effective for CWA purposes. For more information go to <a href="http://www.deq.idaho.gov/epa-actions-on-proposed-standards">http://www.deq.idaho.gov/epa-actions-on-proposed-standards</a> .					
Nickel	7440020	470	f	52	f
Selenium	7782492	m		l	
Silver	7440224	3.4	f		
Zinc	7440666	120	f	120	f
Inorganic Compounds/Non-Metals					
Chlorine		19	h	11	h
Cyanide	57125	22	g	5.2	g
Organic Compounds					
Acrolein	107028	$\frac{--^1}{3^2}$		$\frac{--^1}{3^2}$	
<sup>1</sup> Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved. <sup>2</sup> Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.					
Aldrin	39002	3			
gamma-BHC (Lindane)	58899	2		0.08	

Table 1. Criteria for Protection of Aquatic Life					
Compound	<sup>a</sup> CAS Number	<sup>b</sup> CMC (µg/L)		<sup>b</sup> CCC (µg/L)	
Carbaryl	63252	$\frac{--^1}{2.1^2}$		$\frac{--^1}{2.1^2}$	
<sup>1</sup> Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved. <sup>2</sup> Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.					
Chlordane	57749	2.4		0.0043	
4,4'-DDT	50293	1.1		0.001	
Diazinon	333415	$\frac{--^1}{0.17^2}$		$\frac{--^1}{0.17^2}$	
<sup>1</sup> Effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved. <sup>2</sup> Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1802 have been approved.					
Dieldrin	60571	2.5		0.0019	
alpha-Endosulfan	959988	0.22		0.056	
beta-Endosulfan	33213659	0.22		0.056	
Endrin	72208	0.18		0.0023	
Heptachlor	76448	0.52		0.0038	
Heptachlor Epoxide	1024573	0.52		0.0038	
Pentachlorophenol	87865	20	i	13	i
Polychlorinated Biphenyls PCBs	j			0.014	j
Toxaphene	8001352	0.73		0.0002	
<b>Footnotes for Table 1. Criteria for Protection of Aquatic Life</b>					
<b>a.</b> Chemical Abstracts Service (CAS) registry numbers which provide a unique identification for each chemical.					
<b>b.</b> See definitions of Acute Criteria (CMC) and Chronic Criteria (CCC), Section 010 of these rules.					
<b>c.</b> Criteria for these metals are expressed as a function of the water effect ratio, WER, as defined in Subsection 210.03.c.iii. CMC = CMC column value X WER. CCC = CCC column value X WER.					
<b>d.</b> Criterion expressed as total recoverable (unfiltered) concentrations.					
<b>e.</b> No aquatic life criterion is adopted for inorganic mercury. However, the narrative criteria for toxics in Section 200 of these rules applies. The Department believes application of the human health criterion for methylmercury will be protective of aquatic life in most situations.					

Table 1. Criteria for Protection of Aquatic Life					
Compound	<sup>a</sup> CAS Number	<sup>b</sup> CMC (µg/L)		<sup>b</sup> CCC (µg/L)	
<b>f.</b> Aquatic life criteria for these metals are a function of total hardness (mg/L as calcium carbonate), the pollutant's water effect ratio (WER) as defined in Subsection 210.03.c.iii. and multiplied by an appropriate dissolved conversion factor as defined in Subsection 210.02. For comparative purposes only, the example values displayed in this table are shown as dissolved metal and correspond to a total hardness of one hundred (100) mg/L and a water effect ratio of one (1.0).					
<b>g.</b> Criteria are expressed as weak acid dissociable (WAD) cyanide.					
<b>h.</b> Total chlorine residual concentrations.					
<b>i.</b> Aquatic life criteria for pentachlorophenol are expressed as a function of pH, and are calculated as follows. Values displayed above in the table correspond to a pH of seven and eight tenths (7.8). CMC = exp(1.005(pH)-4.830) CCC = exp(1.005(pH)-5.290)					
<b>j.</b> PCBs are a class of chemicals which include Aroclors, 1242, 1254, 1221, 1232, 1248, 1260, and 1016, CAS numbers 53469219, 11097691, 11104282, 11141165, 12672296, 11096825 and 12674112 respectively. The aquatic life criteria apply to this set of PCBs.					
<b>k.</b> Aquatic life criteria for copper shall be derived in accordance with Subsection 210.03.c.v. For comparative purposes only, the example values displayed in this table correspond to the Biotic Ligand Model output based on the following inputs: temperature = 14.9°C, pH = 8.16, dissolved organic carbon = 1.4 mg/L, humic acid fraction = 10%, calcium = 44.6 mg/L, magnesium = 11.0 mg/L, sodium = 11.7 mg/L, potassium = 2.12 mg/L, sulfate = 46.2 mg/L, chloride = 12.7 mg/L, alkalinity = 123 mg/L CaCO3, and sulfide = 1.00 x 10 <sup>-8</sup> mg/L.					
<b>l. Chronic</b>					<b>Short-term</b>
Egg-Ovary (mg/kg dw)	Fish Tissue (mg/kg dw)		Water Column (µg/L)		Water Column (µg/L)
Egg-Ovary	Whole-Body	Muscle	Water Lentic	Water Lotic	Water
15.1 <sup>1</sup>	8.5 <sup>2</sup>	11.3 <sup>2</sup>	1.5 (30 day average) <sup>3</sup>	3.1 (30 day average) <sup>3</sup>	Intermittent Exposure Equation <sup>3,4</sup>
mg/kg dw – milligrams per kilogram dry weight, µg/L – micrograms per liter					
1. Egg-ovary supersedes any whole-body, muscle, or water column element when fish egg-ovary concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species. Not to be exceeded; DEQ will evaluate all representative egg-ovary data to determine compliance with this criterion element.					
2. Fish whole-body or muscle tissue supersedes water column element when both fish tissue and water concentrations are measured. Single measurement of an average or composite sample of at least five (5) individuals of the same species where the smallest individual is no less than seventy-five percent (75%) of the total length (size) of the largest individual. Not to be exceeded; DEQ will evaluate all representative whole body or muscle data to determine compliance with this criterion element.					
3. Water column values are based on dissolved total selenium in water and are derived from fish tissue values via bioaccumulation modeling. Water column values are the applicable criterion element in the absence of steady-state condition fish tissue data. In fishless waters, selenium concentrations in fish from the nearest downstream waters may be used to assess compliance using methods provided in <a href="#">Aquatic Life Ambient Water Quality Criterion for Selenium – Freshwater, EPA-822-R-16-006, Appendix K: Translation of a Selenium Fish Tissue Criterion Element to a Site-Specific Water Column Value (June 2016)</a> .					

Table 1. Criteria for Protection of Aquatic Life			
Compound	<sup>a</sup> CAS Number	<sup>b</sup> CMC (µg/L)	<sup>b</sup> CCC (µg/L)
<p>4. Intermittent Exposure Equation=</p> $\frac{WQC - C_{bkgnd}(1 - f_{int})}{f_{int}}$ <p>where WQC is the applicable water column element, for either lentic or lotic waters; C<sub>bkgnd</sub> is the average background selenium concentration, and f<sub>int</sub> is the fraction of any 30-day period during which elevated selenium concentrations occur, with f<sub>int</sub> assigned a value ≥ 0.033 (corresponding to one day).</p> <p>m. There is no specific acute criterion for aquatic life; however, the aquatic life criterion is based on chronic effects of the selenium on aquatic life and is expected to adequately protect against acute effects.</p>			

(3-31-22)

b. Table 2 contains criteria to protect human health. The Water & Fish criteria apply to waters designated for domestic water supply use. The Fish Only criteria apply to waters designated for primary or secondary contact recreation use.

(4-6-23)

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)	Fish Only (µg/L unless otherwise specified)		
Inorganic Compounds/Metals						
Antimony	7440360		5.2	b	190	b
Arsenic	7440382	Y	10	cdj	4.3; 8.0 µg/kg fish tissue	ck
Beryllium	7440417			e		e
Cadmium	7440439			e		e
Chromium III	16065831			e		e
Chromium VI	18540299			e		e
Copper	7440508		1300	j		
Lead	7439921			e		e
Methylmercury	22967926				0.3mg/kg	i
Nickel	7440020		58	b	100	b
Selenium	7782492		29	b	250	b
Thallium	7440280		0.017	b	0.023	b
Zinc	7440666		870	b	1,500	b

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)		Fish Only (µg/L unless otherwise specified)	
<b>Inorganic Compounds/Non-Metals</b>						
Cyanide	57125		3.9	b	140	b
Asbestos	1332214		7,000,000 Fibers/L	j		
<b>Organic Compounds</b>						
Acenaphthene	83329		26	b	28	b
Acenaphthylene	208968			e		e
Acrolein	107028		3.2	b	120	b
Acrylonitrile	107131	Y	0.60	bf	22	bf
Aldrin	309002	Y	2.5E-06	bf	2.5E-06	bf
Anthracene	120127		110	b	120	b
alpha-BHC	319846	Y	0.0012	bf	0.0013	bf
beta-BHC	319857	Y	0.036	bf	0.045	bf
gamma-BHC (Lindane)	58899		1.4	b	1.4	b
delta-BHC	319868			e		e
Benzene	71432		3.0	bf	28	b
Benzidine	92875	Y	0.0014	bf	0.033	bf
Benzo(a)Anthracene	56553	Y	0.0042	bf	0.0042	bf
Benzo(b)Fluoranthene	205992	Y	0.0042	bf	0.0042	bf
Benzo(k)Fluoranthene	207089	Y	0.042	bf	0.042	bf
Benzo(ghi)Perylene	191242			e		e
Benzo(a)Pyrene	50328	Y	0.00042	bf	0.00042	bf
Bis(2-Chloroethoxy) Methane	111911			e		e
Bis(2-Chloroethyl) Ether	111444	Y	0.29	bf	6.8	bf
Bis(2-Chloroisopropyl) Ether	108601		220	b	1,200	b
Bis(Chloromethyl) Ether	542881	Y	0.0015	bf	0.055	bf
Bis(2-Ethylhexyl) Phthalate	117817	Y	1.2	bf	1.2	bf
Bromoform	75252	Y	62	bf	380	bf



Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)		Fish Only (µg/L unless otherwise specified)	
4-Bromophenyl Phenyl Ether	101553			e		e
Butylbenzyl Phthalate	85687		0.33	b	0.33	b
Carbon Tetrachloride	56235	Y	3.6	bf	15	bf
Chlorobenzene	108907		89	b	270	b
Chlordane	57749	Y	0.0010	bf	0.0010	bf
Chlorodibromomethane	124481	Y	7.4	bf	67	bf
Chloroethane	75003			e		e
2-Chloroethylvinyl Ether	110758			e		e
Chloroform	67663		61	b	730	b
2-Chloronaphthalene	91587		330	b	380	b
2-Chlorophenol	95578		30	b	260	b
Chlorophenoxy Herbicide (2,4-D)	94757		1,000	b	3,900	b
Chlorophenoxy Herbicide (2,4,5-TP) [Silvex]	93721		82	b	130	b
4-Chlorophenyl Phenyl Ether	7005723			e		e
Chrysene	218019	Y	0.42	bf	0.42	bf
4,4'-DDD	72548	Y	0.00042	bf	0.00042	bf
4,4'-DDE	72559	Y	5.5E-05	bf	5.5E-05	bf
4,4'-DDT	50293	Y	9.8E-05	bf	9.8E-05	bf
Di-n-Butyl Phthalate	84742		8.2	b	8.3	b
Di-n-Octyl Phthalate	117840			e		e
Dibenzo (a,h) Anthracene	53703	Y	0.00042	bf	0.00042	bf
1,2-Dichlorobenzene	95501		700	b	1,100	b
1,3-Dichlorobenzene	541731		3.5	b	4.8	b
1,4-Dichlorobenzene	106467		180	b	300	b
3,3'-Dichlorobenzidine	91941	Y	0.29	bf	0.48	bf
Dichlorobromomethane	75274	Y	8.8	bf	86	bf
1,1-Dichloroethane	75343			e		e
1,2-Dichloroethane	107062	Y	96	bf	2,000	bf

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)		Fish Only (µg/L unless otherwise specified)	
1,1-Dichloroethylene	75354		310	b	5,200	b
2,4-Dichlorophenol	120832		9.6	b	19	b
1,2-Dichloropropane	78875	Y	8.5	bf	98	bf
1,3-Dichloropropene	542756	Y	2.5	bf	38	bf
Dieldrin	60571	Y	4.2E-06	bf	4.2E-06	bf
Diethyl Phthalate	84662		200	b	210	b
2,4-Dimethylphenol	105679		110	b	820	b
Dimethyl Phthalate	131113		600	b	600	b
Dinitrophenols	25550587		13	b	320	b
2,4-Dinitrophenol	51285		12	b	110	b
2,4-Dinitrotoluene	121142	Y	0.46	bf	5.5	bf
2,6-Dinitrotoluene	606202			e		e
1,2-Diphenylhydrazine	122667	Y	0.25	bf	0.65	bf
2, 3, 7, 8-TCDD Dioxin	1746016	Y	1.8E-08	bf	1.9E-08	bf
alpha-Endosulfan	959988		7.0	b	8.5	b
beta-Endosulfan	33213659		11	b	14	b
Endosulfan Sulfate	1031078		9.9	b	13	b
Endrin	72208		0.011	b	0.011	b
Endrin Aldehyde	7421934		0.38	b	0.40	b
Ethylbenzene	100414		32	b	41	b
Fluoranthene	206440		6.3	b	6.4	b
Fluorene	86737		21	b	22	b
Heptachlor	76448	Y	2.0E-05	bf	2.0E-05	bf
Heptachlor Epoxide	1024573	Y	0.00010	bf	0.00010	bf
Hexachlorobenzene	118741	Y	0.00026	bf	0.00026	bf
Hexachlorobutadiene	87683	Y	0.031	bf	0.031	bf
Hexachlorocyclohexane (HCH)-Technical	608731	Y	0.027	bf	0.032	bf
Hexachloro- cyclopentadiene	77474		1.3	b	1.3	b
Hexachloroethane	67721		0.23	b	0.24	b
Ideno (1,2,3-cd) Pyrene	193395	Y	0.0042	bf	0.0042	bf

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)		Fish Only (µg/L unless otherwise specified)	
Isophorone	78591	Y	330	bf	6,000	bf
Methoxychlor	72435		0.0054	b	0.0055	b
Methyl Bromide	74839		130	b	3,700	b
Methyl Chloride	74873			e		e
3-Methyl-4-Chlorophenol	59507		350	b	750	b
2-Methyl-4,6-Dinitrophenol	534521		1.6	b	8.6	b
Methylene Chloride	75092		38	b	960	b
Naphthalene	91203			e		e
Nitrobenzene	98953		12	b	180	b
2-Nitrophenol	88755			e		e
4-Nitrophenol	100027			e		e
N-Nitrosodimethylamine	62759	Y	0.0065	bf	9.1	bf
N-Nitrosodi-n-Propylamine	621647	Y	0.046	bf	1.5	bf
N-Nitrosodiphenylamine	86306	Y	3.14	bf	18	bf
Pentachlorobenzene	608935		0.035	b	0.036	b
Pentachlorophenol	87865	Y	0.11	bf	0.12	bf
Phenanthrene	85018			e		e
Phenol	108952		3,800	b	85,000	b
Polychlorinated Biphenyls PCBs	g	Y	0.00019	b <sup>fh</sup>	0.00019	b <sup>fh</sup>
Pyrene	129000		8.1	b	8.4	b
1,2,4,5- Tetrachlorobenzene	95943		0.0093	b	0.0094	b
1,1,2,2-Tetrachloroethane	79345	Y	1.4	bf	8.6	bf
Tetrachloroethylene	127184		15	b	23	b
Toluene	108883		47	b	170	b
Toxaphene	8001352	Y	0.0023	bf	0.0023	bf
1,2-Trans- Dichloroethylene	156605		120	b	1,200	b
1,2,4-Trichlorobenzene	120821		0.24	b	0.24	b
1,1,1-Trichloroethane	71556		11,000	b	56,000	b
1,1,2-Trichloroethane	79005	Y	4.9	bf	29	bf

Table 2. Criteria for Protection of Human Health (based on consumption of:)						
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)		Fish Only (µg/L unless otherwise specified)	
Trichloroethylene	79016		2.6	b	11	b
2,4,5-Trichlorophenol	95954		140	b	190	b
2,4,6-Trichlorophenol	88062		1.5	b	2.0	b
Vinyl Chloride	75014	Y	0.21	bf	5.0	bf

**Footnotes for Table 2. Criteria for Protection of Human Health**

**a.** Chemical Abstracts Service (CAS) registry numbers which provide a unique identification for each chemical.

**b.** This criterion is based on input values to human health criteria calculation specified in [Idaho's Technical Support Document \(TSD\) for Human Health Criteria Calculations - 2015](#). Criteria for non-carcinogens are calculated using the formula:

$$AWQC = RfD * RSC * \left( \frac{BW}{DI + (FI * BAF)} \right)$$

and criteria for carcinogens are calculated using the formula:

$$AWQC = RSD * \left( \frac{BW}{DI + (FI * BAF)} \right)$$

Where:

AWQC = Ambient water quality criterion (mg/L)

BW = Human Body Weight (kg), 80 is used in these criteria

DI = Drinking Water Intake, (L/day), 2.4 is used in these criteria

FI = Fish Intake, (kg/day), 0.0665 is used in these criteria

BAF = Bioaccumulation Factor, L/kg, chemical specific value, see TSD

RfD = Reference dose (mg/kg-day), chemical specific value, see TSD

$$RSD = \frac{\text{Target Incremental Cancer Risk}}{\text{Cancer Potency Factor}} \text{ (mg/kg-day), chemical specific value, see TSD}$$

RSC = Relative Source Contribution, chemical specific value, see TSD

**c.** Inorganic forms only.

**d.** Criterion expressed as total recoverable (unfiltered) concentrations.

Table 2. Criteria for Protection of Human Health (based on consumption of:)				
Compound	<sup>a</sup> CAS Number	Carcinogen?	Water & Fish (µg/L unless otherwise specified)	Fish Only (µg/L unless otherwise specified)
e. No numeric human health criteria has been established for this contaminant. However, permit authorities should address this contaminant in NPDES permit actions using the narrative criteria for toxics from Section 200 of these rules.				
f. EPA guidance allows states to choose from a range of 10 <sup>-4</sup> to 10 <sup>-6</sup> for the incremental increase in cancer risk used in human health criteria calculation. Idaho has chosen to base this criterion on carcinogenicity of 10 <sup>-5</sup> risk.				
g. PCBs are a class of chemicals which include Aroclors, 1242, 1254, 1221, 1232, 1248, 1260, and 1016, CAS numbers 53469219, 11097691, 11104282, 11141165, 12672296, 11096825 and 12674112 respectively. The aquatic life criteria apply to this set of PCBs.				
h. This criterion applies to total PCBs, (e.g. the sum of all congener, isomer, or Aroclor analyses).				
i. This fish tissue residue criterion (TRC) for methylmercury is based on a human health reference dose (RfD) of 0.0001 mg/kg body weight-day; a relative source contribution (RSC) estimated to be 27% of the RfD; a human body weight (BW) of 70 kg (for adults); and a total fish consumption rate of 0.0175 kg/day for the general population, summed from trophic level (TL) breakdown of TL2 = 0.0038 kg fish/day + TL3 = 0.0080 kg fish/day + TL4 = 0.0057 kg fish/day. This is a criterion that is protective of the general population. A site-specific criterion or a criterion for a particular subpopulation may be calculated by using local or regional data, rather than the above default values, in the formula: TRC = [BW x {RfD – (RSCxRfD)}] / <sup>2</sup> TL. In waters inhabited by species listed as threatened or endangered under the Endangered Species Act or designated as their critical habitat, the Department will apply the human health fish tissue residue criterion for methylmercury to the highest trophic level available for sampling and analysis.				
j. This criterion is based on the drinking water Maximum Contaminant Level (MCL).				
k. For Fish Only exposure to inorganic arsenic, the human health criterion is:				
Fish Tissue (µg/kg wet-weight)		Water Column (µg/L)		
8.0 <sup>1</sup>		4.3 <sup>2</sup>		
<sup>1</sup> Fish tissue element is based on total recoverable inorganic arsenic in muscle or fillet. The fish tissue element supercedes the water column element provided at least ninety (90) days have passed since any new activity or discharge has occurred within the water body. Fish tissue element will be applied in accordance with Subsection 210.03.e.				
<sup>2</sup> Water column element is based on dissolved inorganic arsenic in water.				

(4-6-23)

**02. Factors for Calculating Hardness Dependent Metals Criteria.** Hardness dependent metals criteria are calculated using values from the following table in the equations: (3-31-22)

a.  $CMC = WER \exp \{mA[\ln(\text{hardness})] + bA\}$  X Acute Conversion Factor. (3-31-22)

b.  $CCC = WER \exp \{mc[\ln(\text{hardness})] + bc\}$  X Chronic Conversion Factor.

Metal	mA	bA	mc	bc	aAcute Conversion Factor	aChronic Conversion Factor
-------	----	----	----	----	--------------------------	----------------------------

Arsenic	b	b	b	b	4.0	4.0
Cadmium	0.8367	-3.560	0.6247	-3.344	0.944 see footnote a	0.909
Chromium (III)	0.819	3.7256	0.8190	0.6848	0.316	0.860
Chromium (VI)	b	b	b	b	0.982	0.962
Lead	1.273	-1.460	1.273	-4.705	0.791	0.791
Mercury	b	b	b	b	0.85	0.85
Nickel	0.846	2.255	0.8460	0.0584	0.998	0.997
Silver	1.72	-6.52	c	c	0.85	c
Zinc	0.8473	0.884	0.8473	0.884	0.978	0.986

Note to table: The term “exp” represents the base e exponential function.

Footnotes to table:

**a.** Conversion factors (CF) are from “Stephan, C. E. 1995. Derivation of conversion factors for the calculation of dissolved freshwater aquatic life criteria for metals. U.S. Environmental Protection Agency, Environmental Research Laboratory – Duluth.” The conversion factors for cadmium and lead are hardness-dependent and can be calculated for any hardness (see limitations in Subsection 210.03.b.i.) using the following equations. For comparative purposes, the conversion factors for a total hardness of one hundred (100) mg/L are shown in the table. The conversion factor shall not exceed one (1).

Cadmium

Acute:  $CF = 1.136672 - [(\ln \text{hardness})(0.041838)]$  NOTE: The cadmium acute criterion equation was derived from dissolved metals toxicity data and thus requires no conversion; this conversion factor may be used to back calculate an equivalent total recoverable concentration.

