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**IDAPA 16
TITLE 04
Chapter 16**

**16.04.16 - RULES GOVERNING THE DEPARTMENT OF
ENERGY ADMINISTRATION WEATHERIZATION PROGRAM**

000. LEGAL AUTHORITY.

This program is authorized by Part A of the Energy Conservation in Existing Buildings Act, 42 U.S.C. 6861 et seq. by the Department of Energy Organization Act, 42 U.S.C. 1701, et seq.; and by the provisions of Sections 56-202 and 56-203, Idaho Code, which authorize the Idaho Department of Health and Welfare to enter into contracts with the federal government to provide assistance. (12-31-91)

001. TITLE AND SCOPE.

This chapter contains the rules for implementing a program of weatherization assistance for low income persons established by Part A, 42 U.S.C. 6861-6872, enacted as Title IV of the Energy Conservation and Production Act, P.L. 94-385, 90 Stat. 1125 et seq., and amended by Title II, Part 2, of the National Energy and Policy Conservation Act, 42 USC 6201, et seq., 42 USC 6301, et seq., and 42 USC 6401, et seq. The rules are to be cited in full as Idaho Department of Health and Welfare Rules, Title 04, Chapter 16, "Rules Governing the Department of Energy Administration Weatherization Program." (4-29-80)

002. DEFINITIONS AND ABBREVIATIONS.

For the purposes of the rules contained in Title 04, Chapter 16, the following terms and abbreviations are used, as defined herein: (4-29-80)

01. Act. The Energy Conservation in Existing Buildings Act of 1976, as amended, 42 U.S.C. 6861 et seq. (4-29-80)
02. CAA. A Community Action Agency. (1-10-78)
03. CETA. The Comprehensive Employment and Training Act of 1973, 42 U.S.C. 2781, et seq. (4-29-80)
04. Community Action Agency. A private corporation or public agency established pursuant to the Economic Opportunity Act of 1964, 42 USC 2701, et seq., which is authorized to administer funds received from federal, state, local, or private funding entities to assess, design, operate, finance, and oversee anti-poverty programs. (4-29-80)
05. Contractor. A weatherization project entity at the sub-state level which receives a contract from the Department to carry out activities of this program. (12-31-91)
06. Cosmetic Items. Items which, when installed, will not reduce energy costs in a cost effective manner, including but not limited to the following: (4-29-80)
 - a. Finishes; or (1-10-78)
 - b. Decorative fenestration materials; or (4-29-80)
 - c. Elevation materials such as: (1-10-78)
 - i. Aluminum siding; and (1-10-78)
 - ii. Board and bat; and (1-10-78)
 - iii. Clapboard; and (1-10-78)
 - iv. Brick, shakes or asphalt siding. (1-10-78)
07. Department. The Idaho Department of Health and Welfare. (12-31-91)

08. DOE. The U.S. Department of Energy. (4-29-80)
09. Dwelling Unit. A house, including a stationary mobile home, an apartment, a group of rooms or a single room occupied as separate living quarters. (1-10-78)
- unit.
- a. Rental Dwelling Unit. A dwelling unit occupied by a person who pays rent for use of the dwelling (4-29-80)
- b. Single-Family Dwelling Unit. A structure containing no more than one (1) dwelling unit. (4-29-80)
10. Elderly Person. A person who is sixty (60) years of age or older. (1-10-78)
11. FEA. The Federal Energy Administration. (1-10-78)
12. Family Unit. All persons living together in a dwelling unit. (4-29-80)
13. Farm Family. A family residing on: (4-29-80)
- a. Ten (10) or more acres and having sales of farm products of fifty dollars (\$50) or more in the last year; or (4-29-80)
- b. Less than ten (10) acres and having an income of two hundred and fifty dollars (\$250) or more from sales of farm products. (4-29-80)
14. Grantee. The Department's State Economic Opportunity Office. (12-31-91)
15. Handicapped Person. Any individual who: (4-29-80)
- a. Is a handicapped individual as defined in the Rehabilitation Act of 1973, 29 USC 701, et seq.; or (4-29-80)
- b. Is under a disability as defined in: (4-29-80)
- i. The Social Security Act, 42 USC 301, et seq., specifically: (4-29-80)
- (a) 42 USC 1614(a)(3)(a); or (4-29-80)
- (b) 42 USC 223(d)(1); or (4-29-80)
- ii. The Developmental Disabilities Services and Facilities Construction Act, 42 USC 6001 -- 6066; or (4-29-80)
- c. Is receiving benefits under: (4-29-80)
- i. Title 38, Chapter 11, USC; or (4-29-80)
- ii. Title 38, Chapter 15, USC. (4-29-80)
16. Household. All persons living together in a dwelling unit. (1-10-78)
17. Heating or Cooling Source. A device, the operation of which can raise or lower temperatures within a dwelling unit as part of the permanent heating, ventilating and air-conditioning system installed in the dwelling unit, including but not limited to: (1-10-78)
- a. Furnaces; or (1-10-78)

