

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 September 18, 2024, unless otherwise posted.
The proposed rule written comment submission deadline is September 25, 2024, unless otherwise posted.
(Temp & Prop) indicates the rulemaking is both Temporary and Proposed.
(*PH) indicates that a public hearing has been scheduled.*

IDAPA 11 – IDAHO STATE POLICE 700 S Stratford Dr, Meridian, ID 83642

***11-0501-2403, Rules Governing Alcohol Beverage Control.** (*PH) Zero-Based Regulation (ZBR) Rewrite establishes: requirements to become a licensed premises to sell alcohol; to acquire, maintain, or transfer licenses; priority list for acquisition of licenses; and age restriction requirements.

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

***16-0101-2401, Emergency Medical Services.** (*PH) New Chapter consolidates into a singular governing EMS chapter necessary provisions from existing IDAPA Chapters 16.01.02, 16.01.03, 16.01.05, 16.01.07, 16.01.12, 16.02.01 and 16.02.02, which are being repealed as companion dockets.

16-0102-2401, Emergency Medical Services (EMS) – Rule Definitions. Chapter Repeal moves necessary provisions to 16.01.01.

16-0103-2401, Emergency Medical Services (EMS) – Agency Licensing Requirements. Chapter Repeal moves necessary provisions to 16.01.01.

16-0105-2401, Emergency Medical Services (EMS) – Education, Instructor, and Examination Requirements. Chapter Repeal moves necessary provisions to 16.01.01.

16-0107-2401, Emergency Medical Services (EMS) – Personnel Licensing Requirements. Chapter Repeal moves necessary provisions to 16.01.01.

16-0112-2401, Emergency Medical Services (EMS) – Complaints, Investigations, and Disciplinary Actions. Chapter Repeal moves necessary provisions to 16.01.01.

16-0201-2401, Idaho Time Sensitive Emergency System Council. Chapter Repeal moves necessary provisions to 16.01.01.

16-0202-2401, Idaho Emergency Medical Services (EMS) Physician Commission. Chapter Repeal moves necessary provisions to 16.01.01.

***16-0212-2401, Newborn Screening.** (*PH) ZBR Rewrite specifies tests and procedures performed on newborn infants for early detection of metabolic, endocrine, and hemoglobin disorders; cystic fibrosis; critical congenital heart disease; and prevention of infant blindness.

***16-0213-2401, State of Idaho Drinking Water Laboratory Certification Program.** (*PH) ZBR Rewrite defines laboratory certification requirements for testing drinking water compliance samples.

***16-0309-2401, Rules Governing Medicaid Basic Plan Benefits.** (*PH) ZBR Rewrite contains general provisions regarding the administration of Medicaid, and also requirements for provider procurement and reimbursement.

***16-0313-2401, Consumer-Directed Services.** (*PH) ZBR Rewrite details a flexible program option for participants eligible for the Children’s Home and Community Based Services State Plan Option, and Adult Developmental Disabilities waiver. Supports include Self-Directed Community Supports and Family-Directed Community Supports program options described in IDAPA 16.03.10 “Medicaid Enhanced Plan Benefits.”

16-0314-2401, Rules Governing Hospitals. Chapter Repeal due to licensing requirements existing in statute and a legislative proposal to consolidate licensing process for health and safety standards by using the Centers for Medicare and Medicaid Services certification process as the benchmark.

16-0407-2401, Fees for State Hospital North and State Hospital South. Chapter Repeal as a result of repetition in Centers for Medicare and Medicaid Services' (CMS) regulations, state Medicaid rules, and/or state waiver authority.

16-0501-2401, Use and Disclosure of Department Records. (Temp & Prop) Bolsters the Department's ability to provide information to the maximum extent possible for the protection of children from abuse.

***16-0601-2401, Child and Family Services.** (*PH) As delegated by Idaho state law, ZBR Rewrite governs the statewide provision of services associated with child protection, foster care, and adoption.

16-0602-2403, Foster Care Licensing. (Temp & Prop) Rule change allows renewal of a lapsed foster license, detailing a fast-tracked process for individuals who have been a licensed foster parent in the last 12 months and in good standing.

16-0605-2401, Alleged Medical Neglect of Disabled Infants. Chapter Repeal moves necessary provisions to 16.06.01, eliminating duplication.

***16-0737-2401, Children's Mental Health Services.** (*PH) ZBR Rewrite sets Department standards for providing children's mental health services.

IDAPA 18 – IDAHO DEPARTMENT OF INSURANCE

PO Box 83720 Boise, ID 83720-0043

***18-0101-2401, Rule to Implement the Privacy of Consumer Financial Information.** (*PH) ZBR Rewrite describes the conditions for, and prevention methods from, a licensee disclosing nonpublic personal financial information to affiliates and nonaffiliated third parties.

***18-0302-2401, Life Settlements.** (*PH) ZBR Rewrite sets requirements for the sale and settlement of life insurance contracts to an Idaho resident.

***18-0501-2401, Rules for Title Insurance Regulation.** (*PH) ZBR Rewrite clarifies governing statute by defining certain fair-trade practice standards for title insurance; provides procedural rules for title insurers, agents, and escrow officers for consumer protection and industry stability.