Chronic:  $CF = 1.101672 - [(\ln \text{hardness})(0.041838)]$

Lead (Acute and Chronic):  $CF = 1.46203 - [(\ln \text{hardness})(0.145712)]$

**b.** Not applicable

**c.** No chronic criteria are available for silver.

(3-31-22)( )

**03. Applicability.** The criteria established in Section 210 are subject to the general rules of applicability in the same way and to the same extent as are the other numeric chemical criteria when applied to the same use classifications. Mixing zones may be applied to toxic substance criteria subject to the limitations set forth in Section 060 and set out below. (3-31-22)

**a.** For all waters for which the Department has determined mixing zones to be applicable, the toxic substance criteria apply at the boundary of the mixing zone(s) and beyond. Absent an authorized mixing zone, the toxic substance criteria apply throughout the waterbody including at the end of any discharge pipe, canal or other discharge point. (3-31-22)

**b.** Low flow design conditions. Water quality-based effluent limits and mixing zones for toxic substances shall be based on the following low flows in perennial receiving streams. Numeric chemical criteria may be exceeded in perennial streams outside any applicable mixing zone only when flows are less than these values:

Aquatic Life		Human Health	
CMC (“acute” criteria)	1Q10 or 1B3	Non-carcinogens	Harmonic mean flow
CCC (“chronic” criteria)	7Q10 or 4B3	Carcinogens	Harmonic mean flow

(3-31-22)

i. Where “1Q10” is the lowest one-day flow with an average recurrence frequency of once in ten (10) years determined hydrologically; (3-31-22)

ii. Where “1B3” is biologically based and indicates an allowable exceedance of once every three (3) years. It may be determined by EPA’s computerized method (DFLOW model); (3-31-22)

iii. Where “7Q10” is the lowest average seven (7) consecutive day low flow with an average recurrence frequency of once in ten (10) years determined hydrologically; (3-31-22)

iv. Where “4B3” is biologically based and indicates an allowable exceedance for four (4) consecutive days once every three (3) years. It may be determined by EPA’s computerized method (DFLOW model); (3-31-22)

v. Where the harmonic mean flow is a long term mean flow value calculated by dividing the number of daily flows analyzed by the sum of the reciprocals of those daily flows. (3-31-22)

c. Application of aquatic life metals criteria. (3-31-22)

i. For metals other than cadmium, for purposes of calculating hardness dependent aquatic life criteria from the equations in Subsection 210.02, the minimum hardness allowed for use in those equations shall not be less than twenty-five (25) mg/l, as calcium carbonate, even if the actual ambient hardness is less than twenty-five (25) mg/l as calcium carbonate. For cadmium, the minimum hardness for use in those equations shall not be less than ten (10) mg/l, as calcium carbonate. The maximum hardness allowed for use in those equations shall not be greater than four hundred (400) mg/l, as calcium carbonate, except as specified in Subsections 210.03.c.ii. and 210.03.c.iii., even if the actual ambient hardness is greater than four hundred (400) mg/l as calcium carbonate. (3-31-22)

ii. The hardness values used for calculating aquatic life criteria for metals at design discharge conditions shall be representative of the ambient hardnesses for a receiving water that occur at the design discharge conditions given in Subsection 210.03.b. (3-31-22)

iii. Except as otherwise noted, the aquatic life criteria for metals (arsenic through zinc in Table 1 in Subsection 210.01) are expressed as dissolved metal concentrations. Unless otherwise specified by the Department, dissolved concentrations are considered to be concentrations recovered from a sample which has passed through a forty-five hundredths (0.45) micron filter. For the purposes of calculating aquatic life criteria for metals from the equations in footnotes c. and f. in Table 1 in Subsection 210.01, the water effect ratio is computed as a specific pollutant’s acute or chronic toxicity values measured in water from the site covered by the standard, divided by the respective acute or chronic toxicity value in laboratory dilution water. The water-effect ratio shall be assigned a value of one (1.0), except where the Department assigns a different value that protects the designated uses of the water body from the toxic effects of the pollutant, and is derived from suitable tests on sampled water representative of conditions in the affected water body, consistent with the design discharge conditions established in Subsection 210.03.b. For purposes of calculating water effects ratios, the term acute toxicity value is the toxicity test results, such as the concentration lethal one-half (1/2) of the test organisms (i.e., LC50) after ninety-six (96) hours of exposure (e.g., fish toxicity tests) or the effect concentration to one-half of the test organisms, (i.e., EC50) after forty-eight (48) hours of exposure (e.g., daphnia toxicity tests). For purposes of calculating water effects ratios, the term chronic value is the result from appropriate hypothesis testing or regression analysis of measurements of growth, reproduction, or survival from life cycle, partial life cycle, or early life stage tests. The determination of acute and chronic values shall be according to current standard protocols (e.g., those published by the American Society for Testing and Materials (ASTM)) or other comparable methods. For calculation of criteria using site-specific values for both the hardness and the water effect ratio, the hardness used in the equations in Subsection 210.02 shall be as required in Subsection 210.03.c.ii. Water hardness shall be calculated from the measured calcium and magnesium ions present, and the ratio of calcium to magnesium shall be approximately the same in laboratory toxicity testing water as in the site water, or be similar to average ratios of laboratory waters used to derive the criteria. (3-31-22)

iv. Implementation Guidance for the Idaho Mercury Water Quality Criteria. (3-31-22)

(1) The “Implementation Guidance for the Idaho Mercury Water Quality Criteria” describes in detail suggested methods for discharge related monitoring requirements, calculation of reasonable potential to exceed (RPTE) water quality criteria in determining need for mercury effluent limits, and use of fish tissue mercury data in calculating mercury load reductions. This guidance, or its updates, will provide assistance to the Department and the public when implementing the methylmercury criterion. The “Implementation Guidance for the Idaho Mercury Water Quality Criteria” also provides basic background information on mercury in the environment, the novelty of a fish tissue criterion for water quality, the connection between human health and aquatic life protection, and the relation of environmental programs outside of Clean Water Act programs to reducing mercury contamination of the environment. The [“Implementation Guidance for the Idaho Mercury Water Quality Criteria”](#) is available at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706, and on the DEQ website at <https://www.deq.idaho.gov>. (3-31-22)

(2) The implementation of a fish tissue criterion in NPDES permits and TMDLs requires a non-traditional approach, as the basic criterion is not a concentration in water. In applying the methylmercury fish tissue criterion in the context of NPDES effluent limits and TMDL load reductions, the Department will assume change in fish tissue concentrations of methylmercury are proportional to change in water body loading of total mercury. Reasonable potential to exceed (RPTE) the fish tissue criterion for existing NPDES sources will be based on measured fish tissue concentrations potentially affected by the discharge exceeding a specified threshold value, based on uncertainty due to measurement variability. This threshold value is also used for TMDL decisions. Because measured fish tissue concentrations do not reflect the effect of proposed new or increased discharge of mercury, RPTE in these cases will be based upon an estimated fish tissue methylmercury concentration, using projected changes in waterbody loading of total mercury and a proportional response in fish tissue mercury. For the above purposes, mercury will be measured in the skinless filets of sport fish using techniques capable of detecting tissue concentrations down to point zero five (0.05) mg/kg. Total mercury analysis may be used, but will be assumed to be all methylmercury for purposes of implementing the criterion. (3-31-22)

v. Copper Criteria for Aquatic Life. (3-31-22)

(1) Aquatic life criteria for copper shall be derived using: (3-31-22)

(a) Biotic Ligand Model (BLM) software that calculates criteria consistent with the [“Aquatic Life Ambient Freshwater Quality Criteria – Copper”](#): EPA-822-R-07-001 (February 2007); or (3-31-22)

(b) An estimate derived from BLM outputs that is based on a scientifically sound method and protective of the designated aquatic life use. (3-31-22)

(2) To calculate copper criteria using the BLM, the following parameters from each site shall be used: temperature, pH, dissolved organic carbon (DOC), calcium, magnesium, sodium, potassium, sulfate, chloride, and alkalinity. The BLM inputs for humic acid (HA) as a proportion of DOC and sulfide shall be based on either measured values or the following default values: 10% HA as a proportion of DOC,  $1.00 \times 10^{-8}$  mg/L sulfide. Measured values shall supersede any estimate or default input. (3-31-22)

(3) BLM input measurements shall be planned to capture the most bioavailable conditions for copper. (3-31-22)

(4) A criterion derived under Subsection 210.03.c.v.(1)(a) shall supersede any criterion derived under Subsection 210.03.c.v.(1)(b). Acceptable BLM software includes the [“US EPA WQC Calculation” for copper in BLM Version 3.1.2.37 \(October 2015\)](#). (3-31-22)

(5) Implementation Guidance for the Idaho Copper Criteria for Aquatic Life. The “Implementation Guidance for the Idaho Copper Criteria for Aquatic Life: Using the Biotic Ligand Model” describes in detail methods for implementing the aquatic life criteria for copper using the BLM. This guidance, or its updates, will provide assistance to the Department and the public for determining minimum data requirements for BLM inputs and how to estimate criteria when data are incomplete or unavailable. The [“Implementation Guidance for the Idaho Copper Criteria for Aquatic Life: Using the Biotic Ligand Model”](#) is available at the Department of Environmental Quality, 1410 N. Hilton, Boise, Idaho 83706, and on the DEQ website at <https://www.deq.idaho.gov>. (3-31-22)



d. Application of toxics criteria. (3-31-22)

i. Frequency and duration for aquatic life toxics criteria. CMC column criteria in Table 1 in Subsection 210.01 are concentrations not to be exceeded for a one-hour average more than once in three (3) years unless otherwise specified. CCC column criteria in Table 1 in Subsection 210.01 are concentrations not to be exceeded for a four-day average more than once in three (3) years unless otherwise specified. (3-31-22)

ii. Frequency and duration for human health toxics criteria. Criteria in Table 2, Subsection 210.01, are not to be exceeded based on an annual arithmetic mean concentration. (4-6-23)

e. Application of the fish tissue element of the arsenic criterion for human health. (4-6-23)

i. The fish tissue element for total recoverable inorganic arsenic is based on a single measurement using sufficiently sensitive methods. (4-6-23)

ii. The single measurement must be made on a sample that is an average or composite of a minimum of five (5) individual fish of the same species collected from the same water body within the same calendar year. When available, game fish species representative of the size and species that may be legally harvested within the waterbody are preferred. Results from multiple sample events may be averaged or composited provided they represent the same species collected from the same water body within the same calendar year. (4-6-23)

iii. Not to be exceeded; the Department will evaluate all representative fish tissue data to determine compliance with this criterion element. (4-6-23)

iv. For purposes of determining water column targets for the development of effluent limits, TMDL targets, or water column targets for fishless waters, the fish tissue element may be translated to a water column value using a site-specific bioaccumulation factor (BAF) based on the ratio of total recoverable inorganic arsenic in fish muscle or fillet tissue to dissolved inorganic arsenic in the water column using the following equation:

$$WC_T (\mu g/L) = \frac{8.00 \mu g/kg}{BAF_{SS} L/kg}$$

Where:

$WC_T (\mu g/L)$  is the translated water column value; and

$BAF_{SS} L/kg$  is the site specific BAF calculated consistent with 210.03.e.v.

In fishless waters, surface water and fish tissue from the immediate downstream waters may be used for bioaccumulation modeling. In the absence of sufficient fish tissue data, the water column element is the applicable criterion element in fishless waters. (4-6-23)

v. When translating the fish tissue element to a water column value, the following procedures will be followed. (4-6-23)

(1) Data used to translate the fish tissue element must be based on current conditions and consistent with Subsections 210.03.e.i. and ii. (4-6-23)

(2) Whenever practical, fish tissue samples must be representative of the game fish species present within the waterbody and include game fish of legally harvestable size. In the absence of suitable game fish species, other resident fish species may be used. (4-6-23)

(3) Water column samples must be representative of the annual average concentration of dissolved inorganic arsenic at the site. (4-6-23)

(4) BAFs are calculated as a trophic-level weighted BAF ~~or other scientifically defensible method for deriving protective BAF.~~ (4-6-23) ( )

EPA approved Docket No. 58-0102-2201 with exception of disapproving the provision, in IDAPA 58.01.02.210.03.e.v.(4), to calculate bioaccumulation factors using "... other scientifically defensible method for deriving protective BAF." The EPA Action Letter and Technical Support Document were received on September 29, 2023. The remainder of IDAPA 58.01.02.210.03.e.v.(4) was approved by EPA and is effective for CWA purposes. "BAFs are calculated as a trophic level weighted BAF."

**04. National Pollutant Discharge Elimination System Permitting.** For the purposes of NPDES permitting, interpretation and implementation of metals criteria listed in Subsection 210.02 should be governed by the following standards, that are hereby incorporated by reference, in addition to other scientifically defensible methods deemed appropriate by the Department; provided, however, any identified conversion factors within these documents are not incorporated by reference. Metals criteria conversion factors are identified in Subsection 210.02 of this rule. (3-31-22)

1993. a. "Guidance Document on Dissolved Criteria -- Expression of Aquatic Life Criteria," EPA, October (3-31-22)
- b. "Guidance Document on Dynamic Modeling and Translators," EPA, August 1993. (3-31-22)
- c. "Guidance Document on Clean Analytical Techniques and Monitoring," EPA, October 1993. (3-31-22)
1994. d. "Interim Guidance on Determination and Use of Water-Effect Ratios for Metals," EPA, February (3-31-22)
- e. "Technical Support Document for Water Quality-Based Toxics Control." EPA, March 1991. (3-31-22)

**05. Development of Toxic Substance Criteria.** (3-31-22)

a. Aquatic Life Communities Criteria. Numeric criteria for the protection of aquatic life uses not identified in these rules for toxic substances, may be derived by the Department from the following information: (3-31-22)

- i. Site-specific criteria developed pursuant to Section 275; (3-31-22)
- ii. Effluent biomonitoring, toxicity testing and whole-effluent toxicity determinations; (3-31-22)
- iii. The most recent recommended criteria defined in EPA's ECOTOX database. When using EPA recommended criteria to derive water quality criteria to protect aquatic life uses, the lowest observed effect concentrations (LOECs) shall be considered; or (3-31-22)
- iv. Scientific studies including, but not limited to, instream benthic assessment or rapid bioassessment. (3-31-22)

**b. Human Health Criteria.** (3-31-22)

i. When numeric criteria for the protection of human health are not identified in these rules for toxic substances, quantifiable criteria may be derived by the Department using best available science on toxicity thresholds (i.e. reference dose or cancer slope factor), such as defined in EPA's Integrated Risk Information System (IRIS) or other peer-reviewed source acceptable to the Department. (3-31-22)

ii. When using toxicity thresholds to derive water quality criteria to protect human health, a fish consumption rate representative of the population to be protected, a mean adult body weight, an adult 90th percentile water ingestion rate, a trophic level weighted BAF or BCF, and a hazard quotient of one (1) for non-carcinogens or a cancer risk level of  $10^{-5}$  for carcinogens will be utilized for any compound not listed in Subsection 210.05.b.iii.

(4-6-23)

- iii. Subsection 210.05.b.ii. does not apply to the fish tissue element for inorganic arsenic. (4-6-23)

**(BREAK IN CONTINUITY OF SECTIONS)**

**401. POINT SOURCE WASTEWATER TREATMENT REQUIREMENTS.**

Unless more stringent limitations are necessary to meet the applicable requirements of Sections 200 through 300, or unless specific exemptions are made pursuant to Subsection 080.02, wastewaters discharged into surface waters of the state must have the following characteristics: (3-31-22)

- 01. Temperature.** The wastewater must not affect the receiving water outside the mixing zone so that: (3-31-22)

**a.** The temperature of the receiving water or of downstream waters will interfere with designated beneficial uses. (3-31-22)

- b.** Daily and seasonal temperature cycles characteristic of the water body are not maintained. (3-31-22)

~~**e.** If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge due to natural background conditions, then wastewater must not raise the receiving water temperatures by more than three tenths (0.3) degrees C. (3-31-22)~~

~~**Note:** Submitted to EPA as a temporary rule on July 20, 2011, and as a final rule on August 7, 2012 (docket 58-0102-1101). This revision removed the numeric limits on point source induced changes in receiving water temperature. Until EPA approves this revision, the previous treatment requirements published in 2011 Idaho Administrative Code continue to apply and are effective for CWA purposes. For more information, go to <http://www.deq.idaho.gov/epa-actions-on-proposed-standards>.~~

~~The previous treatment requirements published in 2011 Idaho Administrative Code are effective for CWA purposes until the date EPA issues written notification that the revisions in Docket Nos. 58-0102-1101 or 58-0102-1803 have been approved.~~

~~**c.** If the water is designated for warm water aquatic life, the induced variation is more than plus two (+2) degrees C. ( )~~

~~**d.** If the water is designated for cold water aquatic life, seasonal cold water aquatic life, or salmonid spawning, the induced variation is more than plus one (+1) degree C. ( )~~

~~**ee.** If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge due to natural background conditions, then **Subsections 401.01.c. and 401.01.d. do not apply and instead** wastewater must not raise the receiving water temperatures by more than three tenths (0.3) degrees C above the natural background conditions. (3-31-22)( )~~

~~Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1803 have been approved.~~

~~**d.** If temperature criteria for the designated aquatic life use are exceeded in the receiving waters upstream of the discharge, then wastewater must not raise the receiving water temperatures by more than three tenths~~

~~(0.3) degrees C above applicable numeric criteria.~~

~~(3-31-22)~~

~~Not effective for CWA purposes until the date EPA issues written notification that the revisions in Docket No. 58-0102-1803 have been approved.~~

**02. Turbidity.** The wastewater must not increase the turbidity of the receiving water outside the mixing zone by: (3-31-22)

**a.** More than five (5) NTU (Nephelometric Turbidity Units) over background turbidity, when background turbidity is fifty (50) NTU or less; or (3-31-22)

**b.** More than ten percent (10%) increase in turbidity when background turbidity is more than fifty (50) NTU, not to exceed a maximum increase of twenty-five (25) NTU. (3-31-22)

## **IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY**

### **58.01.13 – RULES FOR ORE PROCESSING BY CYANIDATION**

**DOCKET NO. 58-0113-2501**

#### **NOTICE OF RULEMAKING – TEMPORARY AND PROPOSED RULE**

**EFFECTIVE DATE:** The temporary rule is effective July 1, 2025.

**AUTHORITY:** In compliance with Sections 67-5221(1) and 67-5226(1), Idaho Code, notice is hereby given that this agency has adopted a temporary rule and has initiated proposed rulemaking. This action is authorized by Sections 39-105, 39-107, and 39-118A, Idaho Code.

**PUBLIC HEARING SCHEDULE:** No hearings have been scheduled. Pursuant to Section 67-5222(2), Idaho Code, a public hearing will be held if requested in writing by twenty-five (25) persons, a political subdivision, or an agency. Written requests for a hearing must be received by the undersigned on or before July 16, 2025. If no such written request is received, a public hearing will not be held.

**DESCRIPTIVE SUMMARY:** Under [Senate Bill 1170](#) (S1170), the 2025 Idaho Legislature amended Chapter 1, Title 39, Idaho Code, with the addition of new [Section 39-118A, Idaho Code](#), which directs DEQ to commence an administrative review of IDAPA 58.01.13, Rules for Ore Processing by Cyanidation, and bring the rules into compliance with new Section 39-118A, Idaho Code, by July 1, 2025. To accomplish this, the Idaho Board of Environmental Quality (Board) adopted a temporary rule that updates IDAPA 58.01.13 by removing rule text that is now in statute and revising the remaining rule for consistency with the new provisions in Section 39-118A, Idaho Code. As provided in S1170, Section 3, IDAPA 58.01.13 Sections 100.04, 300, 400, 450, and 550 were null and void upon passage and approval of S1170 on March 31, 2025. Those rule sections have been deleted from IDAPA 58.01.13 in the Idaho Administrative Code without the need for rulemaking. Notice of this action was published in the May 7, 2025, Idaho Administrative Bulletin, [Vol. 25-5, page 80](#), Docket No. 58-0113-2500, Notice of Revocation of Final Rule.

The proposed rule text is in legislative format. Language the agency proposes to add is underlined. Language the agency proposes to delete is struck out. It is these additions and deletions to which public comment should be addressed. If a pending rule is adopted by the Board and approved by concurrent resolution (CR) of the 2025 Idaho Legislature, the final rule will become effective on July 1, 2026, unless otherwise specified in the CR. To ensure that the temporary rule remains effective until the final rule becomes effective, it will be necessary for the Legislature to approve the temporary rule by CR during the 2026 legislative session. Pursuant to Section 67-5291(3), Idaho Code, a temporary rule will expire upon adjournment sine die of the legislative session if not approved by CR.

**TEMPORARY RULE JUSTIFICATION:** In accordance with Section 67-5226(1), Idaho Code, the Governor finds that the following provisions require this rule to become effective before it has been submitted for legislative review: Section 67-5226(1)(b), Idaho Code, compliance with deadlines in amendments to governing law; and Section 67-5226(1)(c), Idaho Code, reducing a regulatory burden that would otherwise impact individuals or businesses. An earlier effective date is necessary to meet the 2025 Idaho Legislature's directive in Section 39-118A, Idaho Code, (S1170) to adopt a temporary rule by July 1, 2025.

**FISCAL IMPACT STATEMENT:** The following is 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 resulting from this rulemaking: Not applicable.

**NEGOTIATED RULEMAKING:** Negotiated rulemaking was not conducted. DEQ determined that negotiated rulemaking is not feasible due to time constraints and the narrow scope of this rulemaking. In Section 39-118A, Idaho Code, the 2025 Idaho Legislature directs DEQ to promulgate a rule by July 1, 2025. The scope of this rulemaking is limited to making revisions necessary for compliance and consistency with the new provisions in Section 39-118A, Idaho Code (S1170).

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule: Not applicable.

**IDAHO CODE SECTION 39-107D STATEMENT:** This rule proposes to regulate an activity not regulated by the federal government and has previously been approved as meeting the requirements of Section 39-107D, Idaho Code, in Omnibus Rule Docket No. 58-0000-2000F (negotiated under Docket No. 58-0113-1901). DEQ initiated this proposed rulemaking for compliance and consistency with Section 39-118A, Idaho Code, as revised by the 2025 Idaho Legislature under S1170.

**ASSISTANCE ON TECHNICAL QUESTIONS:** For assistance on questions concerning this rulemaking, contact Adam McMahon at [Adam.McMahon@deq.idaho.gov](mailto:Adam.McMahon@deq.idaho.gov) or 208-373-0450.

**SUBMISSION OF WRITTEN COMMENTS:** Anyone may submit written comments regarding this proposed rule. The Department will consider all written comments received on or before July 23, 2025. Submit written comments to the undersigned.

Dated this 2nd day of July, 2025.