- b. Heat pumps; or (1-10-78)
- c. Stoves; or (1-10-78)
- d. Boilers; or (1-10-78)
- e. Heaters; or (1-10-78)
- f. Fireplaces; or (1-10-78)
- g. Air-conditioners; or (1-10-78)
- h. Fans; or (1-10-78)
- i. Solar devices. (1-10-78)
- 18. Low-Income. Income in relation to family size which is: (1-10-78)
 - a. At or below one hundred twenty-five percent (125%) of the poverty level as specified in Section 101, determined in accordance with criteria established by the Director of the Office of Management and Budget in the "CSA Income Poverty Guidelines (Revised)," CSA Instruction No. 6004-IL, April 30, 1979; or (12-31-91)
 - b. The basis on which cash assistance payments have been paid during the preceding twelve (12) month period under Titles IV and XVI of the Social Security Act, 42 USC 301, et seq., or applicable state or local law. (4-29-80)
- 19. Mechanical Equipment. A control device or apparatus which is primarily designed to improve the heating or cooling efficiency of a dwelling unit, and which will permanently be affixed to an existing heating or cooling source, including but not limited to: (1-10-78)
 - a. Flue dampers; and (1-10-78)
 - b. Clock thermostats; and (1-10-78)
 - c. Filters; and (1-10-78)
 - d. Replacement limit switches. (1-10-78)
- 20. Occupants. A single family, one (1) person living alone, two (2) or more families living together, or any other group of related or unrelated persons who share living arrangements. (4-29-80)
- 21. Regional Representative. A Regional Representative of the U.S. Department of Energy. (4-29-80)
- 22. Repair Materials. Items necessary for the effective performance or preservation of weatherization materials, including but not limited to: (4-29-80)
 - a. Lumber used to frame or repair windows and doors which could not otherwise be caulked or weatherstripped; and (4-29-80)
 - b. Protective materials, such as: (4-29-80)
 - i. Paint; or (4-29-80)
 - ii. Seal. (4-29-80)
- 23. Secretary. The Secretary of the U.S. Department of Energy. (4-29-80)

24. Separate Living Quarters. Living quarters in which the occupants do not live and eat with any other persons in the structure and in which there either: (4-29-80)
- a. Is direct access from the outside of the building or through a common hall; or (4-29-80)
 - b. Are complete kitchen facilities for the exclusive use of the occupants. (4-29-80)
25. Subgrantee. Those agencies that have entered into a contract and/or grant to conduct and implement weatherization projects for the Department's State Economic Opportunity Office. (12-31-91)
26. Weatherization Project. A project conducted in a single geographical area which undertakes to weatherize dwelling units which are thermally inefficient. (1-10-78)
27. Weatherization Materials. Items intended primarily to improve the heating or cooling efficiency of a dwelling unit, including but not limited to: (1-10-78)
- a. Ceiling, attic, wall, floor and duct insulation; and (4-29-80)
 - b. Storm windows and doors, multiglazed windows and doors, and heat-absorbing or heat-reflective window and door materials; and (4-29-80)
 - c. Caulking and weatherstripping of doors and windows; and (4-29-80)
 - d. Clock thermostats; and (4-29-80)
 - e. Water heater insulation; and (4-29-80)
 - f. Furnace efficiency modifications, limited to: (4-29-80)
 - i. Replacement burners designed to substantially increase the energy efficiency of the heating system; or (4-29-80)
 - ii. Devices for modifying flue openings which will increase the energy efficiency of the heating system; or (4-29-80)
 - iii. Electrical or mechanical furnace ignition systems which replace standing gas pilot lights; and (4-29-80)
 - g. The following insulation or energy-conserving devices or technologies: (4-29-80)
 - i. Skirting; or (4-29-80)
 - ii. Items to improve attic ventilation; or (4-29-80)
 - iii. Vapor barriers; or (4-29-80)
 - iv. Materials used as a patch to reduce infiltration through the building envelope. (4-29-80)

003. -- 049. (RESERVED).

