

LEGAL NOTICE

Summary of Proposed Rulemakings

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

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

*The proposed rule public hearing request deadline is July 18, 2018, unless otherwise posted.
The proposed rule written comment submission deadline is July 25, 2018, unless otherwise posted.
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 02 – DEPARTMENT OF AGRICULTURE PO Box 790, Boise, ID 83701

02-0501-1801, Rules Governing Produce Safety. New rule chapter establishes science-based minimum standards to ensure the safe growing, harvesting, packing, and holding of fruits and vegetables for human consumption. HB 537 authorizes ISDA to conduct on-farm inspections of farms subject to the FDA Produce Safety Rule.

IDAPA 13 – DEPARTMENT OF FISH AND GAME PO Box 25, Boise, ID 83707

13-0102-1801, Rules Governing Mandatory Education and Mentored Hunting. Allows youth aged 8 but younger than age 10 to possess consecutive annual Hunting Passports until reaching age 10; corrects the cited statutory authorization for the rulemaking.

13-0109-1803, Rules Governing the Taking of Game Birds in the State of Idaho. (Temp & Prop) Clarifies use of turkey tags in conjunction with a turkey controlled hunt permit, including validation, and revises the controlled hunt application period to be consistent with the Commission Proclamation on turkey season. (eff. 5-10-18)T

13-0116-1803, The Trapping of Predatory and Unprotected Wildlife and the Taking of Furbearing Animals. (Temp & Prop) Removes the restriction on trapping as the only method of take for red fox in Valley County and portions of Adams County aligning rule to 2018 Commission Proclamation on red fox hunting. (eff. 5-10-18)T

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE PO Box 83720, Boise, ID 83720-0036

***16-0102-1801, Emergency Medical Services (EMS) – Rule Definitions.** (*PH)(Temp & Prop) Aligns rule to SB 1310 by adding a definition for “Ambulance Certification” as a designation issued to an certificated Emergency Medical Responder (EMR) expanding the scope of practice. (eff. 7-1-18)T

***16-0103-1801, Emergency Medical Services (EMS) – Agency Licensing Requirements.** (*PH)(Temp & Prop) Aligns rule to SB 1310 by adding language allowing an EMS agency to use an ambulance-certified EMR to be the sole patient care provider. (eff. 7-1-18)T

***16-0107-1801, Emergency Medical Services (EMS) – Personnel Licensing Requirements.** (*PH)(Temp & Prop) Aligns rule to SB 1310 by adding language that establishes the process that an EMR must follow to obtain the Ambulance Certification. (eff. 7-1-18)T

***16-0211-1801, Immunization Requirements for Children Attending Licensed Daycare Facilities in Idaho.** (*PH)(Temp & Prop) Clarifies that parents requesting an immunization exemption may do so either on the

Department's standard form or in a written, signed statement indicating their choice to exempt their child from immunization requirements. (eff. 5-18-18)T

***16-0215-1801, Immunization Requirements for Idaho School Children.** (*PH)(Temp & Prop) Clarifies that parents requesting an immunization exemption may do so either on the Department's standard form or in a written, signed statement indicating their choice to exempt their child from immunization requirements. (eff. 5-18-18)T

16-0309-1802, Medicaid Basic Plan Benefits. (Temp & Prop) Implements HB 465 by providing comprehensive dental benefits to all Idaho Medicaid participants. (eff. 7-1-18)T

16-0310-1805, Medicaid Enhanced Plan Benefits. (Temp & Prop) Implements HB 465 by providing comprehensive dental benefits to all Idaho Medicaid participants. (eff. 7-1-18)T

16-0506-1801, Criminal History and Background Checks. Adds "Substance Abuse Disorders Services" to list of individuals required to complete a DHW criminal background check; removes EMS from list of applicants receiving Department-enhanced clearance.