Diane Cutler, Rules and Planning Analyst  
Department of Environmental Quality  
1410 N. Hilton Street  
Boise, Idaho 83706  
208-373-0165  
[diane.cutler@deq.idaho.gov](mailto:diane.cutler@deq.idaho.gov)

**THE FOLLOWING IS THE TEMPORARY RULE AND THE PROPOSED TEXT  
OF DOCKET NO. 58-0113-2501  
(Only Those Sections With Amendments Are Shown.)**

**58.01.13 – RULES FOR ORE PROCESSING BY CYANIDATION**

**000. LEGAL AUTHORITY.**

~~Title 39, Chapter 1, Idaho Code, grants the authority to the Board of Environmental Quality to adopt rules, regulations and standards to protect the environment and the health of the State; grants authority to the Director to issue permits as prescribed by law and by the rules of the Board; and requires Department of Environmental Quality review and approval of plans and specifications for all new facilities, or for modifications or expansions to existing facilities, that process ore by cyanidation; and authorizes the Director to require reasonable fees for processing permit applications and for services rendered by the Department.~~ Sections 39-105, 39-107, and 39-118A, Idaho Code.  
(3-24-22)(7-1-25)T

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

~~01. Title.~~ These rules are titled IDAPA 58.01.13, “Rules for Ore Processing by Cyanidation.” (3-24-22)

~~02. Scope and Intent.~~ (3-24-22)

~~01.~~ Scope and Intent. These rules establish the procedures and requirements for the issuance and maintenance of a permit to construct, operate and close ~~that portion of~~ a cyanidation facility ~~that is intended to contain, treat or dispose of process water or process contaminated water containing cyanide~~. The provisions of these rules also establish requirements for water quality that address performance, construction, operation and closure ~~of that portion~~ of any cyanidation facility ~~that is intended to contain, treat, or dispose of process water~~. These rules are intended to ensure that ~~process water and process contaminated water~~ cyanide-containing materials, including spent ore, tailings, and process water, generated in ~~ore processing operations that utilize cyanide as a primary leaching~~

~~agent cyanidation~~, and ~~cyanidation~~ pollutants ~~associated with the cyanidation process~~ are safely contained, controlled, and treated so that they do not ~~interfere with the~~ impair beneficial uses of waters ~~and do not endanger public safety or the environment or degrade waters.~~ (3-24-22)(7-1-25)T

**b02. Compliance.** Compliance with a permit issued under these rules does not release the permittee from liability for any unauthorized discharge to or any unauthorized degradation of waters caused by the facility. (3-24-22)(7-1-25)T

(BREAK IN CONTINUITY OF SECTIONS)

**007. DEFINITIONS.**

The terms “Application,” “As-built Submittal,” “Component or Phase,” “Cyanidation,” “Cyanidation Facility,” “Cyanidation Pollutants,” “Issued for Construction Data Package,” “Major Modification or Material Modification,” and “Permit” are defined in 39-118A, Idaho Code. The terms “Department,” “Director,” “State,” “Person,” and “Waters” have the meaning provided for that term in are defined in Section 39-103, Idaho Code. The term “ground water” has the meaning provided is defined in Section 39-121, Idaho Code. The terms “Beneficial Use” and “Best Management Practices (BMPs)” are defined in IDAPA 58.01.02, “Water Quality Standards.” (3-24-22)(7-1-25)T

~~**01. Beneficial Use.** As defined in IDAPA 58.01.02, “Water Quality Standards,” Section 010, as amended.~~ (3-24-22)

~~**02. Best Management Practices (BMPs).** As defined in IDAPA 58.01.02, “Water Quality Standards,” Section 010, as amended.~~ (3-24-22)

**031. Degradation.** When referring to surface water, “degradation” has the meaning provided in IDAPA 58.01.02, “Water Quality Standards,” Section 010. When referring to ground water, “degradation” has the meaning provided in IDAPA 58.01.11, “Ground Water Quality Rule,” Section 007. (3-24-22)

**042. Discharge.** When used without qualification, any spilling, leaking, emitting, escaping, leaching, or disposing of a cyanidation pollutant into waters. (3-24-22)(7-1-25)T

**053. Idaho Pollutant Discharge Elimination System (IPDES) Permit.** A permit issued by the Department for the purpose of regulating discharges into surface waters. (3-24-22)

**064. Land Application.** A process or activity involving application of liquids or slurries potentially containing cyanide from the cyanidation facility to the land surface for the purpose of treatment, neutralization, disposal, or ground water recharge. (3-24-22)

**075. Liner.** A continuous layer of natural or man-made materials beneath and, if applicable, on the sides of ponds, tailings impoundments, or leach pads that restricts the downward and lateral movement of liquids. (3-24-22)

~~**08. Material Modification or Material Expansion.**~~ (3-24-22)

~~**a.** Any change to a permitted cyanidation facility, except as provided in Subsection 007.08.b., that the Department determines will:~~ (3-24-22)

~~**i.** Cause or increase the potential to cause degradation of waters, such as a new cyanidation process or cyanidation facility component;~~ (3-24-22)

~~**ii.** Significantly change the capacity, location, or process of an existing cyanidation facility component; or~~ (3-24-22)

~~**iii.** Change the site condition in a manner that is not adequately described in the original permit application.~~ (3-24-22)



~~b. Reclamation and closure related activities at a cyanidation facility with an existing permit that did not actively add cyanide after January 1, 2005 is not material modification or material expansion of the cyanidation facility.~~ (3-24-22)

**096. Material Stabilization.** Managing or treating spent ore, tailings or other solids and/or sludges resulting from the cyanidation process to minimize water or all other applied solutions from migrating through the material and transporting pollutants associated with the cyanidation facility to ensure that all discharges comply with all applicable standards and criteria. (3-24-22)

~~107. Neutralization or Neutralized.~~ Treatment of process water such that discharge or final disposal of the process water does not, or will not, violate any applicable standards and criteria. (3-24-22)

~~108. Outstanding Resource Water (ORW).~~ A high quality water, such as water of national and state parks and wildlife refuges and water of exceptional recreational or ecological significance, which has been designated by the legislature and subsequently listed in IDAPA 58.01.02, "Water Quality Standards." ORW constitutes an outstanding national or state resource that requires protection from point and nonpoint source activities that may lower water quality. (3-24-22)

~~109. Permanent Closure.~~ Those activities that result in neutralization, material stabilization and decontamination of cyanidation facilities and the facilities' final reclamation. (3-24-22)

~~130. Permanent Closure Plan.~~ A description of the procedures, methods, and schedule that will be implemented to treat and dispose of cyanide-containing materials including spent ore, tailings, and process water and in controlling and monitoring discharges and potential discharges for a reasonable period of time based on site-specific conditions in manner that As defined in Chapter 15, Title 47, Idaho Code, and meets the intent and purpose of Section 39-118A, Idaho Code; ~~Chapter 15, Title 47, Idaho Code;~~ and all applicable rules. (3-24-22)(7-1-25)T

~~14. Permit.~~ When used without qualification, any written authorization by the Director, issued pursuant to the application, public participation and appeal procedures in these rules, governing location, operation and maintenance, monitoring, seasonal and permanent closure, discharge response, and design and construction of a new cyanidation facility or a material expansion or material modification to a cyanidation facility. (3-24-22)

**151. Permittee.** The person in whose name a permit is issued and who is to be the principal party responsible for compliance with these rules and the conditions of a permit. (3-24-22)

~~16. Person.~~ An individual, corporation, partnership, association, state, municipality, commission, federal agency, special district or interstate body. (3-24-22)

~~17. Pollutant.~~ Chemicals, chemical waste, process water, biological materials, radioactive materials, or other materials that, when discharged, cause or contribute adverse effects to any beneficial use, or for any other reason, may impact waters. (3-24-22)

**182. Pond.** A process component that stores, confines, or otherwise significantly impedes the horizontal and downward movement of process water. This term does not include tailings impoundments or non-earthen containers such as vats and tanks. (3-24-22)

**193. Post-Closure.** The period of time after completion of permanent closure when the permittee is monitoring the effectiveness of the closure activities. Post-closure lasts a minimum of twelve (12) months but may extend until the cyanidation facility is shown to be in compliance with the stated permanent closure objectives and requirements of Chapter 15, Title 47, Idaho Code, and all applicable rules. (3-24-22)

~~2014. Process Water.~~ Any liquid intentionally or unintentionally introduced into any portion of the cyanidation process. Such liquid may contain cyanide or other minerals, meteoric water, ground or surface water, elements and compounds added to the process solutions for leaching or the general beneficiation of ore, or hazardous materials that result from the combination of these materials. (3-24-22)



- 2415. Seasonal Closure.** Annual cessation of operations that is due to weather. (3-24-22)
- 2216. Sensitive Resource Aquifer.** Any aquifer or portion of an aquifer listed in IDAPA 58.01.11, Ground Water Quality Rule, Subsection 300.01. (3-24-22)
- 2317. Tailings Impoundment.** A process component that is the final depository for processed ore from the mining, milling, or chemical extraction process. (3-24-22)
- 2418. Temporary Closure.** Any cessation of operations exceeding thirty (30) days, other than seasonal or permanent. (3-24-22)
- 2519. Treatment or Treated.** Any method, technique or process, including neutralization, that changes the physical, chemical, or biological character or composition of a waste for the purpose of disposal, or the end result of such action. (3-24-22)
- 260. Water Balance.** An inventory and accounting process, capable of being reconciled, that integrates all potential sources of water that are entrained in the cyanidation facility or may enter into or exit from the cyanidation facility. The inventory must include the water holding capacity of specific structures within the facility that contain process water. The water balance is used to ensure that all process water and ~~other~~ cyanidation pollutants can be contained as engineered and designed within a factor of safety as determined in the permanent closure plan. ~~(3-24-22)~~(7-1-25)T
- 271. Water Management Plan.** A document that describes the results of the water balance and the methods that will be used to ensure that cyanidation pollutants are not discharged from a cyanidation facility into waters unless permitted or otherwise approved by the Department. ~~(3-24-22)~~(7-1-25)T
- 282. Weak Acid Dissociable (WAD) Cyanide.** The cyanide concentration as determined by Method C, Weak Acid Dissociable Cyanide, D2036 of American Society of Testing Materials Book of Standards, "Standard Methods for the Examination of Water and Wastewater," Method 4500-CN- I, or other methods accepted by the scientific community and deemed appropriate by the Department. (3-24-22)

**008. -- 009. (RESERVED)**

**010. APPLICABILITY TO FACILITIES WITH EXISTING PERMITS.**

A cyanidation facility with an existing permit approved by the Department prior to July 1, 2005, is subject to the applicable laws and rules for ore processing by cyanidation in effect on June 30, 2005. ~~Material~~ Major modifications or material ~~expansions~~ modifications of such facilities are subject to Section 39-118A, Idaho Code.

~~(3-24-22)~~(7-1-25)T

**011. -- 049. (RESERVED)**

**050. PRE-APPLICATION PROCESS AND PRELIMINARY DESIGN.**

**01. Pre-application Conference.** Any person who intends to apply for a permit or proposes to construct or operate a facility that is intended to contain, treat, or dispose of process water and process-contaminated water generated in ore processing operations that utilize cyanide as a primary leaching agent should contact the Department during the initial stages of site characterization to schedule a pre-application conference. Prospective applicants are encouraged to begin meeting with agents of the Department at least one (1) year in advance of preliminary design submittal to discuss, at a minimum, the following. (3-24-22)

**a.** Environmental baseline data requirements; waste characterization requirements; siting requirements; operation and maintenance plans; emergency and spill response plans; quality assurance/quality control plans; required contents for permit applications; agency cyanidation facility visits. (3-24-22)

**b.** The proposed water quality monitoring and reporting required in Subsection 200.11 and the monitoring well siting and construction plans required in Subsection 200.12. The applicant is encouraged to submit a report describing the purpose, objectives, location, and proposed construction of monitoring wells to the Department

for review and comment during the initial stages of site characterization. (3-24-22)

c. The preliminary design report and alternative design proposals required prior to application submittal under Subsection 050.02. (3-24-22)

d. The permitting process, application procedures, public review and comment periods, and permit schedule. (3-24-22)

e. The timing of additional pre-application meetings. The pre-application conference may trigger a period of collaborative effort between the applicant, the Department, and the Idaho Department of Lands to develop an application that complies with rule requirements and ensures the facility will not ~~interfere with the~~ impair beneficial uses of waters ~~and will not endanger public safety or the environment~~ or degrade waters.  
(3-24-22)(7-1-25)T

f. The cost recovery agreement ~~required under Subsection 100.04~~ in accordance with Section 39-118A(7), Idaho Code.  
(3-24-22)(7-1-25)T

**02. Information Required for Preliminary Design Report.** Submittal of a preliminary design report is mandatory. Upon submittal, the preliminary design report must include sufficient detail to determine the following: (3-24-22)

a. The general framework and design criteria for the project; (3-24-22)

b. How the project will address each applicable requirement in Subsection 100.03 and Sections 200 through 205, or why a specific requirement in Subsection 100.03 and Sections 200 through 205 is not applicable; (3-24-22)

c. How the design criteria were identified, or the approach the applicant will use to determine design criteria for which insufficient data is available at the time of the preliminary design; (3-24-22)

d. How the requirements of these rules will be met in the final permit application; and (3-24-22)

e. How design, construction, operation, and closure will ensure the facility will not ~~interfere with the~~ impair beneficial uses of waters ~~and will not endanger public safety or the environment~~ or degrade waters.  
(3-24-22)(7-1-25)T

**03. Notice of Preliminary Design Approval or Disapproval.** Unless otherwise provided in this Subsection 050.03, the Director will notify the applicant in writing of the decision to approve or disapprove a preliminary design report within thirty (30) days after the Department receives all information required by Subsection 050.02. For alternative design proposals submitted under Section 205, the Director will notify the applicant in writing of the decision for alternative design approval or disapproval within ninety (90) days after the Department receives all information required by Section 205. The time required to review and, if appropriate, approve the preliminary design report is separate from and not included as part of the one hundred eighty (180) day period for issuing notice of rejection or notice of approval of the permit under Section 39-118A(21)(b), Idaho Code. Approval of the preliminary design report does not authorize the construction, modification, or operation of the cyanidation facility.  
(3-24-22)(7-1-25)T

**051. -- 099. (RESERVED)**

**100. PERMIT AND PERMIT APPLICATION.**

**01. Permit Required.** No person may construct a new cyanidation facility prior to obtaining a permit from the Director. No person may ~~materially expand or materially modify~~ make a major modification or material modification to a cyanidation facility prior to obtaining a modified permit for such ~~expansion or~~ modification pursuant to Section 750.  
(3-24-22)(7-1-25)T

**02. Permit Application.** The owner or proposed operator of a cyanidation facility or the owner's or

operator's authorized representative must: (3-24-22)

- a. Make application to the Director in writing and in a manner or form prescribed herein; and (3-24-22)
- b. Provide five (5) paper copies of the application to the Director, unless otherwise agreed to by the Department and the applicant. (3-24-22)

**03. Contents of Application.** A permit application and its contents will be used to determine if an applicant can locate, construct, operate, maintain, close, and monitor the proposed cyanidation facility in conformance with these and other applicable rules including, but not limited to, IDAPA 58.01.02, "Water Quality Standards"; IDAPA 58.01.08, "Idaho Rules for Public Drinking Water Systems"; IDAPA 58.01.05, "Rules and Standards for Hazardous Waste"; IDAPA 58.01.06, "Solid Waste Management Rules"; IDAPA 58.01.11, "Ground Water Quality Rule"; and IDAPA 58.01.25, "Rules Regulating the Idaho Pollutant Discharge Elimination System Program." The application must include all of the following information in sufficient detail to allow the Director to make necessary application review decisions concerning compliance with Sections 200 through 205 as applicable and protection of human health and the environment: (3-24-22)

- a. Name, location, and mailing address of the cyanidation facility. (3-24-22)
- b. Name, mailing address, and phone number of the applicant, and a registered agent. (3-24-22)
- c. Land ownership status of the cyanidation facility (federal, state, private, or public). (3-24-22)
- d. Name, mailing address, and phone number of the applicant's construction and operations manager. (3-24-22)
- e. The legal structure (corporation, partnership, etc.) and residence of the applicant. (3-24-22)
- f. The legal description, to the quarter-quarter section, of the location of the proposed cyanidation facility. (3-24-22)
- g. Evidence the applicant is authorized by the Secretary of State to conduct business in the State of Idaho. (3-24-22)
- h. A general description of the operational plans for the cyanidation facility from construction through permanent closure. This description must include any proposed phases for construction, operations, and permanent closure. (3-24-22)
- i. The design maximum daily throughput of ore through the cyanidation facility and the total projected volume of material to be processed during the life of the operation. (3-24-22)
- j. Cyanidation facility layouts including water management systems designed to segregate storm water from process water. (3-24-22)
- k. A geotechnical evaluation of all process water and process chemical containment systems within the proposed cyanidation facility. (3-24-22)
- l. A preconstruction topographic site map or aerial photos extending at least one (1) mile beyond the outer limits of the cyanidation facility, identifying and showing the location and extent of the following features: (3-24-22)
  - i. All wells, perennial and intermittent springs, adit discharges, wetlands, surface waters, and irrigation ditches that may be affected by the cyanidation facility; (3-24-22)
  - ii. All process water supply source(s); (3-24-22)

- iii. All public and private drinking water supply source(s) within at least one (1) mile of the cyanidation facility; (3-24-22)
- iv. Identified floodplain areas (shown on USGS sectional Quadrangle maps); (3-24-22)
- v. All service roads and public roads; (3-24-22)
- vi. All buildings and structures within half (1/2) a mile of the cyanidation facility; (3-24-22)
- vii. All outstanding resource waters and sensitive resource aquifers within one (1) mile of the cyanidation facility; and (3-24-22)
- viii. All Clean Water Act Section 303(d) listed streams, and their listed impairments, within ten (10) miles of the site boundary that may be affected by the cyanidation facility. (3-24-22)
- m. To the extent such information is available, a description and location of underground mine workings and adits and a description of the structural geology that may influence ground water flow and direction. (3-24-22)
- n. A description of the proposed land application site. The description must include a potentiometric map, surface and subsurface soil characteristics, geology, hydrogeology and ground water quality. The description of these characteristics must be sufficient to determine anticipated impacts to the affected soils, associated vadose zone as well as anticipated changes in geochemistry that may affect surface and ground water quality. (3-24-22)
- o. Siting diagram for land application sites, monitoring wells, lysimeters, surface or ground water discharge sites, or surface water monitoring locations. (3-24-22)
- p. A description of measures to protect wildlife that may be affected by the facility. (3-24-22)
- q. Proposed post-construction topographic maps. (3-24-22)
- r. Engineering plans and specifications for all ~~portions~~ components or phases of the cyanidation facility must be submitted to the Department for review and approval. Preliminary designs for future components or phases of the cyanidation facility may be submitted as part of the permit application, provided that, pursuant to Subsection 500.02, Section 39-118A(18), Idaho Code, ~~the~~ Department review and approval of ~~final plans and specifications~~ the issued for construction data package is required before construction of those components or phases may begin. All cyanidation facility engineering plans and specifications must bear the imprint of an Idaho licensed professional engineer that is both signed and dated by the engineer. These plans and specifications must, at a minimum, include all of the following information applicable to the proposed facility. (3-24-22)(7-1-25)T
  - i. Designs meeting applicable criteria in Sections 200 through 204. (3-24-22)
  - ii. Any alternative design approved by the Department under Section 205. (3-24-22)
  - iii. The water balance, ore flow, and processing calculations demonstrating the logic behind sizing of facilities. (3-24-22)
  - iv. The general ore processing overview and analyses of chemical compatibility of containment materials with process chemicals and wastes, including a chemical mass balance at inputs and outputs from the cyanidation facility. (3-24-22)
  - v. Geotechnical data and analyses demonstrating the logic for plans and specifications of foundation materials and placement. (3-24-22)
  - vi. Requirements for site preparation. (3-24-22)
  - vii. Pumping and dewatering requirements. (3-24-22)

- viii. Procedures for materials selection and placement for backfilling foundation areas. (3-24-22)
- ix. Criteria for caps and covers used as source control measures. (3-24-22)
- x. Criteria for ensuring stability of embankments for pads, ponds and tailings impoundments. (3-24-22)
- xi. Procedures to classify and modify, if necessary, excavated fill, bedding and cover materials for buildings, pads, ponds, and tailings impoundments. (3-24-22)
- xii. Plumbing and conveyance schematics and component specifications. (3-24-22)
- xiii. Plan views and cross-section drawings of leach pad, permanent heaps, vats, process water storage ponds, tailings impoundments, and spent ore disposal areas. (3-24-22)
- xiv. Leak detection and collection system plans and specifications including, but not limited to, schematics and narratives describing liner and geotextile material specifications, sumping capacity and layout, location of monitoring port(s), monitoring port components, construction operation and maintenance procedures for monitoring ports and pumping systems, including backup system, triggers for containment repairs, replacement or other contingency mitigation, frequency of monitoring, and monitoring parameters. (3-24-22)
- xv. Provisions to protect containment systems from heavy equipment, fires, earthquakes, and other natural phenomena. (3-24-22)
- xvi. Quality assurance/quality control procedures. (3-24-22)
- xvii. The identity and qualifications of the person(s) directly responsible for supervising construction and quality assurance/quality control. (3-24-22)
- s. Operation and maintenance plans that include all of the following: ~~(3-24-22)~~ (7-1-25)T
  - i. Maintenance plans, including routine service procedures for containment systems, process chemical storage, and disposal of contaminated water or soils, ~~including petroleum-contaminated soils.~~ (3-24-22) (7-1-25)T
  - ii. A water management plan that provides for handling and containment of process water including the methods to manage and/or treat all process water and cyanidation pollutants, run-off or run-on water, emergency releases, and excess water due to flood, rain, snowmelt, or other similar events. The plan must include the basis for the designed containment volumes and estimations of the need for and operation of a land application site, injection wells, infiltration galleries or leach fields, or the need for an IPDES permit. The permittee will update the plan on a regular basis to reflect the reconciliation of the water balance changes in the project through construction, operation, maintenance, and permanent closure, including modifications to the cyanidation facility. ~~(3-24-22)~~ (7-1-25)T
  - iii. A proposed water quality monitoring plan. (3-24-22)
  - iv. An emergency and spill response plan that describes procedures and methods to be implemented for the abatement and clean up of any cyanidation pollutant that may be discharged from the cyanidation facility ~~during use, handling or disposal of processing chemicals, petrochemicals and/or fuels, and any other deleterious materials.~~ (3-24-22) (7-1-25)T
  - v. A seasonal/temporary closure plan, if applicable, that describes the procedures, methods, and schedule to be implemented for the treatment and disposal of process water and cyanidation pollutants, the control of drainage from the cyanidation facility during the period of closure, the control of drainage from the surrounding area, and the secure storage of process chemicals. ~~(3-24-22)~~ (7-1-25)T
- t. The permanent closure plan must be the same as the plan submitted to the Idaho Department of

Lands pursuant to the Idaho Mine Land Reclamation Act, Chapter 15, Title 47, Idaho Code, and the rules promulgated thereunder. (3-24-22)

u. Characterization of cyanidation pollutants contained in or released from the cyanidation facility, including the potential for the cyanidation pollutants to cause degradation of waters. (3-24-22)(7-1-25)T

**101. -- 199. (RESERVED)**

**200. REQUIREMENTS FOR WATER QUALITY PROTECTION.**

The following design and performance standards are intended as the minimum criteria for protection of public health and waters. These standards apply to all facilities unless the Department determines that other site-specific criteria, including an alternative design approved under Section 205, are appropriate to protect water quality and the public health. (3-24-22)

**01. Professional Engineer.** Plans and specifications for construction, alteration or expansion of any cyanidation facility must be prepared by or under the supervision of an Idaho licensed professional engineer and bear the imprint of the engineer's seal. Construction must be observed by an Idaho licensed professional engineer or a person under the supervision of an Idaho licensed professional engineer. (3-24-22)

**02. Plans and Specifications.** ~~Final plans and specifications for the construction of a cyanidation facility~~ An issued for construction data package must be submitted to and approved by the Department before construction may begin (Section 39-118A(18)(b), Idaho Code). All construction must be in compliance with ~~the plans and specifications approved by the Department~~ Section 39-118A(17), Idaho Code. Within thirty (30) days of the completion of such construction, ~~modification or expansion, complete and accurate plans and specifications depicting that actual construction, modification or expansion does not deviate from the original approved plans and specifications~~ an as-built submittal must be submitted to the Department (Section 39-118A(19), Idaho Code). (3-24-22)(7-1-25)T

**03. Manufacturer's Specifications.** Manufacturer's specifications for materials and equipment necessary to meet the requirements of Subsection 100.03.r. and Sections 200 through 205 for containment of process water must be submitted to the Department with the plans and specifications required in Subsection 200.02 before construction may begin. (3-24-22)

**04. Siting and Preparation.** All cyanidation facilities including, but not limited to, the process building, laboratories, process chemical storage and containment facilities, plumbing fixtures that support process water, untreated or treated process water ponds, tailings impoundments, ore stock piles, and spent ore disposal areas must be appropriately sited and prepared for construction. Siting criteria must ensure that, at a minimum, the facilities are structurally sound and that containment systems can be adequately protected against factors such as wild fires, floods, land slides, storm water run-on, erosion, migrating stream channels, high ground water table, equipment operation, subsidence of underground workings, public access and public activities. All sites must be properly prepared prior to construction of foundations and facilities. Vegetation, roots, brush, large woody debris and other deleterious materials, top soil, historic foundations and plumbing, or other materials that may adversely affect appropriate construction and long term stability, must be removed from the footprint of the cyanidation facility unless approved by the Department. (3-24-22)

**05. Process Water Storage Sizing Criteria.** All aspects of the cyanidation facility that entrain, utilize, treat, discharge, pump, convey, or otherwise contain process water, treated process water, or run-off water from any portion of the cyanidation facility must be included in the water balance. Each pond, tailings impoundment, and ditch containing process water must be designed to maintain a minimum two (2) foot freeboard during storage or conveyance of the design climatic events plus maximum expected normal operating levels. Leach pad design must provide containment of the maximum expected operating flows plus storm flows from the design climatic event. At a minimum, a cyanidation facility must be designed to contain the maximum expected normal operating water balance and the volume of run-on and run-off water associated with a climatic event that has a one percent (1%) annual exceedance probability. Snowmelt events will be considered in determining the maximum flow volume during the design climatic event. Contingency plans for managing excesses of all water included as a part of the water balance must be described in the water management strategy. Each structure that impounds process water or process-contaminated water must include a means of passing excess water unless otherwise approved by the Department.