***18-0606-2401, Surplus Line Rules.** (*PH) ZBR Rewrite Provides procedures for the placement of surplus line insurance.

***18-0801-2401, Adoption of the International Fire Code.** (*PH) Amends violation penalties in the incorporated International Fire Code document.

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

PO Box 83720, Boise, ID 83720-0063

***24-0801-2401, Rules of the State Board of Morticians.** (*PH) ZBR Rewrite governs the practice of morticians, funeral directors, and funeral establishments in Idaho, to include licensure, continuing education, practice standards, and establishment inspections.

***24-2201-2401, Rules of the Idaho State Liquefied Petroleum Gas Safety Board.** (*PH) ZBR Rewrite implements the Idaho Liquefied Petroleum Gas Public Safety Act through facility safety inspections and the collection of associated licensure and inspection fees.

***24-3001-2401, Idaho Accountancy Rules.** (*PH) Changes extend timeframe to pass and prepare for CPA examination and update an incorporated document for national continuing professional education standards.

***24-3201-2401, Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors.** (*PH) ZBR Rewrite covers the procedures of the board and the practice of professional engineering and land surveying in the State of Idaho.

***24-3701-2401, Rules of the Idaho Real Estate Commission.** (*PH) ZBR Rewrite implements and enforces the Idaho Real Estate License Law, the Idaho Real Estate Brokerage Representation Act, and the Subdivided Lands Disposition Act, contained in Idaho Code.

IDAPA 34 – IDAHO SECRETARY OF STATE

PO Box 83720 Boise, ID 83720-0080

34-0801-2401, Rules Governing Paid Signature Gatherers. (Temp & Prop) New Chapter sets forth the font, shape, color, and size requirements for the badges worn by paid signature gatherers for initiatives and referendums.

IDAPA 35 – IDAHO STATE TAX COMMISSION

11321 W Chinden Blvd, Bldg 2, Boise, ID 83714

35-0103-2401, Property Tax Administrative Rules. Change provides county assessors valuing specific types of

Agricultural land with formula calculating the income capitalization approach used for Animal Units per Month (AUM) for grazing land assessments.

35-0103-2402, Property Tax Administrative Rules. (Temp & Prop) Rulemaking guides local county governments on procedures necessary to distribute property tax relief payment appropriated by the Legislature, which eliminated one of the three original property tax relief programs.

***35-0105-2401, Idaho Motor Fuels Tax Administrative Rules.** (*PH) ZBR Rewrite clarifies: when and how Distributors report and pay fuel tax and transfer fee; when consumers owe or can claim a refund for fuel tax or owe fuel use tax; and records required to be maintained by IFTA licensees and IRP and FF registrants. Comment by 10-2-24

***35-0110-2401, Idaho Cigarette and Tobacco Products Taxes Administrative Rules.** (*PH) ZBR Rewrite ensures the reporting and payment of tax on all cigarette and tobacco products sold, used, consumed, handled, or distributed within the state. Comment by 10-2-24

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

1410 N Hilton St, Boise, Idaho 83706

***58-0101-2401, Rules for the Control of Air Pollution in Idaho.** (*PH) Rulemaking: adds clarifying definitions; removes emergency affirmative defense provisions to comply with federal action in the Clean Air Act (CAA) operating permit program regulations; and updates incorporated documents to ensure that state rules remain consistent with federal regulations that implement the CAA. Comment by 10-8-24

58-0108-2401, Idaho Rules for Public Drinking Water Systems. To support a state primacy package, rule changes update federal regulations incorporated by reference for National Primary Drinking Water Regulation under the Safe Drinking Water Act to manage risks of per- and polyfluoroalkyl substances in drinking water. Comment by 10-4-24

58-0114-2401, Rules Governing Fees for Environmental Operating Permits, Licenses, and Inspection Services. ZBR Rewrite establishes reasonable fees for environmental operating permits, licenses, inspection services and waiver application processing rendered by the Department of Environmental Quality or its designees. Comment by 10-4-24

58-0122-2401, Rules for Administration of Planning Grants for Drinking Water and Wastewater Facilities. ZBR Rewrite governs procedures and requirements for establishing, implementing, and administering a state planning grant program providing financial assistance to qualifying entities to prepare a drinking water or wastewater facility planning document.

EXECUTIVE ORDERS OF THE GOVERNOR

2024-08, Defending Women’s Sports Act

NOTICE OF ADOPTED / AMENDED PROCLAMATION(S)

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13-0000-2400P6, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

NOTICES OF ADOPTION OF TEMPORARY RULE ONLY

IDAPA 16 – DEPARTMENT OF HEALTH AND WELFARE

16-0601-2404, Child and Family Services

NOTICES OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

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

IDAPA 15 – OFFICE OF THE GOVERNOR / IDAHO COMMISSION FOR THE BLIND AND VISUALLY IMPAIRED

15-0230-2401, Business Enterprise Program

Please refer to the Idaho Administrative Bulletin **September 4, 2024, Volume 24-9**, 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/

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