IDAPA 24 – BUREAU OF OCCUPATIONAL LICENSES

PO Box 83720, Boise, ID 83720-0065

24-0901-1801, Rules of the Board of Examiners of Nursing Home Administrators. (Temp & Prop) Reduces the Nursing Home Administrators-in-Training (AIT) program from 12 months to 1,000 hours. (eff. 7-1-18)T

24-2301-1801, Rules of the Speech, Hearing and Communication Services Licensure Board. (Temp & Prop) Lowers the age for licensure as a sign language interpreter from 21 to 18 years of age. (eff. 7-1-18)T

IDAPA 26 – DEPARTMENT OF PARKS AND RECREATION

PO Box 83720, Boise, ID 83720-0065

26-0110-1701, Rules Governing the Administration of Temporary Permits on Lands Owned by the Idaho Department of Parks and Recreation. Allows the department to charge processing fees comparable to associated costs and to be compensated at a reasonable rate based upon Fair Market Value of the site as if it were held in a fee simple state.

26-0120-1701, Rules Governing the Administration of Park and Recreation Areas and Facilities. Clarifies that failure to properly display proof of payment of motor vehicle entrance and camping fees may result in a surcharge assessment.

26-0123-1701, Rules Governing Filming Within Idaho State Parks. Clarifies and adds definitions for "applicant," "commercial filming," "exempt filming," "film and filming," and "filmmaker"; clarifies permitting process for commercial photographers and limits existing permitting requirements on casual photographers.

IDAPA 30 – IDAHO COMMISSION FOR LIBRARIES

PO Box 83720, Boise, ID 83720-00

30-0101-1801, Rules of the Idaho Commission For Libraries Governing the Use of Commission Services. Addresses the agency's state-funded grant programs; makes eligibility requirements the same for agency state- and federally-funded grant programs; defined eligibility to apply for agency grant programs; expands eligible libraries; aligns the Talking Book Service's move to digital and downloadable content with current National Library Services (the content and device provider) guidelines.

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

Po Box 7129, Boise, ID 83707-1129

39-0261-1801, Rules Governing License Plates for Governmental Agencies and Taxing Districts. (Temp & Prop) Deletes from rule the table listing the standard exempt license plate designators and references those listed in Idaho Code. (eff. 6-21-18)T

39-0341-1801, Rules Governing Traffic Control Devices. (Temp & Prop) Removes reference to a pilot program using a traffic control device called IdaShield at railroad crossing that has ended. (eff. 6-21-18)T

NOTICES OF ADOPTION OF TEMPORARY RULE

IDAPA 10 – BOARD OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS
10-0101-1802, Rules of Procedure (eff. 7-1-18)T

IDAPA 35 – IDAHO STATE TAX COMMISSION

35-0103-1804, Property Tax Administrative Rules (eff. 5-23-18)T
35-0103-1805, Property Tax Administrative Rules (eff. 1-1-18)T

NOTICES OF PROCLAMATION

IDAPA 13 – IDAHO FISH AND GAME COMMISSION / DEPT OF FISH AND GAME

13-0111-1802AP – Rules Governing Fish (Notice of Amended Proclamation)
13-0111-1803P – Rules Governing Fish

NOTICES OF INTENT TO PROMULGATE – NEGOTIATED RULEMAKING

(Please see the Administrative Bulletin for dates and times of scheduled meeting and other participant information)

IDAPA 01 – IDAHO STATE BOARD OF ACCOUNTANCY

01-0101-1801 & 01-0101-1802, Idaho Accountancy Rules

IDAPA 02 – DEPARTMENT OF AGRICULTURE

02-0408-1801, Rules Governing Grade A Milk and Milk Products
02-0413-1801, Rules Governing Raw Milk
02-0429-1801, Rules Governing Trichomoniasis
02-0601-1801, Rules Governing the Pure Seed Law