(3-24-22)

**06. Minimum Plans and Specifications.** Unless the Department approves an alternative design under Section 205, the plans and specifications for any portion of a cyanidation facility that will contain process water must satisfy the applicable general design criteria in Subsection 200.06 and the design criteria in Sections 201 through 204 for the type of facility receiving process water. These provisions establish minimum cyanidation pollutant control technologies and define the site and operating conditions that must be evaluated. ~~(3-24-22)~~(7-1-25)T

**a.** Cyanidation facility design must: (3-24-22)

i. Minimize releases of cyanidation pollutants into ground water or subsurface migration pathways so that any release will not cause unauthorized degradation of waters. ~~(3-24-22)~~(7-1-25)T

ii. Preclude any differential movement or shifting of the subgrade, soil layer, liner or contained material that endangers containment integrity as a result of the proposed range of operating conditions for each component and anticipated seismic activity at the site. (3-24-22)

iii. Include additional containment of process water, as requested by the Department, in areas where ground water is considered to be near the surface. Ground water is considered to be near the surface if: (3-24-22)

(1) The depth from the surface to ground water is less than one hundred (100) feet and the top one hundred (100) feet of the existing formation has a hydraulic conductivity greater than  $10^{-5}$  cm/sec; (3-24-22)

(2) Open fractured or faulted geologic conditions exist in the bedrock from the surface to the ground water; or (3-24-22)

(3) There is an inability to document that all borings beneath the cyanidation facility have been adequately abandoned. (3-24-22)

iv. Not locate new process component containing process water within one thousand (1,000) feet of any dwelling that is occupied at least part of the year and not owned by the permittee. This does not apply to modifications at a facility that predates such a dwelling. (3-24-22)

v. Include measures for preventing wildlife contact with process water having a WAD cyanide concentration in liquid fraction exceeding fifty (50) mg/L. The Department may require additional measures if wildlife mortality is observed. (3-24-22)

vi. Implement measures to protect birds, other wildlife and livestock from adverse effects of cyanide process water and ~~other~~ cyanidation pollutants. ~~(3-24-22)~~(7-1-25)T

vii. Include a quality assurance/quality control plan for the construction of containment systems that provides a process for documenting owner acceptance of all underlying components of the containment system prior to construction of the overlying components. (3-24-22)

**b.** Liner systems must: (3-24-22)

i. Have a structurally stable subgrade for the overlying components and contained material. The subgrade should be constructed to resist consolidation, excessive differential settlement that compromises liner performance, and uplift resulting from pressures inside or outside the containment unit to prevent distortion of overlying components. (3-24-22)

ii. Have a smooth rolled and compacted soil layer, or equivalent layer approved by the Department, in intimate contact with the overlying geomembrane liner with the following characteristics: (3-24-22)

(1) A minimum thickness of twenty-four (24) inches compacted to ninety-five percent (95%) of maximum dry density according to Standard Proctor Test ASTM D698 or Modified Proctor Test ASTM D1557; (3-24-22)

(2) Soil placed in a minimum of four (4) lifts that each have a compacted thickness of six (6) inches and a hydraulic conductivity less than or equal to  $10^{-6}$  cm/sec; (3-24-22)

(3) An uppermost lift of soil that does not contain particles in excess of point seven five (0.75) inches (nineteen (19) mm) in largest dimension unless larger particles are consistent with the manufacturer's specifications for the overlying liner and approved by the Department; (3-24-22)

(4) No putrescible, frozen, or other deleterious materials. (3-24-22)

(5) No angular, sharp material regardless of diameter; and (3-24-22)

(6) Soil placed within two percent (2%) of optimum moisture content to achieve the specified compaction and hydraulic conductivity. (3-24-22)

iii. Include the following if an equivalent layer replacing the soil layer described in Subsection 200.06.b.ii. is proposed: (3-24-22)

(1) A layer that is not a geomembrane and has a liquid flow rate no greater than that of twenty-four (24) inches of compact soil with a hydraulic conductivity less than or equal to  $10^{-6}$  cm/sec; (3-24-22)

(2) Materials with appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste, process water, or process-contaminated water to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation; (3-24-22)

(3) Materials that provide appropriate shear resistance of the upper and lower component interface to prevent sliding of the upper component including on slopes; (3-24-22)

(4) Certification from an Idaho licensed professional engineer that the liquid flow rate per unit area through the equivalent layer is no greater than the liquid flow rate through two (2) feet of compacted soil with a hydraulic conductivity less than or equal to  $10^{-6}$  cm/sec, considering the maximum hydraulic head anticipated on the liner system and the thickness of the equivalent layer replacing the two (2) feet of compacted soil; and (3-24-22)

(5) Plans and specifications for an equivalent layer that substantially reflect the manufacturer's specifications and standards for construction, operation and maintenance unless otherwise approved by the Department. (3-24-22)

iv. Include geomembrane liners consisting of high density polyethylene, linear low-density polyethylene, or equivalent, rated as having a resistance to the passage of process water equal to or less than a hydraulic conductivity of  $10^{-11}$  cm/sec. Each geomembrane liner will be constructed of materials with appropriate chemical properties and sufficient strength and thickness to prevent failure due to pressure gradients (including static head and external hydrogeologic forces), physical contact with the waste or leachate to which they are exposed, climatic conditions, the stress of installation, and the stress of daily operation and permanent closure. (3-24-22)

v. Be constructed according to manufacturer's standards, or Department-approved design standards, and protect against damage from cracking, sun exposure, ice, frost penetration or heaving, wildlife, wildfires, and damage that may be caused by personnel or equipment operating in or around these facilities. (3-24-22)

vi. Have an appropriate coefficient of friction against sliding plus a factor of safety for each interface constructed on a slope. (3-24-22)

vii. Have minimum factors of safety, and the logic behind their selection, for the stability of the earthworks and the lining systems. (3-24-22)

viii. Include redundant systems for failures in primary power or pumping systems. (3-24-22)



ix. Have liner material that meets the manufacturer's quality assurance/quality control performance specifications. (3-24-22)

**07. Process Buildings, Process Chemical Storage Containment Areas and General Facility Criteria.** Storage, handling and use of all process chemicals, process wastes, process water and ~~pollutants associated with the cyanidation facility~~ cyanidation pollutants must be conducted within a clean, safe and secure work space to prevent unauthorized discharges to soils, ground water or surface water. The plans and specifications must contain sufficient detail, including pump capacity and plumbing for evacuation of collection sumps, triggering systems for sump evacuation, and monitoring and reporting requirements and, where appropriate, provide for:

~~(3-24-22)~~ (7-1-25)T

- a. Structural integrity of the foundation, walls and roof for process and process chemical storage buildings; (3-24-22)
- b. Restriction of public access; (3-24-22)
- c. Protection of wildlife; (3-24-22)
- d. Internal sumps and spill cleanup plans; (3-24-22)
- e. Grouted and sealed concrete stemmed walls and floors in the process buildings and process chemical storage and containment facilities; (3-24-22)
- f. Vapor barriers and frost protection; (3-24-22)
- g. Segregation of process chemicals according to compatibility; (3-24-22)
- h. Communication systems; (3-24-22)
- i. Fire suppression systems, internal and external; and (3-24-22)
- j. Quality assurance/quality control for construction activities and construction materials. (3-24-22)

**08. Cap and Cover Criteria.** Caps and covers used as source control measures for facilities must be designed and constructed to minimize the interaction of meteoric waters, surface waters, and ground waters with wastes containing cyanidation pollutants that are likely to be mobilized and discharged to waters. Caps and covers designed for permanent closure must demonstrate permanence applicable to the permittee's designed and approved permanent closure plan.

~~(3-24-22)~~ (7-1-25)T

- 09. Plumbing and Conveyance Criteria.** Plumbing and conveyance systems must: (3-24-22)
- a. Be structurally sound and chemically compatible with the materials being conveyed; (3-24-22)
  - b. Provide adequate primary and secondary containment; and (3-24-22)
  - c. Be protected against heat, cold, mechanical failures, impacts, fires, and other factors that may cause breakage and result in unauthorized discharges. (3-24-22)

**10. Operation and Maintenance Plans.** Operation and maintenance plans must be submitted to the Department for review and approval. Operation and maintenance plans must include, but are not limited to: (3-24-22)

- a. An overall plan that includes techniques for evaluating the integrity and performance of all containment systems; (3-24-22)
- b. Schedule for inspections of all containment systems; (3-24-22)
- c. Schedule for inspections on piping and conveyance systems that carry process water; (3-24-22)

d. Response plans that detail specific actions that will result in mitigation of compromised or damaged containment systems; and (3-24-22)

e. Response plans that detail specific thresholds identified under ~~Subsection 200.11~~ Section 39-118A(9), Idaho Code, the locations and frequency at which the thresholds will be monitored, and actions that will result in mitigation of an exceedance of any threshold. ~~(3-24-22)~~ (7-1-25)T

**11. Water Quality Monitoring and Reporting.** The water quality monitoring plan submitted with the application must be reviewed and, if appropriate, approved by the Department. The approved water quality monitoring plan must comply with Section 39-118A(9), Idaho Code, and: ~~(3-24-22)~~ (7-1-25)T

a. Provide for physical, chemical and biological monitoring, including measurements of surface water flow, wildlife and bird mortality, and aquatic indicator species in potentially affected surface and ground water, as appropriate; (3-24-22)

b. Provide for sampling locations and frequency; (3-24-22)

c. Provide an assessment of the existing surface and ground water conditions prior to construction of the proposed cyanidation facility; (3-24-22)

d. Be site specific and dependent on location, design and operation of the cyanidation facilities included in the overall operating plan; (3-24-22)

~~e. Specify compliance points and associated water quality compliance criteria;~~ ~~(3-24-22)~~

~~f. Specify monitoring points and threshold concentrations that provide for early detection of discharges of pollutants;~~ ~~(3-24-22)~~

~~g. Provide analytical methods and method detection limits for chemical analysis used in the determination of water quality;~~ ~~(3-24-22)~~

~~h. Provide a quality assurance quality control plan for data collection and analysis;~~ ~~(3-24-22)~~

~~i. Provide for appropriate and timely analytical data analyses including evaluations of water quality and quantity trends;~~ ~~(3-24-22)~~

~~j. Provide an annual environmental monitoring and data analysis report of water quality and quantity trends;~~ ~~(3-24-22)~~

~~k. Provide for the reporting and re-sampling of monitoring locations where detectable and statistically significant changes in water quality are found. The permittee must propose a statistical method to determine the significance of the changes in water quality; and~~ ~~(3-24-22)~~

~~l. Provide for anticipated changes or modifications to monitoring plans, which may be the result of a phased approach to cyanidation facility construction, operations and permanent closure.~~ ~~(3-24-22)~~

**12. Monitoring Wells Siting and Construction Plans.** The applicant is encouraged to submit a report describing the purpose, objectives, location and proposed construction of monitoring wells to the Department for review and comment during the initial stages of site characterization. A monitoring well siting and construction plan must be provided upon submittal of the preliminary design report under Subsection 050.02. (3-24-22)

a. Monitoring well siting and construction plans must provide for the following. (3-24-22)

i. A quality assurance/quality control plan for well construction. (3-24-22)

ii. A minimum of three (3) monitoring wells with one (1) located up gradient and two (2) located

down gradient of primary components of the cyanidation facility to determine ground water flow direction. (3-24-22)

**b.** Siting and planning for additional wells or replacement wells may be required in the permit application and final permit. Specifically, additional wells may be required for: (3-24-22)

i. Large areas with multiple potential sources for cyanidation pollutants; (~~3-24-22~~)(7-1-25)T

ii. Areas with complex geology, fractured bedrock; and (3-24-22)

iii. Areas with insufficient background hydrogeology. (3-24-22)

**c.** All monitoring well construction must also conform to the well construction rules listed in IDAPA 37.03.09, "Well Construction Standards Rules." (3-24-22)

**d.** Record diagrams including well construction details, well elevation and a detailed geologic log must be provided to the Department for each monitoring well. (3-24-22)

**13. Land Application.** Plans and specifications must include: (3-24-22)

**a.** An operation and maintenance plan including: (3-24-22)

i. Water balance for the land application site; (3-24-22)

ii. Pretreatment requirements and procedures; (3-24-22)

iii. Operating season for land application; (3-24-22)

iv. Seasonal closeout procedures; (3-24-22)

v. Special soils or vegetative amendments; (3-24-22)

vi. Storm water run-on/run-off controls; (3-24-22)

vii. Best management practices for all areas impacted by the land application system; and (3-24-22)

viii. A topographic map of the land application site and adjacent affected areas, of sufficient scale to facilitate site-specific analysis of soils, vegetation, surface water, and ground water; (3-24-22)

**b.** Chemical, physical, and volumetric characteristics of the material to be land applied; (3-24-22)

**c.** A complete description of the chemical and physical characteristics of the soils and applicable geology of the land application site; (3-24-22)

**d.** Methods of process water treatment, distribution and disposal; (3-24-22)

**e.** Hydraulic loading capacity of the soils; (3-24-22)

**f.** Constituent loading capacity of the site; (3-24-22)

**g.** Attenuation capacity of the vegetative covers and soils; (3-24-22)

**h.** Evapotranspiration capacity of the site; (3-24-22)

**i.** Testing and analytical procedures for water quality and soils samples prior to, during, and following the land application process; (3-24-22)

**j.** Trend analysis of the constituent loading in the affected soils, vegetation, and water quality of the

affected surface or ground water systems; (3-24-22)

k. Reporting requirements including both frequency and form; and (3-24-22)

l. Standby power and pumps sufficient to maintain all treatment and distribution works. (3-24-22)

**14. Temporary or Seasonal Closure.** Temporary and seasonal closure plans for the entire cyanidation facility must be submitted by an applicant to the Department for review and approval prior to issuance of a final permit. Temporary and seasonal closure plans may, subject to Department approval pursuant to Section 750, be modified to provide for changes in operating conditions of the facilities and must incorporate a water management plan for the period of inactivity as well as during shut down and reactivation. (3-24-22)

a. Prior to seasonal closure, process buildings, process chemical storage, process water ponds, tailings impoundments, spent ore disposal areas and other ancillary facilities must be stabilized and/or conditioned to prevent any emergency or unauthorized discharges to surface or ground water. (3-24-22)

b. Subsequent to seasonal closure, process buildings, process chemical storage, process water ponds, tailings impoundments, spent ore disposal areas and other ancillary facilities must be maintained to prevent any emergency or unauthorized discharges to surface or ground water. Cyanidation facilities must be conditioned and maintained to provide: (3-24-22)

i. Material stabilization for all solids affected by process waters; (3-24-22)

ii. Optimum freeboard in all ponds, as dictated by the water management plan; (3-24-22)

iii. Fully functional power and pumping systems that are ready for use; both power and pumps are to incorporate redundant systems to allow for failure of either power or a pumping system. A failed power supply or pump is not an acceptable reason for an unauthorized discharge; (3-24-22)

iv. Protection of all containment; and (3-24-22)

v. Sufficient availability of qualified staff to restrict public access, fully implement the water quality monitoring plan, and initiate the emergency and spill response plan. (3-24-22)

**15. Employee Education Program.** Operators and staff of facilities must be properly oriented and trained to operate, maintain, and protect containment systems; waste disposal and discharge systems; and to implement monitoring and emergency and spill response plans. An applicant must submit an employee orientation and continuing training plan to the Department for review prior to issuance of a final permit. The plan must provide the format and contents for training, the general qualifications of the person(s) responsible for training and testing, and the person(s) or positions who must receive such training. (3-24-22)

**(BREAK IN CONTINUITY OF SECTIONS)**

**204. DESIGN CRITERIA FOR TAILINGS IMPOUNDMENTS.**

**01. Engineered Liner System.** In addition to meeting the general liner requirements in Subsection 200.06.b., the engineered liner system plans and specifications must provide for the following. (3-24-22)

a. Geomembrane liners with a minimum thickness of sixty (60) milli-inches (one point five (1.5) mm) or equivalent liners approved by the Department. (3-24-22)

b. A system to limit hydraulic head over the geomembrane liner that preserves the integrity and long-term performance of the liner system and includes the following: (3-24-22)

i. A system to reduce excess pore pressure within the tailings; and (3-24-22)

ii. A plan for managing the depth, area, and volume of process water occurring above the tailings surface and in direct contact with the liner, including thresholds and contingency measures to manage excess accumulation of process water in the facility. (3-24-22)

c. Monitoring points that will provide for early detection of discharges of cyanidation pollutants. ~~(3-24-22)~~ (7-1-25)T

**02. Enhanced Containment Criteria.** An enhanced level of containment may be required by the Department for all of the tailings impoundment or for a portion thereof after considering the following factors: (3-24-22)

- a. The anticipated characteristics of the material to be deposited; (3-24-22)
- b. The characteristics of the soil and geology of the site; (3-24-22)
- c. The methods employed and degree to which the hydraulic head on the liner is minimized; (3-24-22)
- d. The extent of and methods used for material stabilization and recycling or neutralization of process water; (3-24-22)
- e. Area and volume of process water; (3-24-22)
- f. The depth from the surface to all ground water; (3-24-22)
- g. The methods employed in depositing the impounded material; and (3-24-22)
- h. The proximity to surface water and the ground water interactions with surface water. (3-24-22)

**03. Tailings Treatment.** Tailings impoundments are restricted to a maximum of fifty (50) mg/L WAD cyanide concentration in the liquid fraction unless otherwise approved by the Department. (3-24-22)

**205. ALTERNATIVE PLANS AND SPECIFICATIONS FOR FACILITIES THAT CONTAIN PROCESS WATER.**

An applicant may propose an alternative to the requirements identified in Subsection 200.06, Sections 201, 202, 203, or 204 based on site-specific conditions and best management practices to protect water quality and human health. All other requirements in Section 200 apply to alternative design proposals. (3-24-22)

**01. Alternative Design Proposal.** The applicant must demonstrate that the alternative design will protect water quality and human health by confirming that the alternative to the minimum design criteria is appropriate based on the WAD cyanide concentration and chemical characteristics of materials contained; the physical characteristics of the materials contained; site-specific soil, geology, hydrology, and hydrogeology characteristics; degree to which hydraulic head on the liner is minimized; area and volume of the facility; depth to ground water; methods employed in depositing the impounded material; potential for leaks and impacts to water quality; and risk to human health and the environment. The alternative design must provide an evaluation based on site-specific data, supported by best available science, and consistent with best management practices demonstrating that process water and process-contaminated water are contained and controlled or treated as necessary to protect public safety and the environment, prevent unauthorized degradation of waters, and achieve all applicable water quality and ground water quality standards. The alternative design must include all applicable elements listed below. (3-24-22)

a. A hydrogeology assessment of site characteristics including depth to ground water; distance to surface water; hydrogeology and stratigraphy of the site; ground water and surface water interaction; and the quality, characteristics and existing and future beneficial uses of ground water and surface water that may be potentially affected by the facility. (3-24-22)

b. An engineering assessment detailing the design of each component of the containment system, including type and thickness of each component of the liner system; types of materials to be used and methods of placement of those materials; structures, devices and techniques for controlling drainage and minimizing solution loss; and method to control internal hydraulic head. (3-24-22)

c. A water quality assessment providing an analysis of potential for the facility to cause degradation of waters including the effect of ground water and surface water interactions, the potential for process water to reach waters, and the potential impact of process water on waters. (3-24-22)

**02. Preliminary Design Submittal.** Alternative design proposals must be provided to the Department upon submittal of the preliminary design report required in Section 050. (3-24-22)

**03. Department Review.** In evaluating alternative design proposals, the Department will consider the WAD cyanide concentration and other materials contained in facilities receiving process water, site hydrogeology, advances in liner technology, alternative designs implemented at other facilities receiving process water, and other site-specific factors in determining if an alternative is appropriate to protect water quality and the public health. (3-24-22)

**04. Cost Recovery Agreement.** As provided in ~~Subsection 100-04~~ Section 39-118A(7), Idaho Code, the applicant must enter into an agreement with the Department for actual costs incurred to process an alternative design proposal under this subsection. The Department may utilize a third-party to support Department review of the alternative design proposal. ~~(3-24-22)~~ (7-1-25)T

**206. – 499. (RESERVED)**

**500. PERMIT CONDITIONS.**

The following conditions apply to and must be specified in all permits: (3-24-22)

**01. Compliance Required.** The applicant or permittee must comply with all conditions of the permit. Issuance or possession of a permit issued according to these rules does not relieve the applicant or permittee of the responsibility to comply with all other applicable local, state, and federal laws. (3-24-22)

**02. Construction.** Construction of individual components of a cyanidation facility may commence upon approval by the Department of the ~~final plans and specifications~~ issued for construction data package per Sections 39-118A(13)(c)(i) and 39-118A(18), Idaho Code, for that component. ~~(3-24-22)~~ (7-1-25)T

**03. ~~Record Plans and Specifications~~ As-built Submittal.** ~~An Idaho licensed professional engineer must confirm in writing that all record drawings and specifications are complete and accurate. These record plans and specifications~~ An as-built submittal must be submitted by the permittee to the Director within thirty (30) days after the completion of the construction of each ~~critical component or~~ phase of a cyanidation facility ~~development~~ as approved by the Department (Section 39-118A(19), Idaho Code). ~~The record plans and specifications must be accompanied by a final construction report. If the construction does not deviate from the approved plans and specifications, a statement to the effect must be submitted by the engineer. The as-built submittal must include all the information required by Section 39-118A(1)(b), Idaho Code. The Department will review the final construction report, including record plans and specifications and results of quality control and quality assurance testing, as-built submittal~~ to verify that the facility was constructed in compliance with and does not deviate from the approved plans and specifications issued for construction data package. If the Department determines that the facility was not constructed in compliance with or deviates from the approved plans and specifications issued for construction data package, the Department will provide the permittee written notice of necessary corrective actions within thirty (30) days of receipt of ~~all submittals required by this subsection~~ an as-built submittal. In the event the Department provides such written notice, operation of the facility may not begin until the Department inspects and provides written approval of the corrective actions. Operation of the facility may begin if the Department does not deliver to the permittee such written notice within thirty (30) days of receipt of ~~all submittals required by this subsection~~ an as-built submittal. ~~(3-24-22)~~ (7-1-25)T

**04. Duty to Provide Information.** The permittee must furnish to the Director, within a reasonable or specified time, any information, including copies of records required by the permit or other applicable rules, that the

Director may request to determine whether cause exists for modifying or revoking the permit or to determine compliance with the permit or other applicable rules. (3-24-22)

**05. Notifications.** After initial construction and seasonal and/or temporary closure, the permittee must, within thirty (30) days, provide written notice to the Director of the permittee's intentions to commence or restart operations. At least thirty (30) days prior to completion of operations, and/or temporary or seasonal operations, the permittee must notify the Director of the permittee's intentions to temporarily, seasonally or permanently close operations. Notification must provide sufficient time for the Director to provide pre-operational or post-operational inspections, as necessary. (3-24-22)

**06. Entry and Access.** The permittee must allow the Director, or a designee obligated by agreement with the Director to comply with the confidentiality provisions of Section 39-111, Idaho Code, to: (3-24-22)

**a.** Enter at reasonable times upon the premises of a permitted cyanidation facility or where records required by a permit are kept; (3-24-22)

**b.** Have access to and copy at reasonable times any records that must be kept under the conditions of the permit; (3-24-22)

**c.** Inspect at reasonable times any cyanidation facility, equipment, practice, or operation permitted or required by the permit; and (3-24-22)

**d.** Sample or monitor at reasonable times, substance(s) or parameter(s) directly related to permit or regulation compliance. (3-24-22)

**07. Reporting.** It is the permittee's responsibility to report to the Director: (3-24-22)

**a.** Orally, as soon as possible but no later than twenty-four (24) hours from the time the permittee knows or should reasonably know of any noncompliance that may endanger the public health or the environment. (3-24-22)

**b.** In writing, within five (5) working days from the time a permittee knows or should reasonably know of any event that may be or that may result in a violation of these rules, or IDAPA 58.01.02, "Water Quality Standards," or IDAPA 58.01.11, "Ground Water Quality Rule." This report must contain: (3-24-22)

**i.** A description of the event and its cause; if the cause is not known, steps taken to investigate and determine the cause; (3-24-22)

**ii.** The period of the event including, to the extent possible, the individual(s) involved in the incident(s) and the time(s) and date(s) of the incidents; (3-24-22)

**iii.** Measures taken to mitigate or eliminate the event and protect the public health; and (3-24-22)

**iv.** Steps taken to prevent recurrence of the event; (3-24-22)

**c.** In writing, confirmation of any conditions that may result in violation of any permit condition; and (3-24-22)

**d.** In writing, when the permittee knows or should reasonably know of relevant facts not submitted or incorrect information submitted in a permit application or any report or notice to the Director or the Department. Those facts or the correct information must be included as a part of this report. (3-24-22)

**08. Discharge Response.** If an unauthorized discharge occurs the permittee must implement the Department approved emergency and spill response plan. (3-24-22)

**09. Temporary or Seasonal Closure Plans.** Prior to temporary or seasonal closure, the permittee must submit a temporary or seasonal closure plan to the Director for approval. The plan must describe the procedures,

methods, and schedule to be implemented for the treatment and disposal of process water and cyanidation pollutants, the control of drainage from the cyanidation facility, the control of drainage from the surrounding area, and the secure storage of chemicals during the period of closure. Within thirty (30) days of receiving the plan, the Director will approve and/or suggest modifications necessary to protect waters. The permittee must ensure that closure complies with an approved plan. The approved plan must be implemented before the permittee completes temporary or seasonal closure. Facilities may not be temporarily or seasonally closed for a period longer than two (2) years unless approved by the Director. ~~(3-24-22)~~(7-1-25)T

**10. Begin Construction.** A permit will be deemed void if the permittee fails to begin construction of a cyanidation facility within ~~one~~ two (12) years of the effective date of the permit, ~~the permit will be deemed void unless the permittee requests and receives an extension (Section 39-118A(16)(a), Idaho Code).~~ ~~(3-24-22)~~(7-1-25)T

**11. Permanent Closure.** The permanent closure plan, as approved by the Idaho Department of Lands, will be incorporated by reference into the Department-issued permit as a permit condition and will be enforceable as such. (3-24-22)

#### **501. COMPLETION OF PERMANENT CLOSURE.**

**01. Implementation of a Permanent Closure Plan.** Unless otherwise specified in the approved permanent closure plan, the permittee must begin implementation of the approved permanent closure plan: (3-24-22)

- a.** Within two (2) years of the final addition of cyanide to the ore processing circuit; or (3-24-22)
- b.** If the product recovery phase of the cyanidation facility has been suspended for a period of more than two (2) years. (3-24-22)

**02. Submittal of a Permanent Closure Report.** The permittee must submit a permanent closure report to the Department for review and approval. A permanent closure report must be of sufficient detail for the directors of the Department and the Idaho Department of Lands to issue a determination that permanent closure, as defined in Section 007, has been achieved. The permanent closure report must address: (3-24-22)

- a.** The effectiveness of material stabilization; (3-24-22)
- b.** The effectiveness of the water management plan and adequacy of the monitoring plan; (3-24-22)
- c.** The final configuration of the cyanidation facility and its operational/closure status; (3-24-22)
- d.** The post-closure operation, maintenance, and monitoring requirements, and the estimated reasonable cost to complete those activities; (3-24-22)
- e.** The operational/closure status of any land application site of the cyanidation facility; (3-24-22)
- f.** Source control systems that have been constructed or implemented to eliminate, mitigate, or contain short and long term discharge of cyanidation pollutants from the cyanidation facility, unless otherwise permitted; ~~(3-24-22)~~(7-1-25)T
- g.** The short and long term water quality trends in surface and ground water through the statistical analyses of the existing monitoring data collected pursuant to the ore processing by cyanidation permit; (3-24-22)
- h.** Ownership and responsibility for the cyanidation facility during the defined post-closure period; (3-24-22)
- i.** The future beneficial uses of the land, surface and ground waters in and adjacent to the closed facilities; and (3-24-22)
- j.** How the permanent closure of the cyanidation facility complies with the Resource Conservation and Recovery Act, Hazardous Waste Management Act, Solid Waste Management Act, and appropriate rules.