050. FEDERAL REQUIREMENTS.

01. Record Keeping. Each subgrantee receiving federal financial assistance under the Weatherization Program must keep such records as are required by the DOE, including: (4-29-80)
- a. Records which fully disclose the amount and disposition by subgrantee of the funds received; and (4-29-80)

- b. The total cost of a weatherization project; or (4-29-80)
- c. The total expenditure to implement the State Plan for which such assistance was given or used; and (4-29-80)
- d. The source and amount of funds for such project or program not supplied by DOE and corresponding records; and (4-29-80)
- e. Those records DOE deems necessary for an effective audit and performance evaluation. (4-29-80)
- f. Such record keeping must be in accordance with: (4-29-80)
 - i. Federal Management Circular 74-7; and (4-29-80)
 - ii. Any further requirements: (4-29-80)
 - (a) Of these rules; or (12-31-91)
 - (b) Which DOE may otherwise establish under the terms and conditions of a grant. (4-29-80)
- 02. Reports. Each subgrantee receiving financial assistance under the Weatherization Program must provide the Department's State Economic Opportunity Office with: (12-31-91)
 - a. A monthly program performance report on the form "Low-Income Weatherization Quarterly Report Supplement" (EIA-29A); and (4-29-80)
 - b. A monthly financial report on the form "Financial Status Report" (EIA-298). (4-29-80)
- 03. Matching Funds. Financial assistance under the Weatherization Program will be used to supplement, and not to supplant, local funds, and to the maximum extent practicable as determined by DOE, to increase the amounts of local funds that would be made available in the absence of federal funds provided under the Program. (4-29-80)
- 04. Program Coordination. To the maximum extent practicable, the use of weatherization assistance must be coordinated with other federal, state, local, or privately funded programs in order to improve thermal efficiency and to conserve energy. (4-29-80)

051. -- 099. (RESERVED).

100. MINIMUM PROGRAM REQUIREMENTS.

- 01. Dwelling Units, Eligibility for Weatherization. To be eligible for weatherization assistance under this program a dwelling unit must be the dwelling of a family unit: (1-10-78)
 - a. Whose income is at or below one hundred twenty-five percent (125%) of the poverty level, as specified in Section 101, determined in accordance with criteria established by the Director of the Office of Management and Budget issued as "CSA Income Poverty Guidelines (Revised)," CSA Instruction No. 6004-16, April 30, 1979; or (12-31-91)
 - b. Which contains a member who had received cash assistance payments under Title IV or XVI of the Social Security Act, 42 USC 301, et seq., or applicable state or local law paid during the twelve (12) months preceding the determination of eligibility for weatherization assistance. (4-29-80)
- 02. Rented/Leased Dwelling Unit. When an eligible family unit occupies a leased or rented dwelling unit: (1-10-78)

- a. The subgrantee must secure written permission of the owner or his agent including the owner's name and address and the address of the rental property allowing the unit to be weatherized; and (4-29-80)
- b. The written agreement must include a provision that rent will not be raised because of the increased value of the dwelling unit due solely to weatherization assistance provided by this program. (1-10-78)
- 03. Documentation of Eligibility. No dwelling unit can be weatherized without documentation that the dwelling unit is an eligible dwelling unit. (4-29-80)
 - a. The subgrantee must determine that the family unit is eligible using as proof any of the following: (4-29-80)
 - i. Wage stubs; or (1-10-78)
 - ii. Supplemental Security Income; or (1-10-78)
 - iii. Medicaid card; or (1-10-78)
 - iv. Wage and Tax Statement (W-2). (1-10-78)
 - b. If the documents listed in Subsections 100.03.a.ii. through 100.03.a.iv. are not available, the family head must sign and date a declaration of income eligibility and provide it to the subgrantee identifying the following: (12-31-91)
 - i. The family unit's name; and (4-29-80)
 - ii. The family unit's address; and (4-29-80)
 - iii. Their income level, per year or month; and (4-29-80)
 - iv. The sources from which the income is derived. (4-29-80)
 - c. The subgrantee must spot check the information provided on at least ten percent (10%) of the declarations received to insure eligibility. (4-29-80)
 - d. Copies of the proof documents are to be retained by the subgrantee to be available to the Department or its agents for inspection and audit. (12-31-91)

101. POVERTY INCOME ELIGIBILITY LIMITS.

The following Tables reflect the income limitations, adjusted to one hundred and twenty-five percent (125%) of the poverty income maxima established by the Community Services Administration, for eligibility under the Weatherization Program: (4-29-80)

01. Income Eligibility Limits - Nonfarm Family - TABLE.

SIZE OF FAMILY UNIT	INCOME LIMITATION
1	\$4,250.00
2	5,625.00
3	7,000.00
4	8,375.00
5	9,750.00

SIZE OF FAMILY UNIT	INCOME LIMITATION
6	11,125.00
For each additional family member, add \$1,375.00	

(4-29-80)

02. Income Eligibility Limits - Farm Family - TABLE.

SIZE OF FAMILY UNIT	INCOME LIMITATION
1	\$3,637.50
2	4,800.00
3	5,962.50
4	7,125.00
5	8,287.50
6	9,450.00
For each additional family member, add \$1,162.50	

(4-29-80)

102. -- 109. (RESERVED).