IDAPA 07 – DIVISION OF BUILDING SAFETY

07-0101-1801, Rules Governing Electrical Inspection Tags
07-0102-1801, Rules Governing Fees for Electrical Inspections
07-0103-1802, Rules of Electrical Licensing and Registration – General
07-0104-1801, Rules Governing Electrical Specialty Licensing
07-0105-1801, Rules Governing Examinations
07-0106-1801, Rules Governing the Use of National Electrical Code
07-0107-1801, Rules Governing Continuing Education Requirements
07-0108-1801, Rules Governing Electrical Inspection Tag Appeals
07-0111-1801, Rules Governing Civil Penalties

IDAPA 08 – STATE BOARD OF EDUCATION / DEPARTMENT OF EDUCATION

08-0104-1801, Residency
08-0113-1802, Rules Governing the Opportunity Scholarship Program
08-0202-1802, *08-0202-1803*, *08-0202-1804*, & *08-0202-1805*, Rules Governing Uniformity
08-0203-1803 & 08-0203-1804, Rules Governing Thoroughness
08-0501-1801, Rules Governing Seed and Plant Certification

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16-0215-1802, Immunization Requirements for Idaho School Children.
16-0309-1803, *16-0309-1804*, *16-0309-1805*, *16-0309-1806*, *16-0309-1807*, & *16-0309-1808*, Medicaid Basic Plan Benefits
16-0310-1806, Medicaid Enhanced Plan Benefits
16-0737-1801, Children's Mental Health Services
16-0750-1801, Minimum Standards for Nonhospital, Medically Monitored Detoxification/Mental Health Diversion Units

IDAPA 18 – DEPARTMENT OF INSURANCE

18-0106-1801, Rule to Implement Uniform Coverage for Newborn and Newly Adopted Children
18-0123-1801, Rules Pertaining to Idaho Acquisitions of Control and Insurance Holding Company Systems
18-0124-1801, Advertisement of Disability (Accident and Sickness) Insurance
18-0130-1801, Individual Disability and Group Supplemental Disability Insurance Minimum Standards Rule

18-0144-1801, Schedule of Fees, Licenses, and Miscellaneous Charges

18-0149-1801, Fire Protection Sprinkler Contractors

18-0154-1801, Rule to Implement the NAIC Medicare Supplement Insurance Minimum Standards Model Act

18-0162-1801, Annual Financial Reporting

18-0170-1801, Rules Governing Small Employer Health Insurance Availability Act Plan Design

IDAPA 27 – IDAHO BOARD OF PHARMACY

27-0101-1801, General Provisions

27-0102-1802, Rules Governing Licensure and Registration

27-0103-1801, Rules Governing Pharmacy Practice

27-0104-1802, Rules Governing Pharmacist Prescriptive Authority

27-0105-1801, Rules Governing Drug Compounding

27-0106-1801, Rules Governing DME, Manufacturing, and Distribution

IDAPA 29 – IDAHO POTATO COMMISSION

29-0103-1801, Rules Governing Nominations and Elections for Candidates to Be Selected for Commissioner (New Chapter)

IDAPA 35 – IDAHO STATE TAX COMMISSION

35-0102-1803, Idaho Sales and Use Tax Administrative Rules

35-0103-1803, Property Tax Administrative Rules

35-0114-1801, Prepaid Wireless E911 Fee Administrative Rules

IDAPA 39 – IDAHO TRANSPORTATION DEPARTMENT

39-0246-1801, Rules Governing Temporary Motor Vehicle Registration Permit

IDAPA 55 – IDAPA 55 – DIVISION OF CAREER TECHNICAL EDUCATION

55-0103-1801, Rules of Career Technical Schools

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58-0102-1803, Water Quality Standards

IDAPA 60 – IDAHO STATE SOIL AND WATER CONSERVATION COMMISSION

60-0501-1801, Resource Conservation and Rangeland Development Program (2nd Notice)

Please refer to the Idaho Administrative Bulletin, **July 4, 2018, Volume 18-7**, for the notices and text of all rulemakings, public hearings schedules, information on negotiated rulemakings, executive orders of the Governor, and agency contact information.

Issues of the Idaho Administrative Bulletin can be viewed at adminrules.idaho.gov.

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