(3-24-22)

**502. DECISION TO APPROVE OR DISAPPROVE OF A PERMANENT CLOSURE REPORT.**

**01. Cost Recovery.** Final closure of the cyanidation facility will not be approved if any payment required by the cost recovery agreement under ~~Subsection 100-04~~ Section 39-118A(7), Idaho Code is due and unpaid. ~~(3-24-22)~~ (7-1-25)T

**02. Issuance of Director's Determination.** Within sixty (60) days of receipt of a permanent closure report, the Director will issue to the permittee a Director's determination of approval or disapproval of the permanent closure report. The Director's determination will be based on applicable statutes or rules administered by the Department. The Department will coordinate the evaluation of the permanent closure report with the Idaho Department of Lands. (3-24-22)

**03. Director's Determination to Disapprove a Permanent Closure Report.** A Director's determination to disapprove a permanent closure report will specifically identify and discuss those reasons for disapproval, any administrative actions being considered by the Director, and the permittee's options and procedures for administrative appeal. The Director's determination to disapprove a permanent closure report must include:

(3-24-22)

- a. Identification of errors or inaccuracies in the permanent closure report; (3-24-22)
- b. Issues or details that require additional clarification; (3-24-22)
- c. Failures to fully implement the approved permanent closure plans; (3-24-22)
- d. Outstanding violations or other noncompliance issues; and (3-24-22)
- e. Other issues supporting the Department's disagreement with the contents, final conclusions or recommendations of the permanent closure report. (3-24-22)

**503. – 649. (RESERVED)**

**650. FINANCIAL ASSURANCE.**

**01. Financial Assurance Required.** The permittee is required to provide financial assurance pursuant to ~~the Idaho Mined Land Reclamation Act, Chapter 15, Title 47, Idaho Code, and the rules promulgated thereunder. The Department will not issue a permit under these rules to a cyanidation facility unless a permanent closure plan for the cyanidation facility has been submitted for approval under Chapter 15, Title 47, Idaho Code. Any permit issued under these rules will prohibit construction and operation of the cyanidation facility until the permittee submits proof acceptable to the Department that financial assurance for the cyanidation facility permanent closure plan has been provided as required by Chapter 15, Title 47, Idaho Code~~ Sections 39-118A(2)(a)(ii), 39-118A(4), and 39-118A(13)(c)(ii), Idaho Code. ~~(3-24-22)~~ (7-1-25)T

**02. Insufficiency.** In the event the financial assurance is forfeited as described in the Idaho Mined Land Reclamation Act, Chapter 15, Title 47, Idaho Code, the Department may seek to recover the amount necessary to implement permanent closure under the Department-issued permit and these rules as provided by law. (3-24-22)

**651. -- 749. (RESERVED)**

**750. PERMIT MODIFICATION.**

- 01. Cause for Permit Modification.** Causes for permit modification are: (3-24-22)
- a. A ~~material~~ major modification or material ~~expansion~~ modification in the cyanidation facility operation, design or closure plan; or ~~(3-24-22)~~ (7-1-25)T

- b. Natural phenomena substantially different from those anticipated in the original permit. (3-24-22)
02. **Modification at Request of Permittee.** Requests for modification from the permittee must include: (3-24-22)
- a. A written description of the modification(s); (3-24-22)
- b. Data supporting the modification request; and (3-24-22)
- c. Causes and anticipated effects of the modification. (3-24-22)
03. **Modification at Request of Director.** Pursuant to Subsection 750.01, if the Director determines that cause exists for permit modification, the Director will notify the permittee in writing and request information necessary for the Director to modify the permit. (3-24-22)
04. **Modification Procedure.** The Director will evaluate the request for a permit modification, based on the information provided in Subsection 750.02 or otherwise obtained by the Department, and determine if the modification requires a major permit modification or a minor permit modification. (3-24-22)
- a. Major ~~permit~~ modifications or material modifications are subject to the provisions of Sections 100, and 200 through 205, ~~300, 400, and 450~~ and the application processing procedures, public notice and comment requirements, and final permit decision provisions of Section 39-118A, Idaho Code. ~~(3-24-22)~~ (7-1-25)T
- b. Minor permit modifications are not subject to the provisions of Sections ~~100, 300, and 400~~ and the application processing procedures and public notice and comment requirements in Section 39-118A, Idaho Code. The permittee must notify and receive approval from the Department prior to making minor modifications. ~~(3-24-22)~~ (7-1-25)T
05. **Major Permit Modifications.** Changes that require a major permit modification include but are not limited to: (3-24-22)
- a. ~~Material~~ Major modifications or material ~~expansions~~ modifications to a cyanidation facility as defined by these rules; ~~or~~ (3-24-22) (7-1-25)T
- b. A significant increase or decrease in the time the cyanidation facility is expected to be in operation; ~~or.~~ (3-24-22) (7-1-25)T
- ~~c. Requests to modify or change water quality compliance criteria and/or water quality compliance monitoring points.~~ (3-24-22)
06. **Minor Permit Modifications.** Minor permit modifications are those that, if granted, would not result in any increased hazard to the environment or to the public health. Within thirty (30) days of receipt of a written request for a minor modification, the Department will complete an evaluation of the request and either approve or deny the request in writing. Minor modifications may include but are not limited to: (3-24-22)
- a. The correction of typographical errors in an approved permit; (3-24-22)
- b. Legal transfer of ownership or operational control; (3-24-22)
- c. A change in the requirements for monitoring or reporting frequency of the quality or quantity of the project air, water or waste generated; (3-24-22)
- d. A change in the cost estimates submitted by a permittee to the Idaho Department of Lands to complete permanent closure; and (3-24-22)
- e. A change or modification that is required by a state or federal requirement that supersedes the authorities of these rules. (3-24-22)

# Sections Affected Index

---

## **IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE**

### **16.03.08 – Federal Welfare Programs**

#### **Docket No. 16-0308-2502 (ZBR New Chapter)**

000. Legal Authority. ....	61
001. Scope. ....	61
002. -- 099. (Reserved).....	62
100. TANF Eligibility. ....	62
101. Mandatory TANF Household Members. ....	62
102. Income And Resources. ....	62
103. Cooperation Responsibility. ....	62
104. Good Cause For Not Cooperating. ....	62
105. -- 110. (Reserved) .....	63
111. Substance Abuse Screening And Testing Notice At Application. ....	63
112. Individual Responsibility Plan (Irp). ....	63
113. Intentional Program Violations (Ipv). ....	63
114. Sanctions For Non-compliance. ....	63
115. Overpayment. ....	64
116. -- 199. (Reserved) .....	64
200. LIHEAP Eligibility. ....	64
201. Mandatory LIHEAP Household Members. ....	64
202. Income. ....	64
203. Overpayments. ....	65
204. Recoupment Of Overpayment. ....	65
205. Provisions Contingent Upon Federal Funding. ....	65
206. -- 999. (Reserved) .....	65

### **16.06.02 – Foster Care Licensing**

#### **Docket No. 16-0602-2501**

000. Legal Authority. ....	69
001. -- 009. (Reserved) .....	69
010. Definitions. ....	69
011. -- 101. (Reserved) .....	69
102. Disposition Of Applications. ....	69
103. Restrictions On Applicability And Nontransfer. ....	71
104. (Reserved) .....	71
105. Revisit And Relicense. ....	71
108. (Reserved)Suspension or Revocation and Transfer of Children.....	71
109. Enforcement Remedy Of Summary Suspension And Transfer Of Children.....	72
110. Enforcement Remedy Revocation Of License And Transfer Of Children. ....	72
109. -- 110. (Reserved).....	73
201. Foster Parent Qualifications And Suitability. ....	73
202. Background Checks. ....	73
203. Initial and Ongoing Evaluation. ....	74
239. Transportation. ....	75
240. -- 241. (Reserved) .....	75
242. Child Placement Requirements.....	75
246. Behavior Management And Discipline. ....	76
247. Medical And Dental Care. ....	77

### **16.06.03 – Daycare Licensing**

#### **Docket No. 16-0603-2501 (Chapter Rewrite)**

000. Legal Authority. ....	80
----------------------------	----

001. Incorporation By Reference .....	80
002. Definitions .....	80
0023. – 008. (Reserved) .....	81
009. Background Check Requirements. ....	81
010. – 120. (Reserved) .....	82
121. Application For Daycare License Or Renewal. ....	82
122. (Reserved) .....	83
123. Disposition Of Applications. ....	83
124. – 149. (Reserved) .....	83
150. Restrictions On Applicability And Nontransfer. ....	83
151. – 199. (Reserved) .....	84
200. Staff And Other Record Requirements. ....	84
201. Child Record Requirements .....	84
202. – 359. (Reserved) .....	85
360. Fire Safety Standards. ....	85
361. Facility Capacity And Determining Occupant Load. ....	86
362. Fire Extinguishers And Safety Requirements. ....	86
363. Fire Safety And Evacuation Plans. ....	87
364. – 379. (Reserved) .....	87
380. Health Standards. ....	87
381. Miscellaneous Safety Requirements. ....	89
382. – 399. (Reserved) .....	90
400. Buildings, Grounds, Furnishings, And Equipment. ....	90
401. – 419. (Reserved) .....	91
420. Continued Compliance, Reporting Changes, And Critical Incidents. ....	91
421. ICCP eligibility For Benefits. ....	92
422. Income Limits. ....	92
423. Countable Income. ....	92
424. Excluded Income. ....	92
425. Income Deductions. ....	93
426. CHANGE REPORTING REQUIREMENTS. ....	93
427. Redetermination Of Eligibility for Child Care Benefits. ....	93
428. Family Composition. ....	94
429. Incapacitated Parent. ....	94
430. Qualifying Activities For Child Care Benefits. ....	94
431. Projecting Qualifying Activity Hours. ....	95
432. Cessation Of Qualifying Activities. ....	95
433. In-Home Care. ....	95
434. Allowable Child Care Costs. ....	95
435. Non-Allowable Child Care Costs. ....	95
436. Amount Of Payment. ....	96
437. Copayments. ....	96
438. Student Co-Payment Requirements. ....	96
439. Interim Child Care Payment .....	97
440. Funding Restrictions. ....	97
441. Refusal To Enter Into An Agreement. ....	97
442. Provider Notification. ....	97
42143. – 999. (Reserved) .....	97

**IDAPA 17 – INDUSTRIAL COMMISSION***17.01.01 – Administrative Rules Under the Worker's Compensation Law***Docket No. 17-0101-2500L**

305. Requirements For Maintaining Idaho Worker's Compensation Claims Files. ....	101
--	-----

**IDAPA 20 – IDAHO DEPARTMENT OF LANDS***20.03.14 – Rules Governing Grazing, Farming, and Conservation Leases***Docket No. 20-0314-2500L**

050. Lease Cancellation.....	105
------------------------------	-----

**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***Docket No. 21-0101-2501 (ZBR Chapter Rewrite)**

000. Legal Authority.....	107
001. Title And Scope.....	107
002. Policy.....	107
003. Incorporation By Reference.....	107
004. -- 009. (Reserved).....	107
010. Definitions.....	107
011. -- 049. (Reserved).....	108
050. Administrative Powers.....	108
051. -- 074. (Reserved).....	109
075. Administrative Duties.....	109
076. -- 099. (Reserved).....	109
100. Eligibility Requirements.....	109
101. -- 149. (Reserved).....	111
150. Application Procedure.....	111
151. -- 199. (Reserved).....	112
200. Denial Of Admission.....	112
201. (Reserved).....	112
202. Acknowledgment Of Conditions Leading To Discharge.....	112
203. -- 299. (Reserved).....	112
300. Conduct Of Residents.....	112
301. -- 349. (Reserved).....	114
350. Transfer And Discharge Of Residents.....	114
351. (Reserved).....	115
352. Unauthorized Absences -- Residential And Domiciliary Care.....	115
3531. -- 850. (Reserved).....	115
851. Available Services.....	115
852. -- 879. (Reserved).....	116
880. Financial Condition Of Applicants/Residents.....	116
881. -- 914. (Reserved).....	116
915. Maintenance Charges.....	116
916. Monthly Charges And Allowances.....	119
917. -- 949. (Reserved).....	119
950. Financial Grounds For Rejection Or Discharge.....	119
951. -- 979. (Reserved).....	120
980. Notice Of Resident Transfer Or Discharge And Notice Of Denial Of An Application For Residency. 120	
981. Appeal Procedure.....	121
982. Provisions For Contested Cases.....	121
983. -- 999. (Reserved).....	122

**IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES***24.24.01 – Rules of the Genetic Counselors Licensing Board***Docket No. 24-2401-2500L**

002. Incorporation By Reference.....	124
--------------------------------------	-----

**IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY****58.01.02 – Water Quality Standards****Docket No. 58-0102-2501**

- 210. Numeric Criteria For Toxic Substances For Waters Designated For Aquatic Life, Recreation, Or Domestic Water Supply Use. .... 131
- 401. Point Source Wastewater Treatment Requirements. .... 147

**58.01.13 – Rules for Ore Processing by Cyanidation****Docket No. 58-0113-2501**

- 000. Legal Authority. .... 150
- 001. Title, Scope And Intent. .... 150
- 007. Definitions. .... 151
- 008. -- 009. (Reserved)..... 153
- 010. Applicability To Facilities With Existing Permits. .... 153
- 011. -- 049. (Reserved)..... 153
- 050. Pre-Application Process and Preliminary Design..... 153
- 051. -- 099. (Reserved)..... 154
- 100. Permit And Permit Application. .... 154
- 101. -- 199. (Reserved)..... 158
- 200. Requirements For Water Quality Protection. .... 158
- 204. Design Criteria For Tailings Impoundments. .... 164
- 205. Alternative Plans And Specifications For Facilities That Contain Process Water. .... 165
- 206. -- 499. (Reserved) ..... 166
- 500. Permit Conditions. .... 166
- 501. Completion Of Permanent Closure. .... 168
- 502. Decision To Approve Or Disapprove Of A Permanent Closure Report..... 169
- 503. -- 649. (Reserved) ..... 169
- 650. Financial Assurance. .... 169
- 651. -- 749. (Reserved)..... 169
- 750. Permit Modification..... 169

# 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 required information concerning their intent to change or make new the following rules in the latest publication of the state Administrative Bulletin.

*The proposed rule public hearing request deadline is July 16, 2025, unless otherwise posted.  
The proposed rule written comment submission deadline is July 23, 2025, unless otherwise posted.  
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.  
(\*PH) indicates that a public hearing has been scheduled.*

#### **IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036**

**16-0308-2501, Temporary Assistance for Families in Idaho (TAFI) Program.** Zero-Based Regulation (ZBR) Chapter Repeal moves, reorganizes, and consolidates necessary provisions under proposed docket 16-0308-2502.

**\*16-0308-2502, Federal Welfare Programs.** (\*PH) ZBR New Chapter reorganizes and consolidates necessary provisions in IDAPAs 16.03.08, 16.04.14, and 16.06.13 by removing duplicative and unnecessary language to prevent redundancies and confusion regarding the administration standards of the Temporary Assistance for Needy Families (TANF) and Low-Income Home Energy Assistance Program (LIHEAP) programs.

**16-0414-2501, Low-Income Home Energy Assistance Program (LIHEAP).** Chapter Repeal moves, reorganizes, and consolidates necessary provisions under proposed docket 16-0308-2502.

**\*16-0602-2501, Foster Care Licensing.** (Temp & Prop) (\*PH) Rule changes comport with recent amendments to statute that: increase the maximum age of extended foster care from age 21 to 23; make a separate path for licensure for kin; and provide the ability for the Department to deny an application in the event of the preponderance of evidence and underlying facts and circumstances indicating that a prior offense has been committed.

**\*16-0603-2501, Daycare Licensing.** (\*PH) Chapter Rewrite moves, reorganizes, and consolidates necessary provisions in IDAPAs 16.06.03 and 16.06.12 for the licensure of daycare facilities and Idaho Child Care Program eligibility, to include: application processes; staffing and record requirements; facility health, safety, and reporting standards; income criteria; and child care benefit costs and payments. Comment by 7/30/25

**16-0612-2501, Idaho Child Care Program (ICCP).** ZBR Chapter Repeal moves and reorganizes necessary provisions under docket 16-0603-2501.

**16-0613-2501, Emergency Assistance for Families and Children.** Chapter Repeal moves, reorganizes, and consolidates necessary provisions under proposed docket 16-0308-2502.

#### **IDAPA 21 – DIVISION OF VETERANS SERVICES 351 N Collins Rd, Boise, ID 83702**

**21-0101-2501, Rules Governing Admission, Residency, and Maintenance Charges in Idaho State Veterans Homes and Division of Veterans Services Administrative Procedure.** ZBR Chapter Rewrite removes obsolete language related to the domiciliary and residential care program and updates language regarding the skilled nursing program in line with changes to federal CMS regulations in CFR.

#### **IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY 1410 N Hilton St, Boise, ID 83706**

**58-0102-2501, Water Quality Standards.** Rulemaking deletes arsenic, as calculations no longer apply, from the Factors for Calculating Hardness Dependent Metals Criteria table, and includes revisions for consistency with the final actions taken by the U.S. Environmental Protection Agency (EPA) on certain rule dockets promulgated by DEQ

and submitted for final review by EPA. Request hearing by 7/18/25; Comment by 8/1/25.

**58-0113-2501, Rules for Ore Processing by Cyanidation.** (Temp & Prop) Updates remove rule text that is now in statute and revise the remaining rule for consistency with the new provisions in Section 39-118A, Idaho Code, as amended by the 2025 Idaho Legislature.

**NOTICE OF ADOPTED / AMENDED PROCLAMATION(S)**

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

**13-0000-2500P4**, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

**NOTICES OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING**

(Please see the Administrative Bulletin for dates and times of meetings and other participant information)

**IDAPA 02 – DEPARTMENT OF AGRICULTURE**

**02-0303-2501**, Rules Governing Pesticide and Chemigation Use and Application

**02-0606-2501**, Rules Governing the Planting of Beans

**02-0633-2501**, Organic Food Products Rules

**IDAPA 11 – IDAHO STATE POLICE**

**11-0501-2501**, Rules Governing Alcohol Beverage Control

**IDAPA 15 – OFFICE OF THE GOVERNOR / IDAHO COMMISSION ON AGING**

**15-0101-2501**, Rules Governing Senior Services and Older Americans Act Programs

**15-0103-2501**, Rules Governing the Ombudsman for the Elderly Program

**15-0120-2501**, Rules Governing Area Agency on Aging (AAA) Operations

**IDAPA 28 – DEPARTMENT OF COMMERCE**

**28-0203-2501**, Department of Commerce Grant Program Rules

**28-0401-2501**, Rules Governing the Idaho Reimbursement Incentive Act

Please refer to the Idaho Administrative Bulletin **July 2, 2025, Volume 25-7**, for the notices and text of all rulemakings, proclamations, negotiated rulemaking and public hearing information and schedules, executive orders of the Governor, and agency contact information.

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

Office of the Administrative Rules Coordinator, Division of Financial Management

P.O. Box 83720, Boise, ID 83720-0032

Phone: 208-334-3900; Email: [adminrules@dfm.idaho.gov](mailto:adminrules@dfm.idaho.gov)



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

*Office of the Administrative Rules Coordinator  
Division of Financial Management  
Office of the Governor*

*July 1, 1993 – Present*

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

This 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.

---

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

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

*Office of the Administrative Rules Coordinator  
Division of Financial Management*

*April 10, 2024 – July 2, 2025*

*(PLR 2025) – Final Effective Date Is Pending Legislative Review in 2025*

*(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 02 – IDAHO DEPARTMENT OF AGRICULTURE***

***02.01.03, Airborne Control of Unprotected or Predatory Animals Rules***

**02-0103-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***02.01.05, Rules Governing Certificates of Free Sale***

**02-0105-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***02.01.08, Rules Governing Grizzly Bear and Wolf Depredation***

**02-0108-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking (New Chapter), Bulletin Vol. 25-5

**02-0108-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 11-12-24)T

**02-0108-2401** Adoption of Temporary Rule, Bulletin Vol. 24-12 (eff. 11-12-24)T

***02.02.05, Rules Governing Stone Fruit Grades***

**02-0205-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***02.02.07, Rules Governing Bulk Permits and Retail Sale of Potatoes***

**02-0207-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***02.02.11, Rules Governing Eggs and Egg Products***

**02-0211-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***02.02.12, Bonded Warehouse Rules***

**02-0212-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**02-0212-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

**02-0212-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

**02-0212-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

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

**02-0214-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**02-0214-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**02-0214-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

**02-0214-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

***02.03.01, Rules Governing Pesticide Management Plans for Ground Water Protection***

**02-0301-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**02-0301-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

**02-0301-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

**02-0301-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

***02.03.03, Rules Governing Pesticide and Chemigation Use and Application***

**02-0303-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-7

**02-0303-2402** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**02-0303-2402** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**02-0303-2402** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

**02-0303-2402** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

**02-0303-2401** Adoption of Temporary Rule, Bulletin Vol. 24-5 (eff. 4-22-24)T [*expires 7-1-24*]

***02.04.03, Rules Governing Animal Industry***

**02-0403-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**02-0403-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

**02-0403-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

**02-0403-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

***02.04.05, Rules Governing Grade A Milk and Manufacture Grade Milk***

**02-0405-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

02-0405-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0405-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

**02.04.15, Rules Governing Beef Cattle Animal Feeding Operations**

02-0415-2401 OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

02-0415-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0415-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

02-0415-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

**02.04.19, Rules Governing Domestic Cervidae**

02-0419-2401 OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

02-0419-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0419-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

02-0419-2401 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

**02.04.20, Rules Governing Brucellosis**

02-0420-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**02.04.24, Rules Governing Tuberculosis**

02-0424-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**02.04.26, Rules Governing the Public Exchange of Livestock**

02-0426-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**02.05.01, Rules Governing Produce Safety**

02-0501-2401 OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

02-0501-2401 Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

02-0501-2401 Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

02-0501-2401 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

**02.06.01, Rules Governing the Production and Distribution of Seed**

02-0601-2501 Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**02.06.02, Rules Governing Registrations and Licenses**

02-0602-2401 OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

02-0602-2401 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0602-2401 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

**02.06.06, Rules Governing the Planting of Beans**

02-0606-2501 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-7

**02.06.09, Rules Governing Invasive Species and Noxious Weeds**

02-0609-2406 OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 11-9-24)T

02-0609-2406 Adoption of Temporary Rule, Bulletin Vol. 24-12 (eff. 11-9-24)T

02-0609-2405 Adoption of Temporary Rule, Bulletin Vol. 24-11 (eff. 10-7-24)T [superseded]

02-0609-2404 Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 9-26-24)T [superseded]

02-0609-2403 Adoption of Temporary Rule, Bulletin Vol. 24-8 (eff. 6-28-24)T [superseded]

02-0609-2402 OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

02-0609-2402 Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

02-0609-2402 Notice of Proposed Rulemaking, Bulletin Vol. 24-10

02-0609-2402 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

02-0609-2401 Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. sine die 2024)T [superseded]

**02.06.33, Organic Food Products Rules**

02-0633-2501 Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-7

- 02-0633-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 02-0633-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 02-0633-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

**02.07.01, Rules of the Idaho Hop Growers' Commission**

- 02-0701-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

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

- 02-0801-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 02-0801-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)
- 02-0801-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
- 02-0801-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

**IDAPA 04 – OFFICE OF THE ATTORNEY GENERAL****04.11.01, Idaho Rules of Administrative Procedure of the Attorney General**

- 44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapter 04.11.01 – Bulletin Vol. 24-7

**04.12.01, Rules of Administrative Procedure for Consideration of Cooperative Agreements Filed by Health Care Providers**

- 04-1201-2500** Notice of Revocation of Final Rule, Bulletin Vol. 25-7

**IDAPA 08 – IDAHO STATE BOARD OF EDUCATION  
AND STATE DEPARTMENT OF EDUCATION****08.01.11, Registration of Postsecondary Educational Institutions and Proprietary Schools**

- 08-0111-2401** OARC Omnibus Notice of Legislative Action – Pending Rule Rejected by SCR 113, Bulletin Vol. 25-7 (Null & Void)
- 08-0111-2401** OARC Omnibus Notice of Legislative Action – Rejection of Temporary Rule, Bulletin Vol. 25-7
- 08-0111-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0111-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

**08.01.13, Rules Governing the Opportunity Scholarship Program**

- 08-0113-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-6
  
- 08-0113-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 08-0113-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0113-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10
- 08-0113-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

**08.01.15, Rules Governing the Firearms Safety Grant Program**

- 08-0115-2401** Notice of Intent to Promulgate Rules (New Chapter) – Negotiated Rulemaking, Bulletin Vol. 24-6

**08.02.01, Rules Governing Administrations**

- 08-0201-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 08-0201-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]
- 08-0201-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0201-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

**08.02.02, Rules Governing Uniformity**

- 08-0202-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-6
  
- 08-0202-2401** OARC Omnibus Notice of Legislative Action – Pending Rule Rejected by SCR 113, Bulletin Vol. 25-7 (Null & Void)
- 08-0202-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)
- 08-0202-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10
- 08-0202-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

**08.02.03, Rules Governing Thoroughness**

- 08-0203-2502** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-6

**08-0203-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-6

**08-0203-2403** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**08-0203-2403** Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 8-21-24)T

**08-0203-2402** OARC Omnibus Notice of Legislative Action – Rejection of Temporary Rule, Bulletin Vol. 25-7

**08-0203-2402** Adoption of Temporary Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

**08-0203-2401** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**08-0203-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

**08-0203-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

**08-0203-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

#### **08.02.04, Rules Governing Public Charter Schools**

**08-0204-2400** Notice of Revocation of Final Rule, Bulletin Vol. 24-3

#### **08.02.05, Rules Governing Pay for Success Contracting**

**08-0205-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-6

#### **08.04.01, Rules of the Idaho Digital Learning Academy**

**08-0401-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**08-0401-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

**08-0401-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

**08-0401-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

### **IDAPA 09 – IDAHO DEPARTMENT OF LABOR**

**09-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapters 09.01.01, 09.01.08, 09.01.30, and 09.01.35 – Bulletin Vol. 25-7

#### **09.01.01, Rules of Administrative Procedure of the Department of Labor**

**09-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 09.01.01 – Bulletin Vol. 25-7

**09-0101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**09-0101-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

**09-0101-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

**09-0101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

#### **09.01.08, Rules on Disclosure of Employment Security Information**

**09-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 09.01.08 – Bulletin Vol. 25-7

**09-0108-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

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

**09-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 09.01.30 – Bulletin Vol. 25-7

**09-0130-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**09-0130-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)

**09-0130-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

**09-0130-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

#### **09.01.35, Unemployment Insurance Tax Administration Rules**

**09-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 09.01.35 – Bulletin Vol. 25-7

- 09-0135-2401** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**09-0135-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**09-0135-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**09-0135-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

**09.05.03, Rules for Determining Bargaining Representatives**

- 09-0503-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

**IDAPA 11 – IDAHO STATE POLICE****Idaho State Brand Board****11.02.01, Rules of the Idaho State Brand Board**

- 11-0201-2500** Notice of Revocation of Final Rule, Bulletin Vol. 25-7  
  
**11-0201-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7 (terminated by agency)

**Idaho State Police Forensic Services****11.03.01, Rules Governing Alcohol Testing**

- 11-0301-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**11-0301-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**11-0301-2401** Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 24-11  
**11-0301-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**11-0301-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

**Idaho State Racing Commission****11.04.01, Rules Governing the Idaho State Racing Commission**

- 44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 11.04.01 – Bulletin Vol. 24-7

**Alcohol Beverage Control Bureau****11.05.01, Rules Governing Alcohol Beverage Control**

- 11-0501-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-7  
  
**11-0501-2403** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**11-0501-2403** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)  
**11-0501-2403** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**11-0501-2403** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7  
  
**11-0501-2402** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [superseded on 7-1-25]  
**11-0501-2402** Adoption of Temporary Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T  
  
**11-0501-2401** Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. sine die 2024)T [expires 7-1-24]

**11.06.01, Rules Governing Civil Asset Forfeiture Reporting**

- 11-0601-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-6

**11.10.01, Rules Governing Idaho Public Safety and Security Information System**

- 11-1001-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-6  
  
**11-1001-2401** Adoption of Temporary (Fee) Rule, Bulletin Vol. 24-6 (eff. 4-24-24)T [expires 7-1-24]

**11.10.02, Rules Governing State Criminal History Records and Crime Information**

- 11-1002-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-6



***11.10.03, Rules Governing the Sex Offender Registry***

**11-1003-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-6

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

**11-1101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**11-1101-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**11-1101-2401** Adoption of Pending Rule, Bulletin Vol. 24-10 (PLR 2025)

**11-1101-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 6-7-24)T

***Idaho State Police Commercial Vehicle Safety******11.13.01, The Motor Carrier Rules***

**11-1301-2401** Notice of Rescission of Temporary Rule and Vacation of Proposed Rulemaking, Bulletin Vol. 24-11

**11-1301-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-8 (eff. 7-1-24)T

***IDAPA 13 – IDAHO FISH AND GAME COMMISSION******Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho***

**13-0000-2500P4** Notice of Adopted / Amended Proclamations for Calendar Year 2025, Bulletin Vol. 25-7

**13-0000-2500P3** Notice of Adopted / Amended Proclamations for Calendar Year 2025, Bulletin Vol. 25-6

**13-0000-2500P2** Notice of Adopted / Amended Proclamations for Calendar Year 2025, Bulletin Vol. 25-5

**13-0000-2500P1** Notice of Adoption of Proclamation for Calendar Year 2025, Bulletin Vol. 25-2

**13-0000-2400P7** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-12

**13-0000-2400P6** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-9

**13-0000-2400P5** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-8

**13-0000-2400P4** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-7

**13-0000-2400P3** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-6

**13-0000-2400P2** Notice of Adopted / Amended Proclamations for Calendar Year 2024, Bulletin Vol. 24-5

**13-0000-2400P1** Notice of Adoption of Proclamation for Calendar Year 2024, Bulletin Vol. 24-2

***13.01.02, Rules Governing Mandatory Education, Mentored Hunting, and Shooting Ranges***

**13-0102-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**13-0102-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**13-0102-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**13-0102-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-10 (eff. 1-1-25)T

***13.01.03, Public Use of Lands Owned or Controlled by the Department of Fish and Game***

**13-0103-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***13.01.04, Rules Governing Licensing***

**13-0104-2501** Adoption of Temporary Rule, Bulletin Vol. 25-6 (eff. 5-22-25)T

**13-0104-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

***13.01.07, Rules Governing Taking of Wildlife***

**13-0107-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**13-0107-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**13-0107-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

***13.01.08, Rules Governing Taking of Big Game Animals***

**13-0108-2501** Adoption of Temporary Rule, Bulletin Vol. 25-5 (eff. 4-15-25)T

**13-0108-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

***13.01.11, Rules Governing Fish***

**13-0111-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

- [13-0111-2401](#) Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
[13-0111-2401](#) Notice of Proposed Rulemaking, Bulletin Vol. 24-10  
[13-0111-2401](#) Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

**13.01.16, Trapping of Wildlife and Taking of Furbearing Animals**

- [13-0116-2401](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

**13.01.17, Rules Governing Use of Bait for Hunting Big Game Animals**

- [13-0117-2402](#) Adoption of Temporary Rule, Bulletin Vol. 24-10 (eff. 9-1-24)T [*expires sine die 2025*]

- [13-0117-2401](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

**13.01.19, Rules for Selecting, Operating, Discontinuing, and Suspending Vendors**

- [13-0119-2501](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**IDAPA 15 – OFFICE OF THE GOVERNOR****Executive Orders of the Governor**

- Executive Order No. [2025-04](#) Make Forests Healthy Again Act, Bulletin Vol. 25-5  
Executive Order No. [2025-03](#) Border Security and Immigration Enforcement Act, Bulletin Vol. 25-3  
Executive Order No. [2025-02](#) Idaho Strategic Permitting, Efficiency and Economic Development (SPEED) Act, Bulletin Vol. 25-2  
Executive Order No. [2025-01](#) Gone With the Lava Ridge Wind Project Act, Bulletin Vol. 25-2
- Executive Order No. [2024-13A](#) Continuing the Idaho Criminal Justice Commission, Bulletin Vol. 25-4  
Executive Order No. [2024-12](#) Continuing a System for Allocating Volume Cap in the State Consistent With Provisions of Title 50, Chapter 28, Idaho Code, and the U.S. Internal Revenue Code of 1986, Bulletin Vol. 25-3
- Executive Order No. [2024-11](#) Phone Free Learning Act, Bulletin Vol. 24-11  
Executive Order No. [2024-10](#) Continuing the Idaho Strategic Energy Alliance Repealing and Replacing Executive Order 2020-18, Bulletin Vol. 24-11  
Executive Order No. [2024-09](#) Continuing the Office of Energy and Mineral Resources Within the Office of the Governor, Bulletin Vol. 24-11
- Executive Order No. [2024-08](#) Defending Women's Sports Act, Bulletin Vol. 24-9  
Executive Order No. [2024-07](#) Only Citizens Will Vote Act, Bulletin Vol. 24-8  
Executive Order No. [2024-06](#) Protecting Idaho Water Sovereignty Act, Bulletin Vol. 24-7  
Executive Order No. [2024-05](#) Promoting Families and Protecting Children, Bulletin Vol. 24-7  
Executive Order No. [2024-04](#) Operation Esto Perpetua, Bulletin Vol. 24-5  
Executive Order No. [2024-03](#) Continuing the Juvenile Justice Commission, Bulletin Vol. 24-5  
Executive Order No. [2024-02](#) Continuing the Workforce Development Council, Bulletin Vol. 24-5  
Executive Order No. [2024-01](#) Continuing the Idaho Behavioral Health Council, Bulletin Vol. 24-5
- Executive Order No. [2023-05](#) Establishing the Governor's Commission on Service and Volunteerism, Bulletin Vol. 24-11  
Executive Order No. [2023-04](#) Directing the Idaho Department of Health and Welfare to Support Idaho Suicide Prevention Action Collective in Monitoring and Implementing the Idaho Suicide Prevention Plan, Bulletin Vol. 24-11

Executive Order Retrospective Spanning Years [1938-1995](#), Bulletin Vol. 24-3SE

**State of the State and Budget Addresses of the Governor**

State of the State and Budget Addresses Retrospective Spanning Years [1890-2024](#), Bulletin Vol. 24-4SE

**Idaho Commission On Aging****15.01.01, Rules Governing Senior Services Program**

- [15-0101-2501](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-7

**15.01.03, Rules Governing Ombudsman for the Elderly Program**

- [15-0103-2501](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-7

**15.01.20, Rules Governing Area Agency on Aging (AAA) Operations**

- [15-0120-2501](#) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-7



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

***15.02.30, Business Enterprise Program***

**15-0230-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11

**15-0230-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-9

***Idaho Forest Products Commission***

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

**15-0301-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

***Division of Human Resources and Personnel Commission***

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

**44-0000-2401** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 15.04.01 – Bulletin Vol. 24-8

***Idaho Military Division***

***– Idaho Public Safety Communications Commission***

***15.06.01, Rules Governing the Idaho Public Safety Communications Commission***

**15-0601-2501** Notice of Temporary and Proposed Rule, Bulletin Vol. 25-5 (eff. 5-1-25)T

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

**15-0605-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8-terminated

***– Emergency Medical Services Program***

***15.06.07, Emergency Medical Services***

*\*(Re-designated from IDAPA 16.01.01 to 15.06.07)*

**15-0607-2500** IDAPA 15 – OFFICE OF THE GOVERNOR / IDAHO MILITARY DIVISION, EMERGENCY MEDICAL SERVICES PROGRAM – Notice of Assignment of New IDAPA Designation Number – Redesignated to **IDAPA 15, Title 06, Chapter 07** from **IDAPA 16, Title 01, Chapter 01** – Bulletin Vol. 25-7 (eff. 7-1-25)

***IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE***

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapters 16.02.06, 06.02.11, 16.02.12, 16.02.13, 16.02.14, 16.02.15, 16.02.23, 16.02.24, 16.02.25, 16.03.02, 16.03.03, 16.03.06, 16.03.07, 16.03.09, 16.03.10, 16.03.11, 16.03.14, 16.03.17, 16.03.18, 16.03.22, 16.06.01, 16.06.03, 16.07.01, 16.07.17, 16.07.19, 16.07.25, 16.07.33, 16.07.37 and 16.07.39 – Bulletin Vol. 25-7

***(MOVED AND REDESIGNATED) 16.01.01, Emergency Medical Services***

**16-0101-2500** IDAPA 16 – IDAHO DEPARTMENT OF HEALTH AND WELFARE, EMERGENCY MEDICAL SERVICES PROGRAM – Notice of Assignment of New IDAPA Designation Number – Redesignated from **IDAPA 16, Title 01, Chapter 01** to **IDAPA 15, Title 06, Chapter 07** – Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0101-2401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 24-11 (PLR 2025)

**16-0101-2401** Notice of Proposed Rulemaking (New Chapter), Bulletin Vol. 24-9

***16.01.02, Emergency Medical Services (EMS) – Rule Definitions***

**16-0102-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0102-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0102-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

***16.01.03, Emergency Medical Services (EMS) -- Agency Licensing Requirements***

**16-0103-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0103-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0103-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

*16.01.05, Emergency Medical Services (EMS) -- Education, Instructor, & Examination Requirements*

**16-0105-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0105-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0105-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

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

**16-0107-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0107-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0107-2401** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 24-9

**16-0107-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

*16.01.12, Emergency Medical Services (EMS) -- Complaints, Investigations, and Disciplinary Actions*

**16-0112-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0112-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0112-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

*16.02.01, Idaho Time Sensitive Emergency System Council*

**16-0201-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0201-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0201-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

*16.02.02, Idaho Emergency Medical Services (EMS) Physician Commission*

**16-0202-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0202-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0202-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

*16.02.06, Quality Assurance for Clinical Laboratories*

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.06 – Bulletin Vol. 25-7

*16.02.10, Idaho Reportable Diseases*

**16-0210-2501** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 25-6

**16-0210-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

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

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.11 – Bulletin Vol. 25-7

*16.02.12, Newborn Screening*

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.12 – Bulletin Vol. 25-7

**16-0212-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0212-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

**16-0212-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

*16.02.13, State of Idaho Drinking Water Laboratory Certification Program*

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.13 – Bulletin Vol. 25-7

**16-0213-2401\*** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

\*Changes chapter name from: “State of Idaho Drinking Water Laboratory Certification Program”

**16-0213-2401\*** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-11 (PLR 2025)

**16-0213-2401\*** Notice of Public Hearing and Extension of Written Comment Period, Bulletin Vol. 24-10

**16-0213-2401\*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-9

**16-0213-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

*16.02.14, Rules Governing Construction and Operation of Public Swimming Pools in Idaho*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.14 – Bulletin Vol. 25-7

*16.02.15, Immunization Requirements for Idaho School Children*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.15 – Bulletin Vol. 25-7

*16.02.23, Rules Governing Indoor Smoking*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.23 – Bulletin Vol. 25-7

*16.02.24, Clandestine Drug Laboratory Cleanup*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.24 – Bulletin Vol. 25-7

*16.02.25, State Laboratory Fees*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.02.25 – Bulletin Vol. 25-7

**16.02.27, Idaho Radiation Control Rules**

- 16-0227-2501** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 25-6

- 16-0227-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

*16.03.02, Skilled Nursing Facilities*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.02 – Bulletin Vol. 25-7

*16.03.03, Rules Governing Child Support Services*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.03 – Bulletin Vol. 25-7

*16.03.06, Refugee Medical Assistance*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.06 – Bulletin Vol. 25-7

*16.03.07, Home Health Agencies*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.07 – Bulletin Vol. 25-7

**16.03.08, Temporary Assistance for Families in Idaho (TAFI) Program**

- 16-0308-2501** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 25-7

- 16-0308-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**16.03.08, Federal Welfare Programs**

- 16-0308-2502** Notice of Proposed Rulemaking (ZBR New Chapter), Bulletin Vol. 25-7

*16.03.09, Medicaid Basic Plan Benefits*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.09 – Bulletin Vol. 25-7

- 16-0309-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

- 16-0309-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

- 16-0309-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

- 16-0309-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

*16.03.10, Medicaid Enhanced Plan Benefits*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.10 – Bulletin Vol. 25-7

- 16-0310-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

*16.03.11, Intermediate Care Facilities for People with Intellectual Disabilities (ICFs/IID)*

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.11 – Bulletin Vol. 25-7

**16-0311-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

#### ***16.03.13, Consumer-Directed Services***

**16-0313-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0313-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

**16-0313-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

**16-0313-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

#### ***16.03.14, Hospitals***

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.14 – Bulletin Vol. 25-7

**16-0314-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0314-2401** Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0314-2401** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 24-9

**16-0314-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5

**16-0314-2301** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**16-0314-2301** OARC Corrected Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 24-9 (eff. 7-1-24)

**16-0314-2301** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 24-8 (eff. 11-14-23)T

**16-0314-2301** Adoption of Temporary Rule, Bulletin Vol. 23-12 (eff. 11-14-23)T

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

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.17 – Bulletin Vol. 25-7

#### ***16.03.18, Medicaid Cost-Sharing***

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.18 – Bulletin Vol. 25-7

#### ***16.03.21, Developmental Disabilities Agencies (DDA)***

**16-0321-2501\*** Notice of Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 25-6

*\*Changes chapter name from: “Developmental Disabilities Agencies (DDA)”*

#### ***16.03.22, Residential Assisted Living Facilities***

**16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.03.22 – Bulletin Vol. 25-7

**16-0322-2501** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 25-6

**16-0322-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

#### ***16.03.26, Medicaid Plan Benefits***

**16-0326-2501** Notice of Temporary and Proposed Rule (New Chapter), Bulletin Vol. 25-6 (eff. 7-1-25)T

#### ***16.04.07, Fees for State Hospital North and State Hospital South***

**16-0407-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**16-0407-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)

**16-0407-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

#### ***16.04.14, Low-Income Home Energy Assistance Program (LIHEAP)***

**16-0414-2501** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 25-7

#### ***16.04.17, Residential Habilitation Agencies***

**16-0417-2501** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 25-6

**16-0417-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

#### ***16.04.18, Children’s Agencies and Residential Licensing***

**16-0418-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

- 16-0418-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0418-2401** Adoption of Pending Rule, Bulletin Vol. 24-9 (PLR 2025)  
**16-0418-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

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

- 16-0501-2501** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 25-6  
**16-0501-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4  
  
**16-0501-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0501-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0501-2401** Adoption of Pending Rule, Bulletin Vol. 24-11 (PLR 2025)  
**16-0501-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-9 (eff. 8-6-24)T

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

- 44-0000-2400** *Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 16.05.03 – Bulletin Vol. 24-7*

**(MOVED AND REDESIGNATED) 16.05.04, Domestic Violence Council Grants**

- 16-0504-2400** **IDAPA 16.05 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE** – Notice of Assignment of New IDAPA Designation Number – Redesignated from **IDAPA 16, Title 05, Chapter 04** to **IDAPA 63, Title 05, Chapter 04** – Bulletin Vol. 24-6 (eff. 7-1-24)

**16.06.01, Child and Family Services**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.06.01 – Bulletin Vol. 25-7  
  
**16-0601-2405** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0601-2405** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**16-0601-2405** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-12  
  
**16-0601-2404** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0601-2404** Adoption of Temporary Rule, Bulletin Vol. 24-9 (eff. 8-6-24)T  
  
**16-0601-2403** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0601-2403** Adoption of Temporary Rule, Bulletin Vol. 24-7 (eff. 6-5-24)T  
  
**16-0601-2402** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0601-2402** Notice of Vacation of Proposed Rulemaking, Bulletin Vol. 24-9  
**16-0601-2402** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-6 (eff. 4-17-24)T  
  
**16-0601-2401** *Vacation of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12*  
**16-0601-2401** *Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)*  
**16-0601-2401** *Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9*  
**16-0601-2401** *Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4*

**16.06.02, Foster Care Licensing**

- 16-0602-2501** Notice of Temporary and Proposed Rule, Bulletin Vol. 25-7 (eff. 7-1-25)T  
  
**16-0602-2500** Notice of Revocation of Final Rule, Bulletin Vol. 25-5  
  
**16-0602-2403** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0602-2403** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0602-2403** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)  
**16-0602-2403** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-9 (eff. 8-15-24)T  
  
**16-0602-2402** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0602-2402** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0602-2402** Adoption of Pending Rule (Chapter Rewrite), Bulletin Vol. 24-9 (PLR 2025)  
**16-0602-2402** Notice of Temporary and Proposed Rule (Chapter Rewrite), Bulletin Vol. 24-7 (eff. 7-1-24)T

- 16-0602-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0602-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**16-0602-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-9 (PLR 2025)  
**16-0602-2401** Notice of Temporary and Proposed Rule (Chapter Repeal), Bulletin Vol. 24-7 (eff. 7-1-24)T

**16.06.03, Daycare Licensing**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.06.03 – Bulletin Vol. 25-7

- 16-0603-2501\*** Notice of Proposed Rulemaking (Chapter Rewrite), Bulletin Vol. 25-7  
\*Renames chapter from: “Daycare Licensing”

- 16-0603-2401** Adoption of Temporary Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T [*expires sine die 2025*]

**16.06.05, Alleged Medical Neglect of Handicapped Infants**

- 16-0605-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0605-2401** Adoption of Pending Rule (Chapter Repeal), Bulletin Vol. 24-11 (PLR 2025)  
**16-0605-2401** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 24-9

**16.06.12, Idaho Child Care Program (ICCP)**

- 16-0612-2501** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 25-7  
**16-0612-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**16.06.13, Emergency Assistance for Families and Children**

- 16-0613-2501** Notice of Proposed Rulemaking (Chapter Repeal), Bulletin Vol. 25-7

**16.07.01, Behavioral Health Sliding Fee Schedules**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.01 – Bulletin Vol. 25-7

**16.07.17, Substance Use Disorders Services**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.17 – Bulletin Vol. 25-7

- 16-0717-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0717-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)  
**16-0717-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-11

**16.07.19, Peer Support Specialist and Family Support Partner Certification**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.19 – Bulletin Vol. 25-7

**16.07.25, Prevention of Minors’ Access to Tobacco or Electronic Smoking Device Products**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.25 – Bulletin Vol. 25-7

**16.07.33, Adult Mental Health Services**

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.33 – Bulletin Vol. 25-7

- 16-0733-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0733-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)  
**16-0733-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-11

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

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.37 – Bulletin Vol. 25-7

- 16-0737-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**16-0737-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)



- 16-0737-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**16-0737-2401** (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3  
**16-0737-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-2

*16.07.39, Designated Examiners and Dispositioners*

- 16-0000-2500** Notice of Omnibus Rulemaking – Revocation of Final Rules – Certain provisions rendered null and void pertaining to IDAPA chapter 16.07.39 – Bulletin Vol. 25-7

### ***IDAPA 17 – INDUSTRIAL COMMISSION***

***17.01.01, Administrative Rules Under the Worker's Compensation Law***

- 17-0101-2500L** OARC Omnibus Notice of Legislative Action – Rejection of Final Rule by SCR 109, Bulletin Vol. 25-7 (eff. 7-1-25)  
**17-0101-2500L** Notice of Legislative Action on Final Rule – Agency Filing – Rejection of Final Rule by SCR 109, Bulletin Vol. 25-7 (eff. 7-1-25)  
  
**17-0101-2301** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**17-0101-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**17-0101-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**17-0101-2301** (Second) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-5  
**17-0101-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-11

### ***IDAPA 18 – DEPARTMENT OF INSURANCE***

- 18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapters 05, 06, 11-15; & Title 06, Chapter 05 – Bulletin Vol. 25-5  
  
**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01; Title 03, Chapters 02-04; Title 04, Chapter 03; Title 05, Chapter 01; Title 06, Chapter 06; and Title 07, Chapters 04, 05 – Bulletin Vol. 24-7

***18.01.01, Rule to Implement the Privacy of Consumer Financial Information***

- 18-0101-2401** Notice of Vacation of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11  
**18-0101-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 01, Chapter 01 – Bulletin Vol. 24-7

***18.03.02, Life Settlements***

- 18-0302-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**18-0302-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)  
**18-0302-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 02 – Bulletin Vol. 24-7

***18.03.03, Variable Contracts***

- 18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 03 – Bulletin Vol. 24-7

***18.03.04, Replacement of Life Insurance and Annuities***

- 18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 04 – Bulletin Vol. 24-7

***18.04.03, Advertisement of Disability (Accident and Sickness) Insurance***

- 18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 03 – Bulletin Vol. 24-7

***18.04.05, Self-Funded Health Care Plans Rule***

- 18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 05 – Bulletin Vol. 25-5

***18.04.06, Governmental Self-Funded Employee Health Care Plans Rule***

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 06 – Bulletin Vol. 25-5

**18.04.11, Long-Term Care Insurance Minimum Standards**

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 11 – Bulletin Vol. 25-5

**18.04.12, The Small Employer Health Insurance and Availability Act**

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 12 – Bulletin Vol. 25-5

**18.04.13, The Individual Health Insurance Availability Act**

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 13 – Bulletin Vol. 25-5

**18.04.14, Coordination of Benefits**

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 14 – Bulletin Vol. 25-5

**18.04.15, Rules Governing Short-Term Health Insurance Coverage**

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 04, Chapter 15 – Bulletin Vol. 25-5

**18-0415-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

**18.05.01, Rules for Title Insurance Regulation**

**18-0501-2401** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**18-0501-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

**18-0501-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 05, Chapter 01 – Bulletin Vol. 24-7

**18.06.05, Managing General Agents**

**18-ZBRR-2501** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 05 – Bulletin Vol. 25-5

**18.06.06, Surplus Lines Rules**

**18-0606-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**18-0606-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)

**18-0606-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9

**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 06, Chapter 06 – Bulletin Vol. 24-7

**18.07.04, Annual Financial Reporting**

**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 04 – Bulletin Vol. 24-7

**18.07.05, Director's Authority for Companies Deemed to be in Hazardous Financial Condition**

**18-ZBRR-2401** *Rules of the Idaho Department of Insurance* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 07, Chapter 05 – Bulletin Vol. 24-7

**18.08.01, Adoption of the International Fire Code**

**18-0801-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**18-0801-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**18-0801-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-9

**18-0801-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

**IDAPA 20 – DEPARTMENT OF LANDS**

*20.01.01, Rules of Practice and Procedure Before the State Board of Land Commissioners*



**44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 20.01.01 – Bulletin Vol. 24-7

**20.03.02, Rules Governing Mined Land Reclamation**

**20-0302-2401** (2nd) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**20-0302-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

**20.03.04, Rules for the Regulation of Beds, Waters, and Airspace Over Navigable Lakes in the State of Idaho**

**20-0304-2401** (2nd) Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**20-0304-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

**20.03.08, Easements on State Owned Lands**

**20-0308-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-3

**20.03.13, Administration of Cottage Site Leases on State Lands**

**20-0313-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0313-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

**20-0313-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

**20-0313-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

**20.03.14, Rules Governing Grazing, Farming, and Conservation Leases**

**20-0314-2500L** OARC Omnibus Notice of Legislative Action – Rejection of Final Rule by SCR 112, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0314-2500L** Notice of Legislative Action on Final Rule – Agency Filing – Rejection of Final Rule by SCR 112, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0314-2401\*** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

*\*Changes chapter name from: “Rules Governing Grazing, Farming, Conservation, Noncommercial Recreation, and Communication Site Leases”*

**20-0314-2401\*** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

**20-0314-2401\*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

**20-0314-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

**20.03.15, Rules Governing Geothermal Leasing on Idaho State Lands**

**20-0315-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0315-2401** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)

**20-0315-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7

**20-0315-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

**20.03.16, Rules Governing Oil and Gas Leasing on Idaho State Lands**

**20-0316-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0316-2401** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)

**20-0316-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7

**20-0316-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

**20.04.01, Rules Pertaining to Forest Fire Protection**

**20-0401-2301** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0401-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

**20-0401-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

**20-0401-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-10

**20.04.02, Rules Pertaining to the Idaho Forestry Act and Fire Hazard Reduction Laws**

**20-0402-2301** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0402-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

**20-0402-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

**20-0402-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-10

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

**20-0702-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**20-0702-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

**20-0702-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8

**20-0702-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

### ***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***

**21-0101-2501** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 25-7

**21-0101-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 21.01.01 – Bulletin Vol. 24-7

#### ***21.01.04, Rules Governing Idaho State Veterans Cemeteries***

**21-0104-2402** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**21-0104-2402** Adoption of Pending Rule (Fee Rule), Bulletin Vol. 25-1 (PLR 2025)

**21-0104-2402** Notice of Proposed Rulemaking (Fee Rule), Bulletin Vol. 24-6

**21-0104-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**21-0104-2401** Adoption of Temporary Rule (Fee Rule), Bulletin Vol. 24-5 (eff. 4-10-24)T

### ***IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES***

**24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 01; Title 03, Chapter 01; Title 08, Chapter 01; Title 09, Chapter 01; Title 19, Chapter 01; Title 24, Chapter 01; Title 29, Chapter 01; Title 33, Chapters 01-07; and Title 36, Chapter 01 – Bulletin Vol. 24-4

#### ***24.02.01, Rules of the State Athletic Commission***

**24-0201-2402** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**24-0201-2402** Adoption of Pending Rule (ZBR New Chapter, Fee Rule), Bulletin Vol. 24-11 (PLR 2025)

**24-0201-2402** Notice of Proposed Rulemaking (ZBR New Chapter), Bulletin Vol. 24-8

**24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 01 – Bulletin Vol. 24-4

**24-0201-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**24-0201-2401** Adoption of Temporary Rule (New Chapter, Fee Rule), Bulletin Vol. 24-6 (eff. 6-1-24)T

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

**24-0301-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**24-0301-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)

**24-0301-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7

**24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 01 – Bulletin Vol. 24-4

#### ***24.04.01, Rules of the Board of Registration for Professionals Geologists***

**24-0401-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**24-0401-2401** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-12 (PLR 2025)

**24-0401-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10

**24-0401-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

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

**24-0601-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-5

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

**24-0801-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**24-0801-2401** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-11 (PLR 2025)

**24-0801-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-9

**24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 08, Chapter 01 – Bulletin Vol. 24-4

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

- 24-0901-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-0901-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-0901-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 09, Chapter 01 – Bulletin Vol. 24-4

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

- 24-1301-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-5

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

- 24-1701-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-5

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

- 24-1901-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-1901-2401** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)
- 24-1901-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 19, Chapter 01 – Bulletin Vol. 24-4

**24.21.01, Rules of the Idaho State Contractors Board**

- 24-2101-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-5
  
- 24-2101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-2101-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)
- 24-2101-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10
- 24-2101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

**24.22.01, Rules of the Idaho State Liquefied Petroleum Gas Safety Board**

- 24-2201-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-5
  
- 24-2201-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-2201-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)
- 24-2201-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9
- 24-2201-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

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

- 24-2401-2500L** OARC Omnibus Notice of Legislative Action – Rejection of Final Rule by HCR 14, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-2401-2500L** Notice of Legislative Action on Final Rule – Agency Filing – Rejection of Final Rule by SCR 112, Bulletin Vol. 25-7 (eff. 7-1-25)
  
- 24-2401-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-2401-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-2401-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 24, Chapter 01 – Bulletin Vol. 24-4

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

- 24-2601-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T
- 24-2601-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

**24.28.01, Rules of the Barber and Cosmetology Services Licensing Board**

- 24-2801-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-5

**24.29.01, Rules of Procedure of the Idaho Certified Shorthand Reporters Board**

- 24-2901-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-2901-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)
- 24-2901-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 29, Chapter 01 – Bulletin Vol. 24-4

**24.30.01, Idaho Accountancy Rules**

- 24-3001-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3001-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)
- 24-3001-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-9
- 24-3001-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

**24.31.01, Rules of the Idaho State Board of Dentistry**

- 24-3101-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T
- 24-3101-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

**24.32.01, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors**

- 24-3201-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3201-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)
- 24-3201-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9
- 24-3201-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

**24.33.01, Rules of the Board of Medicine for the Practice of Medicine and Osteopathic Medicine in Idaho**

- 24-3301-2401\*** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
*\*Changes chapter name from: “Rules of the Board of Medicine for the Licensure to Practice Medicine and Osteopathic Medicine in Idaho”*
- 24-3301-2401\*** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-10 (PLR 2025)
- 24-3301-2401\*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 01 – Bulletin Vol. 24-4

**24.33.02, Rules for the Licensure of Physician Assistants**

- 24-3302-2401** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3302-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-3302-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 02 – Bulletin Vol. 24-4

**24.33.03, General Provisions of the Board of Medicine**

- 24-3303-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3303-2401** Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 24-10 (PLR 2025)
- 24-3303-2401** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 03 – Bulletin Vol. 24-4

**24.33.04, Rules for the Licensure of Naturopathic Medical Doctors**

- 24-3304-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3304-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-3304-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 04 – Bulletin Vol. 24-4

**24.33.05, Rules for the Licensure of Athletic Trainers to Practice in Idaho**

- 24-3305-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3305-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-3305-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 05 – Bulletin Vol. 24-4

**24.33.06, Rules for Licensure of Respiratory Therapists and Permitting of Polysomnographers in Idaho**

- 24-3306-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3306-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-3306-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** *Rules of the Division of Occupational and Professional Licenses* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 06 – Bulletin Vol. 24-4

**24.33.07, Rules for the Licensure of Dietitians**

- 24-3307-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3307-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-10 (PLR 2025)
- 24-3307-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-7
- 24-ZBRR-2401** **Rules of the Division of Occupational and Professional Licenses** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 33, Chapter 07 – Bulletin Vol. 24-4

**24.34.01, Rules of the Idaho Board of Nursing**

- 24-3401-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T
- 24-3401-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

**24.35.01, Rules of the Outfitters and Guides Licensing Board**

- 24-3501-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3501-2401** Adoption of Pending Rule, Bulletin Vol. 24-11 (PLR 2025)
- 24-3501-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-8
- 24-3501-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-6

**24.36.01, Rules of the Idaho State Board of Pharmacy**

- 24-3601-2500** Notice of Revocation of Final Rule, Bulletin Vol. 25-7
- 24-3601-2402** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3601-2402** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)
- 24-3601-2402** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8
- 24-ZBRR-2401** **Rules of the Division of Occupational and Professional Licenses** – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 36, Chapter 01 – Bulletin Vol. 24-4
- 24-3601-2401** OARC Omnibus Notice of Legislative Action – Rejection of Temporary Rule, Bulletin Vol. 25-7
- 24-3601-2401** Adoption of Temporary Rule, Bulletin Vol. 24-4 (eff. 7-1-24)T

**24.37.01, Rules of the Idaho Real Estate Commission**

- 24-3701-2401** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)
- 24-3701-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)
- 24-3701-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9
- 24-3701-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

**24.38.01, Rules of the State of Idaho Board of Veterinary Medicine**

- 24-3801-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T
- 24-3801-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

**24.39.10, Rules of the Idaho Electrical Board**

- 24-3910-2402** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 4-4-25)
- 24-3910-2402** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)
- 24-3910-2402** Notice of Proposed Rulemaking, Bulletin Vol. 24-10
- 24-3910-2402** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7
- 24-3910-2401** OARC Omnibus Notice of Legislative Action – Rejection of Temporary Rule, Bulletin Vol. 25-7
- 24-3910-2401** Adoption of Temporary Rule, Bulletin Vol. 24-5 (eff. 4-19-24)T

**24.39.30, Rules of Building Safety (Building Code Rules)**

- 24-3930-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T
- 24-3930-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

**24.39.31, Rules for Factory Built Structures**

- 24-3931-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T
- 24-3931-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

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



- 24-3940-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**24-3940-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**24-3940-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11  
**24-3940-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

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

- 24-3950-2501** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 (eff. 1-1-25)T  
**24-3950-2501** Adoption of Temporary Rule, Bulletin Vol. 25-1 (eff. 1-1-25)T

**24.39.60, Rules Governing Uniform School Building Safety**

- 24-3960-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**24-3960-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**24-3960-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11  
**24-3960-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

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

- 24-3970-2401** Adoption of Temporary Rule, Bulletin Vol. 24-8 (eff. 7-10-24)T [*expires sine die 2025*]

**24.39.80, Idaho Minimum Safety Standards and Practices for Logging**

- 24-3980-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**24-3980-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**24-3980-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11  
**24-3980-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-7

**24.39.90, Rules Governing the Damage Prevention Board**

- 24-3990-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**24-3990-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-11 (PLR 2025)  
**24-3990-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8  
**24-3990-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-6

**IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION****26.01.20, Rules Governing the Administration of Park and Recreation Areas and Facilities**

- 26-0120-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

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

- 26-0121-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**26.01.37, Rules Governing Test Procedures and Instruments for Noise Abatement of Off Highway Vehicles**

- 26-0137-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**26-0137-2401** Adoption of Pending Rule (ZBR Chapter Repeal), Bulletin Vol. 25-1 (PLR 2025)  
**26-0137-2401** Notice of Proposed Rulemaking (ZBR Chapter Repeal), Bulletin Vol. 24-10  
**26-0137-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

**IDAPA 28 – DEPARTMENT OF COMMERCE****28.02.03, Department of Commerce Grant Program Rules**

- 28-0203-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-7

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

- 28-0401-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-7

**IDAPA 31 – PUBLIC UTILITIES COMMISSION****31.21.01, Customer Relations Rules for Gas, Electric & Water Public Utilities (The Utility Customer Relations Rules)**

- 31-2101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**31-2101-2401** Adoption of Pending Rule, Bulletin Vol. 24-10 (PLR 2025)  
**31-2101-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-8

**31.41.01, Customer Relations Rules for Telephone Corporations Providing Services in Idaho Subject to**

***Customer Service Regulation by the Idaho Public Utilities Commission***

- 31-4101-2401** OARC Omnibus Notice of Legislative Action – Partial Rejection of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**31-4101-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**31-4101-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**31-4101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

***IDAPA 34 – SECRETARY OF STATE******34.03.01, Rules Implementing the Sunshine Law***

- 34-0301-2501** Notice of Proposed Rulemaking, Bulletin Vol. 25-6

***34.08.01, Rules Governing Paid Signature Gatherers***

- 34-0801-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**34-0801-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**34-0801-2401** Adoption of Pending Rule (New Chapter), Bulletin Vol. 24-12 (PLR 2025)  
**34-0801-2401** Notice of Temporary and Proposed Rule (New Chapter), Bulletin Vol. 24-9 (eff. 7-1-24)T

***IDAPA 35 – STATE TAX COMMISSION******35.01.02, Idaho Sales and Use Tax Administrative Rules***

- 35-0102-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

***35.01.03, Property Tax Administrative Rules***

- 35-0103-2402** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**35-0103-2402** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]  
**35-0103-2402** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
**35-0103-2402** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-9 (eff. 7-30-24)T

- 35-0103-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**35-0103-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
**35-0103-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-9  
**35-0103-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7

***35.01.05, Idaho Motor Fuels Tax Administrative Rules***

- 35-0105-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**35-0105-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**35-0105-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**35-0105-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

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

- 35-0106-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

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

- 35-0110-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**35-0110-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**35-0110-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**35-0110-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

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

- 35-0201-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-7 (*rulemaking terminated by agency*)

***IDAPA 37 – DEPARTMENT OF WATER RESOURCES******37.02.04, Shoshone-Bannock Tribal Water Supply Bank Rules***

- 37-0204-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

***37.03.01, Adjudication Rules***

- 37-0301-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

- 37-0301-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**37-0301-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**37-0301-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

***37.03.02, Beneficial Use Examination Rules***

- 37-0302-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**37-0302-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**37-0302-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**37-0302-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

***37.03.03, Rules and Minimum Standards for the Construction and Use of Injection Wells***

- 37-0303-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**37-0303-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**37-0303-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**37-0303-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-4

***37.03.07, Stream Channel Alteration Rules***

- 37-0307-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

***37.03.09, Well Construction Standards Rules***

- 37-0309-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**37-0309-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**37-0309-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**37-0309-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

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

- 37-0311-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**37-0311-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
**37-0311-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

***37.03.12, Idaho Department of Water Resources Water Distribution Rules - Water District 34***

- 37-0312-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

***IDAPA 38 – IDAHO DEPARTMENT OF ADMINISTRATION******38.04.04, Rules Governing Capitol Mall Parking***

- 38-0404-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

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

- 38-0501-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**38-0501-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**38-0501-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-11  
**38-0501-2401** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 24-10

- 44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapter 38.05.01– Bulletin Vol. 24-7

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

- 39-ZBRR-2501** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 60; and Title 03, Chapter 49 – Bulletin Vol. 25-5

- 39-ZBRR-2402** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapters 41, 60, 65 – Bulletin Vol. 24-7

- 39-ZBRR-2401** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapters 03, 72, 75 – Bulletin Vol. 24-5

***39.02.03, Rules Governing Vehicle Dealer's Principle Place of Business and Claims to the Idaho Consumer Asset Recovery Fund***



- 39-0203-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**39-0203-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**39-0203-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**39-ZBRR-2401** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 03 – Bulletin Vol. 24-5

**39.02.60, Rules Governing License Plate Provisions**

- 39-ZBRR-2501** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 60 – Bulletin Vol. 25-5

**39.02.72, Rules Governing Administrative License Suspensions**

- 44-0000-2400** *Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapter 39.02.72 – Bulletin Vol. 24-7*

- 39-ZBRR-2401** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 72 – Bulletin Vol. 24-5 (rulemaking terminated)

**39.02.75, Rules Governing Names on Driver's Licenses and Identification Cards**

- 39-0275-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**39-0275-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
**39-0275-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10  
**39-ZBRR-2401** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 02, Chapter 75 – Bulletin Vol. 24-5

**39.03.41, Rules Governing Traffic Control Devices**

- 39-0341-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**39-0341-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
**39-0341-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10  
**39-ZBRR-2402** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 41 – Bulletin Vol. 24-7

**39.03.49, Rules Governing Ignition Interlock Breath Alcohol Devices**

- 39-ZBRR-2501** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 49 – Bulletin Vol. 25-5

**39.03.60, Rules Governing Outdoor Advertising, Accident Memorials, and Other Official Signs**

- 39-0360-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**39-0360-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**39-0360-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**39-ZBRR-2402** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 60 – Bulletin Vol. 24-7

**39.03.65, Rules Governing Traffic Minute Entries**

- 39-0365-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**39-0365-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**39-0365-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10  
**39-ZBRR-2402** *Rules of the Idaho Transportation Department* – Omnibus Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking – Negotiates Title 03, Chapter 65 – Bulletin Vol. 24-7

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

- 42-0101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

**IDAPA 43 – IDAHO OILSEED COMMISSION****43.01.01, Rules Governing the Idaho Oilseed Commission**

- 43-0101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**43-0101-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 25-1 (PLR 2025)  
**43-0101-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-10

**43-0101-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-8

### ***IDAPA 44 – OFFICE OF THE ADMINISTRATIVE RULES COORDINATOR***

**44-0000-2401** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA 15.04.01 – Bulletin Vol. 24-8

**44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapters 04.11.01, 11.04.01, 16.05.03, 20.01.01, 21.01.01, 38.05.01, 39.02.04, 39.02.72, 52.01.03, and 59.01.01 – Bulletin Vol. 24-7

### ***IDAPA 45 – HUMAN RIGHTS COMMISSION***

#### ***45.01.01, Rules of the Idaho Human Rights Commission***

**45-0101-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-6

### ***IDAPA 47 – DIVISION OF VOCATIONAL REHABILITATION***

#### ***47.01.01, Rules Governing Vocational Rehabilitation Services***

**47-0101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**47-0101-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

**47-0101-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-10

### ***IDAPA 50 – COMMISSION OF PARDONS AND PAROLE***

#### ***50.01.01, Rules of the Commission of Pardons and Parole***

**50-0101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**50-0101-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**50-0101-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**50-0101-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-10 (eff. 7-1-24)T

### ***IDAPA 52 – IDAHO STATE LOTTERY COMMISSION***

#### ***52.01.03, Rules Governing Operations of the Idaho State Lottery***

**52-0103-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-5

**44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapter 52.01.03 – Bulletin Vol. 24-7

**52-0103-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**52-0103-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [*superseded on 7-1-25*]

**52-0103-2401** Adoption of Pending Rule, Bulletin Vol. 25-1 (PLR 2025)

**52-0103-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-6 (eff. 7-1-24)T

### ***IDAPA 55 – DIVISION OF CAREER TECHNICAL EDUCATION***

#### ***55.01.03, Rules of Career Technical Centers***

**55-0103-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-6

### ***IDAPA 57 – SEXUAL OFFENDER MANAGEMENT BOARD***

#### ***57.01.01, Rules of the Sexual Offender Management Board***

**57-0101-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**57-0101-2502** Adoption of Temporary Rule, Bulletin Vol. 25-4 (eff. 2-14-25)T

### ***IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY***

**TMDLs:**

**58-0000-2501** Notice of Final Decision, Willow Creek 2024 Total Maximum Daily Loads (TMDLs) (HUC 17040205), Bulletin Vol. 25-4

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

**58-0101-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0101-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**58-0101-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-9

**58.01.02, Water Quality Standards**

**58-0102-2501** Notice of Proposed Rulemaking, Bulletin Vol. 25-7

**58-0102-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0102-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**58-0102-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-8

**58.01.03, Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks**

**58-0103-2301** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0103-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

**58-0103-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-6

**58-0103-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-9

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

**58-0105-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0105-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**58-0105-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-8

**58.01.06, Solid Waste Management Rules**

**58-0106-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-3

**58.01.08, Idaho Rules for Public Drinking Water Systems**

**58-0108-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0108-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)

**58-0108-2401** Notice of Proposed Rulemaking, Bulletin Vol. 24-9

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

**58-0110-2301** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0110-2301** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)

**58-0110-2301** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8

**58-0110-2301** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 23-9

**58.01.11, Ground Water Quality Rule**

**58-0111-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-3

**58.01.12, Rules for Administration of Wastewater and Drinking Water Loan Funds**

**58-0112-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-4

**58.01.13, Rules for Ore Processing by Cyanidation**

**58-0113-2501** Notice of Temporary and Proposed Rule, Bulletin Vol. 25-7 (eff. 7-1-25)T

**58-0113-2500** Notice of Revocation of Final Rule, Bulletin Vol. 25-5

**58.01.14, Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services**

**58-0114-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)

**58-0114-2401** Adoption of Pending Rule (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-12 (PLR 2025)

**58-0114-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite, Fee Rule), Bulletin Vol. 24-9

**58-0114-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

**58.01.16, Wastewater Rules**

**58-0116-2501** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 25-3

**58.01.22, Rules for Administration of Planning Grants for Drinking Water and Wastewater Facilities**

- 58-0122-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**58-0122-2401** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**58-0122-2401** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-9  
**58-0122-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-4

**58.01.23, Contested Case Rules and Rules for Protection and Disclosure of Records**

- 58-0123-2401** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
**58-0123-2401** OARC Omnibus Notice of Legislative Action – Extension of Temporary Rule, Bulletin Vol. 25-7 [superseded on 7-1-25]  
**58-0123-2401** Adoption of Pending Rule, Bulletin Vol. 24-12 (PLR 2025)  
**58-0123-2401** Notice of Temporary and Proposed Rule, Bulletin Vol. 24-7 (eff. 7-1-24)T

**58.01.24, Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites**

- 58-0124-2401\*** OARC Omnibus Notice of Legislative Action – Approval of Pending Rule by SCR 113, Bulletin Vol. 25-7 (eff. 7-1-25)  
\*Changes chapter name from: “Standards and Procedures for Application of Risk Based Corrective Action at Petroleum Release Sites”  
**58-0124-2401\*** Adoption of Pending Rule (ZBR Chapter Rewrite), Bulletin Vol. 24-12 (PLR 2025)  
**58-0124-2401\*** Notice of Proposed Rulemaking (ZBR Chapter Rewrite), Bulletin Vol. 24-8  
**58-0124-2401** Notice of Intent to Promulgate Rules – Zero-Based Regulation (ZBR) Negotiated Rulemaking, Bulletin Vol. 24-3

**IDAPA 59 – PUBLIC EMPLOYEE RETIREMENT SYSTEM OF IDAHO (PERSI)****59.01.01, Rules for the Public Employee Retirement System of Idaho (PERSI)**

- 44-0000-2400** Notice of Omnibus Rulemaking – Revocation of Final Rule – Certain provisions rendered null and void pertaining to IDAPA chapter 59.01.01 – Bulletin Vol. 24-7

**IDAPA 61 – STATE PUBLIC DEFENSE COMMISSION**

- 61-0000-2400** *Rules of the Idaho State Public Defense Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapters 01-04 – Bulletin Vol. 24-4 (eff. sine die 2024)T [temporary rule expires 10-1-24]*

**61.01.01, [Rule Expired] General Provisions and Definitions**

- 61-0000-2400** *Rules of the Idaho State Public Defense Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 01 – Bulletin Vol. 24-4 (eff. sine die 2024)T [temporary rule expires 10-1-24]*

**61.01.02, [Rule Expired] Requirements and Procedures for Representing Indigent Persons**

- 61-0000-2400** *Rules of the Idaho State Public Defense Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 02 – Bulletin Vol. 24-4 (eff. sine die 2024)T [temporary rule expires 10-1-24]*

**61.01.03, [Rule Expired] Records, Reporting, and Review**

- 61-0000-2400** *Rules of the Idaho State Public Defense Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 03 – Bulletin Vol. 24-4 (eff. sine die 2024)T [temporary rule expires 10-1-24]*

**61.01.04, [Rule Expired] Financial Assistance and Training Resources**

- 61-0000-2400** *Rules of the Idaho State Public Defense Commission – Notice of Omnibus Rulemaking – Adoption of Temporary Rule – Reauthorizes Title 01, Chapter 04 – Bulletin Vol. 24-4 (eff. sine die 2024)T [temporary rule expires 10-1-24]*

**IDAPA 62 – OFFICE OF ADMINISTRATIVE HEARINGS****62.01.01, Idaho Rules of Administrative Procedure**

- 62-0101-2501** Notice of Intent to Promulgate Rules – Negotiated Rulemaking, Bulletin Vol. 25-6

**IDAPA 63 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE****63.05.04, Domestic Violence Council Grants**

*\*(Re-designated from IDAPA 16.05.04 to 63.05.04)*

- 63-0504-2400** IDAPA 63 – IDAHO COUNCIL ON DOMESTIC VIOLENCE AND VICTIM ASSISTANCE – Notice of Assignment of New IDAPA Designation Number – Redesignated to IDAPA 63, Title 05, Chapter 04 from IDAPA 16, Title 05, Chapter 04 – Bulletin Vol. 24-6 (eff. 7-1-24)

# Subject Index

## A

Acknowledgment Of Conditions Leading To Discharge 112  
 Administrative Duties 109  
   Management of Records 109  
   Response to Complaints 109  
 Administrative Powers 108  
   Emergency Powers 109  
   Inspection Powers 109  
   Investigation Powers 109  
   Representative Powers 109  
 Allowable Child Care Costs 95  
   One-Time Registration Fees 95  
   Payment for Employment, Training, Education, or Preventive Service Hours 95  
 Alternative Plans & Specifications For Facilities That Contain Process Water 165  
   Alternative Design Proposal 165  
   Cost Recovery Agreement 166  
   Department Review 166  
   Preliminary Design Submittal 166  
 Amount Of Payment 96  
   In-Home Care 96  
   Payment Rate 96  
   Payments 96  
   Usual & Customary Rates 96  
 Appeal Procedure 121  
 Applicability To Facilities With Existing Permits 153  
 Application For Daycare License Or Renewal 82  
   Additional Requirements for License Renewal 83  
   Background Clearance 82  
   Completed Licensing Application 82  
   Health & Safety Inspection 83  
   Inspection Reports 82  
   Licensing Fee 82  
   Other Information as Requested 83  
   Proof of Insurance 82  
   Relicense 83  
   Statement Disclosing Revocation or Disciplinary Actions 82  
   Statement to Comply 82  
 Application Procedure 111  
   Application Processing 111  
   Provision If Application Rejected 112  
   Submission of Application 111  
   Waiting List 111  
 Available Services 115  
   Nursing Care 116  
   Services 115

## B

Background Check Requirements 81  
 Background Check Frequency 81  
 Background Check

  Requirements 81  
   Compliance 81  
   Cost of Background Check & Juvenile Justice Records 82  
   Family Daycare Homes 81  
   Juvenile Justice Records 81  
   Private Schools & Private Kindergartens 82  
   Reporting Convictions 82  
 Background Checks 73  
   Background Check at Any Time 73  
   Change in Household Membership 73  
   Emergency Placement of Children 74  
   Exceptions to Background Checks 74  
   Foster Parent's Child Turns Eighteen 73  
 Behavior Management & Discipline 76  
   Agency Consultation 77  
   Authority 77  
   Prohibitions 76  
   Restraint 77  
 Buildings, Grounds, Furnishings, & Equipment 90  
   Appliances & Electrical Cords 90  
   Balconies & Stairways 90  
   Fueled Equipment 90  
   Hazardous Area Restrictions 90  
   Indoor Play Areas & Toys 91  
   Outdoor Play Areas & Toys 91  
   Stairway Protection 90  
   Water Hazards 90

## C

Cessation Of Qualifying Activities 95  
 Child Placement Requirements 75  
   Children Under Two Years Old 76  
   Continued Care 76  
   Determining Factors 75  
   Maximum Number of Children 76  
   Special Circumstances Regarding Maximum Numbers of Children 76  
 Child Record Requirements 84  
   Child's Full Name 84  
   Child's Health Information 85  
   Date of Birth 84  
   Emergency Contact Information 85  
   Parent or Guardian's Name, Address, & Contact Information 84  
   Times, Dates, & Record of Attendance Each Day 85  
 Completion Of Permanent Closure 168  
   Implementation of a Permanent Closure Plan 168  
   Submittal of a Permanent Closure

  Report 168

Conduct Of Residents 112  
   Housekeeping 112  
   No Operation of Motor Vehicles by Residents 112  
   Operation of Motor Vehicles by Domiciliary and Residential Care Residents 112  
 Continued Compliance, Reporting Changes, & Critical Incidents 91  
   Critical Incidents 91  
   Department Access 91  
   Posting Information 91  
   Reporting Changes 91  
 Cooperation Responsibility 62  
 Copayments 96  
   Family Payment 96  
   Provider Responsibility 96  
 Countable Income 92

## D

Decision To Approve Or Disapprove Of A Permanent Closure Report 169  
   Cost Recovery 169  
   Director's Determination to Disapprove a Permanent Closure Report 169  
   Issuance of Director's Determination 169  
 Definitions 69, 80  
   Caregiver 69  
   Child 69  
   Department 69  
   Earned Income 80  
   Foster Care 80  
   Foster Child 80  
   Foster Home 69  
   Foster Parent 69  
   Fraud 80  
   Good Cause 80  
   Household Member 69  
   Incapacitated Parent 80  
   Legal Guardian 80  
   Medical Professionals 69  
   Noncompliance 69  
   Online Classes 80  
   Parent 80  
   Plan of Correction 69, 81  
   Regularly on the Premises 81  
   Relative Provider 81  
   Restraint 69  
   Special Needs 81  
   Supervision 69  
   Unearned Income 81  
 Definitions, IDAPA 21.01.01 107  
   Applicant 107  
   Asset 107  
   Bona Fide Resident 108  
   Commission 108  
   Division 108  
   Division Administrator 108  
   Home 108  
   Home Administrator 108  
   Idaho State Veterans Home 108

- Income 108
- Legal Dependents 108
- Liquid Assets 108
- Maintenance Charge 108
- Net Income 108
- Resident 108
- Spouse 108
- VA, United States Department of Veterans Affairs 108
- Veteran 108
- Definitions, IDAPA 58.01.13 151
- Beneficial Use 151
- Best Management Practices (BMPs) 151
- Degradation 151
- Discharge 151
- Idaho Pollutant Discharge Elimination System (IPDES) Permit 151
- Land Application 151
- Liner 151
- Material Modification or Material Expansion 151
- Material Stabilization 152
- Neutralization or Neutralized Outstanding Resource Water (ORW) 152
- Permanent Closure 152
- Permanent Closure Plan 152
- Permit 152
- Permittee 152
- Person 152
- Pollutant 152
- Pond 152
- Post-Closure 152
- Process Water 152
- Seasonal Closure 153
- Sensitive Resource Aquifer 153
- Tailings Impoundment 153
- Temporary Closure 153
- Treatment or Treated 153
- Water Balance 153
- Water Management Plan 153
- Weak Acid Dissociable (WAD) Cyanide 153
- Denial Of Admission 112
- Design Criteria For Tailings Impoundments 164
  - Engineered Liner System 164
  - Enhanced Containment Criteria 165
  - Tailings Treatment 165
- Disposition Of Applications 69, 83
  - Approval of Application 70
  - Denial of Application 70, 83
  - Denial of Licensure 83
  - Facilitating Applications 70
  - Failure to Complete Application Process 70, 83
  - Incomplete Application 83
  - Kin-specific License 70
  - Limited License 70
  - Notification of License Renewal 83
  - Reactivating an Idaho License 71
  - Regular License 70
  - Termination of Application Process 83
- E**
- Eligibility Requirements 109
  - Agreements for Behavior & Care Needs 111
  - Financial Statement 110
  - Idaho Residency 109
  - Income Limitation 111
  - Incompetent Applicants 110
  - Limit on Admission of Spouses 111
  - Medicare Coverage 111
  - Necessity of Services 110
  - Placement Restriction 110
  - Social Security Benefits 110
  - VA Pension 111
  - Veterans or Eligible Spouse 109
- Enforcement Remedy Of Summary Suspension & Transfer Of Children 72
- Enforcement Remedy Revocation Of License & Transfer Of Children 72
  - Endangers Health or Safety 72
  - Misrepresented or Omitted Information 72
  - No Progress to Meet Plan of Correction 72
  - Not in Substantial Compliance 72
  - Refusal to Allow Access 72
  - Repeat Violations 72
  - Violation of Terms of Provisional License 72
- Excluded Income 92
  - AmeriCorps/VISTA Volunteers 93
  - Assistance 93
  - Earned Income of a Dependent Child 92
  - Educational Funds 93
  - Foster Care Payments 93
  - Income Received for Person Not Residing With the Family 92
  - Income Tax Refunds & Earned Income Tax Credits 93
  - Loans 93
  - Lump Sum Income 93
  - TANF & AABD Benefits 93
  - Temporary Census Income 93
  - Travel Reimbursements 93
  - Tribal Income 93
  - Workforce Investment Act (WIA) Benefits or Workforce Innovation & Opportunity Act (WIOA) Benefits 93
- F**
- Facility Capacity & Determining Occupant Load 86
  - Area for Daycare Use Only 86
  - Exit Signs 86
  - Facilities with an Occupancy Load of Fifty or More 86
- Family Composition 94
  - Citizenship or Alien Status Requirement 94
  - Dependents 94
  - Individual Acting In Loco Parentis 94
  - Married Parents 94
  - Minor Parent 94
  - Unmarried Parents 94
- Financial Assurance 169
  - Financial Assurance Required 169
  - Insufficiency 169
- Financial Condition Of Applicants/Residents 116
  - Investigation of Financial Condition 116
  - Retroactive Income 116
- Financial Grounds For Rejection Or Discharge 119
  - Disposal of Assets 119
  - Failure to Pay for Services 119
  - Failure to Pay Maintenance Charge 119
- Fire Extinguishers & Safety Requirements 86
  - Automatic Sprinkler Systems 87
  - Facilities Over Three Thousand Square Feet 86
  - Fire Alarm System 86
  - Fire Extinguishers 86
  - Kitchen Area 86
  - Portable Fire Extinguisher 86
  - Smoke Detectors 86
- Fire Safety & Evacuation Plans 87
  - Annual Review 87
  - Evacuation 87
  - Evacuation Plan & Assembly Point for Children & Staff 87
  - Evacuation Routes 87
  - Fire & Emergency Evacuation Drills 87
  - Location of Fire Alarms 87
  - Location of Fire Extinguishers 87
  - Locations of Facility Exits 87
- Fire Safety Standards 85
  - Daycare Fire Inspection Fees 85
  - Inspections 85
  - Unobstructed Exits 85
- Foster Parent Qualifications & Suitability 73
  - Age 73
  - Communication 73
  - Income & Resources 73
  - Law-Abiding Lifestyle 73
  - Literacy 73
- Funding Restrictions 97
- G**
- Good Cause For Not Cooperating 62
- Minimum Information Cannot be

- Provided 63  
    Physical or Emotional Harm 63  
    Rape or Incest 62
- H**
- Health Standards 87
- Adequate Heat, Light, &  
        Ventilation 89  
    Alcohol & Illegal Drugs 88  
    Diaper Changing 88  
    Disaster & Emergency  
        Planning 89  
    Dishwashing Sanitizing 88  
    Food 87  
    Food Contact Surfaces 87  
    Food Preparation 87  
    Food Storage 87  
    Food Temperatures 87  
    Garbage 88  
    Hand Washing 88  
    Immunizations 89  
    Medication 89  
    Restrooms, Water Supply, &  
        Sewage 88  
    Safe Sleep 88  
    Sewage Disposal 88  
    Sleeping Areas 88  
    Smoke-Free Environment 89  
    Transportation 89  
    Utensil Storage 88  
    Water Supply 88
- I**
- ICCP Application For Benefits 92
- Application 92  
    Asset Cap 92  
    Cooperation with Child Support  
        Services 92  
    Eligible Child 92  
    Residency 92
- Incapacitated Parent 94
- Income 64
- Income & Resources 62
- Caretaker Income 62  
    Income Determination 62
- Income Deductions 93
- Income Limits 92
- Income at Application 92  
    Income at Redetermination 92  
    Income During Eligibility  
        Period 92
- Incorporation By Reference 80, 107,  
124
- Crib Safety – Full Size Baby Cribs.  
        Crib Safety 80  
    Crib Safety -- Non-Full-Size Baby  
        Cribs. Crib Safety 80  
    Idaho Child Care Program  
        Manual 80  
    Occupational Safety Health Act  
        (OSHA) 80
- Individual Responsibility Plan  
(IRP) 63
- Contract 63
- Modifications 63
- Initial & Ongoing Evaluation 74
- Applicant Participation 74  
    Disclosure of Information &  
        Assurances 74  
    Home Study 75
- Intentional Program Violations  
(IPV) 63
- Interim Child Care Payment 97
- L**
- Lease Cancellation 105
- Change in Land Use 105  
    Land Sale 105  
    Mutual Agreement 105  
    Non-Compliance 105
- Legal Authority 61, 69, 80, 107, 150
- LIHEAP Eligibility 64
- Application 64  
    Benefits 64  
    Citizenship 64  
    Federal Income 64  
    Income 64  
    Residency 64  
    Responsibility 64  
    Verifications 64
- M**
- Maintenance Charges 116
- Charges 116  
    Continued Eligibility 118  
    Exclusions from Income or  
        Payment for Residential &  
        Domiciliary Care 117  
    Income Eligibility Limits 118  
    Leave of Absence or  
        Hospitalization 118  
    Medicaid Eligibility 119  
    Payment Schedule 118  
    Residential & Domiciliary Care  
        Charges 116  
    Security Deposit 118
- Mandatory LIHEAP Household  
Members 64
- Mandatory TANF Household  
Members 62
- Caretaker Relative 62  
    Dependent Children 62  
    Parents 62  
    Pregnant Woman 62  
    Spouses 62
- Medical & Dental Care 77
- Child Injury & Illness 77  
    Dispensing of Medications 77  
    Health Care Services 77
- Minimum Plans & Specifications 159
- Miscellaneous Safety Requirements 89
- Animals & Pets 90  
    Hazardous Materials 90  
    Heat-Producing Equipment 89  
    Portable Heating Devices 89  
    Storage of Weapons, Firearms, &  
        Ammunition 90  
    Telephone 89
- Monthly Charges & Allowances 119
- Establishment 119  
    Residential & Domiciliary  
        Care 119
- N**
- Non-Allowable Child Care Costs 95
- Family Member or Guardian  
        Providing Child Care 95  
    Provider Living at Same Address  
        as Child 95  
    School Tuition 96
- Notice Of Resident Transfer Or  
Discharge & Notice Of Denial Of An  
Application For Residency 120
- Content of Notice of Transfer or  
        Discharge 120  
    Form of Notice 120  
    Notification Deadlines for  
        Domiciliary Care 120
- Numeric Criteria For Toxic Substances  
For Waters Designated For Aquatic  
Life, Recreation, Or Domestic Water  
Supply Use 131
- Applicability 142  
    Criteria for Toxic Substances 131  
    Development of Toxic Substance  
        Criteria 146  
    Factors for Calculating Hardness  
        Dependent Metals Criteria 141  
    National Pollutant Discharge  
        Elimination System  
        Permitting 146
- O**
- Overpayment 64
- Overpayments 65
- P**
- Permit & Permit Application 154
- Contents of Application 155  
    Permit Application 154  
    Permit Require 154
- Permit Conditions 166
- As-built Submittal 166  
    Begin Construction 168  
    Compliance Required 166  
    Construction 166  
    Discharge Response 167  
    Duty to Provide Information 166  
    Entry & Access 167  
    Notifications 167  
    Permanent Closure 168  
    Reporting 167  
    Temporary or Seasonal Closure  
        Plans 167
- Permit Modification 169
- Cause for Permit  
        Modification 169  
    Major Permit Modifications 170  
    Minor Permit Modifications 170  
    Modification at Request of  
        Director 170  
    Modification at Request of



Permittee 170  
Modification Procedure 170  
Point Source Wastewater Treatment  
Requirements 147  
Temperature 147  
Turbidity 148  
Policy 107  
Post Hearing Provisions For Residential  
And Domiciliary Care  
Public Inspection 122  
Pre-Application Process & Preliminary  
Design 153  
Information Required for  
Preliminary Design Report 154  
Notice of Preliminary Design  
Approval or Disapproval 154  
Pre-application Conference 153  
Projecting Qualifying Activity  
Hours 95  
Provider Notification 97  
Provisions Contingent Upon Federal  
Funding 65  
Provisions For Contested Cases 121  
Hearing Rights 121  
Requesting a Hearing 121  
Requesting a Hearing for  
Residential & Domiciliary  
Care 121

## **Q**

Qualifying Activities For Child Care  
Benefits 94  
Employment 94  
Personal Responsibility Contract  
(PRC) or Other Negotiated  
Agreement 95  
Preventive Services 95  
Self-Employment 94  
Training or Education 94

## **R**

Recoupment Of Overpayment 65  
Refusal To Enter Into An  
Agreement 97  
Committed an Offense or Act Not  
in Best Interest of a Child Care  
Participants 97  
Convicted of a Felony 97  
Excluded Individuals 97  
Failed to Repay 97  
Investigation Pending 97  
Terminated Provider  
Agreement 97  
Requirements For In-Home Care Under  
ICCP 95  
Requirements For Maintaining Idaho  
Worker's Compensation Claims  
Files 101  
Audits 103  
Checks & Drafts 102  
Claim Files 101  
Compensation Payments -  
Generally 101  
Copies of Checks 102

Correspondence 101  
Date Stamp 101  
Idaho Office 101  
Non-Compliance 103  
Notice & Claim 101  
Prompt Claim Servicing 102  
Requirements For Water Quality  
Protection 158  
Cap & Cover Criteria 161  
Employee Education  
Program 164  
Land Application 163  
Manufacturer's  
Specifications 158  
Monitoring Wells Siting &  
Construction Plans 162  
Operation & Maintenance  
Plans 161  
Plans & Specifications 158  
Plumbing & Conveyance  
Criteria 161  
Process Buildings, Process  
Chemical Storage Containment  
Areas & General Facility  
Criteria 161  
Process Water Storage Sizing  
Criteria 158  
Professional Engineer 158  
Siting & Preparation 158  
Temporary or Seasonal  
Closure 164  
Water Quality Monitoring &  
Reporting 162  
Restrictions On Applicability &  
Nontransfer 71, 83  
Change in Location 71  
Change in Ownership or  
Location 84  
Department-Issued License 71  
Issued License 84  
Nontransferable 71, 84  
Return of License 84  
Revisit & Relicense 71

## **S**

Sanctions For Non-Compliance  
Applicant Voluntary Quit 63  
IRP Noncompliance 64  
Paternity 64  
Striking 63  
Work Activity Noncompliance 63  
Work Activity Penalties 63  
Sanctions For Non-compliance 63  
Scope 61  
Scope & Intent 150  
Compliance 151  
Scope and Intent 150  
Staff & Other Record Requirements 84  
Legal Name 84  
Phone Number 84  
Proof of Age 84  
Results of Juvenile Justice  
Records 84  
Times, Dates, & Records of Hours

on the Premises Each Day 84  
Training Records 84  
Verification of Background Check  
Clearance 84  
Verification of Pediatric Rescue  
Breathing, Infant-Child CPR, &  
Pediatric First Aid Certification  
from a Certified Instructor 84  
Student Co-Payment Requirements 96  
High School or GED Student 96  
Post-Secondary Student 96  
Substance Abuse Screening & Testing  
Notice At Application 63  
Screening Requirement 63  
Testing Requirement 63  
Treatment Requirement 63  
Suspension or Revocation and Transfer  
of Children 71  
Revocation 71  
Suspension 71

## **T**

TANF Eligibility 62  
Application 62  
Household Unit 62  
Other Benefits 62  
Residency 62  
Title & Scope 107  
Transfer & Discharge Of Residents  
Discharge or Transfer During  
Absence 114  
Emergency Discharge or  
Transfer 114  
General Discharge or  
Transfer 114  
Transfer And Discharge Of  
Residents 114  
Transportation 75

## **U**

Unauthorized Absences -- Residential &  
Domiciliary Care 115  
Readmission Requirements 115  
Unauthorized Absences  
Prohibited 115  
Yearly Maximum 115

## **V**

Voluntary Transfer or Discharge 114