110. PRIORITIES FOR WEATHERIZATION.

01. Dwelling Units of the Elderly. At least twenty-five percent (25%) of the dwelling units to be weatherized by each subgrantee must be dwelling units occupied by one (1) or more persons sixty (60) years of age or over. (4-29-80)

02. Dwelling Units of the Handicapped. At least five percent (5%) of the dwelling units to be weatherized by each subgrantee must be dwelling units occupied by one (1) or more persons who are handicapped. (4-29-80)

03. Single (Detached) Dwelling Units. Other than the above priorities, preference will be given to weatherizing single (detached) dwelling units. (1-10-78)

04. Rented Multiple Dwelling Units. At least ten percent (10%) of all weatherization projects must be multiple units occupied by eligible family units who pay their own heat bills will be considered if the owner or his agent agrees to allow weatherizing and not to raise rents because of the increased value of the dwelling units due solely to the weatherizing assistance provided by this program. (4-29-80)

05. Restrictions Applying to Rental Dwelling Units. (4-29-80)

a. No rental dwelling unit is to be weatherized without first obtaining the written permission of the owner of the dwelling unit or his agent, in accordance with Subsection 100.02. (12-31-91)

b. The benefits of weatherization assistance must accrue primarily to low-income tenants. (4-29-80)

c. Rents must not be raised because of the increased value of the dwelling unit which is due solely to weatherization assistance provided under the Weatherization Program. (4-29-80)

- d. No undue or excessive enhancement is to occur to the value of the dwelling unit. (4-29-80)

111. -- 199. (RESERVED).

200. ALLOWABLE EXPENDITURES.

01. Purchase of Materials. To the maximum extent practicable, the subgrant funds must be used for the purchase of weatherization and repair materials and related matter, according to the following: (4-29-80)

a. A maximum of one thousand dollars (\$1,000) for any dwelling unit, except as provided in Subsection 200.04.c., can be expended toward the cost of purchase, delivery, and storage of weatherization and repair materials. (12-31-91)

b. An average of, but not to exceed, four hundred and forty dollars (\$440) per dwelling unit for any subgrantee as determined by the grantee toward the cost of: (4-29-80)

i. Transportation of weatherization materials, tools, equipment, and work crews to a storage site and to the work site; and (4-29-80)

ii. Maintenance, operation, and insurance of vehicles used to transport weatherization materials; and (4-29-80)

iii. Maintenance of tools and equipment; and (4-29-80)

iv. Purchase or annual lease of tools, equipment, and vehicles, except that any purchase of vehicles must be referred to DOE for prior approval in every instance; and (4-29-80)

v. Employment of on-site supervisory personnel; and (4-29-80)

c. The cost, not to exceed one hundred dollars (\$100) per dwelling unit, of incidental repairs to the heating source necessary to make the installation of weatherization materials effective. (4-29-80)

02. Insurance. The cost of liability insurance for weatherization projects for personal injury and for property damage is an allowable cost. (4-29-80)

03. Administration. (4-29-80)

a. Not more than five percent (5%) of each amount allocated to a subgrantee under these rules can be used for administrative expenses of the subgrantee. (4-29-80)

b. Allowable administrative expenses must not include any cost of labor to carry out a weatherization project, except for supervisors and foremen. (4-29-80)

04. Limitations. No grant funds awarded for the Weatherization Program will be used for any of the following purposes: (4-29-80)

a. To weatherize a dwelling unit which has been weatherized previously with grant funds authorized under these rules, unless: (4-29-80)

i. Such dwelling unit has been damaged by fire, flood, or an act of God; and (4-29-80)

ii. Repair of the damage to weatherization materials is not paid for by insurance; or (4-29-80)

b. To weatherize a dwelling unit which is vacant or designated for acquisition or clearance by a federal, state, or local program within twelve (12) months of the date weatherization of the dwelling unit would be scheduled to be completed. (4-29-80)

c. The limitation of one thousand dollars (\$1000) established in Subsection 200.01.a. will not apply if the State Policy Advisory Council, subject to the approval of a regional representative, requests that a greater amount be provided for specific categories of units or materials in the state. (12-31-91)

d. Cosmetic items as defined in Subsection 002.06. (12-31-91)

05. Additional Funds. Additional funds for administration, tools, and transportation of materials, work crews, and equipment to work sites can be allocated by the Department's State Economic Opportunity Office on the basis of need and availability. (12-31-91)

201. -- 299. (RESERVED).

300. SERVICES TO BE PROVIDED.

Funds provided by this program will be used to purchase materials to improve the thermal efficiency of dwellings of eligible households, including but not limited to: (1-10-78)

01. Structural Insulation. Structural insulation of ceilings, walls, floors and ducts; and (4-29-80)

02. Weatherproofing. Installation of: (4-29-80)

a. Storm windows and doors; and (1-10-78)

b. Caulking and weatherstripping; and (1-10-78)

03. Mechanical Equipment. Installation of mechanical equipment designed to improve heating or cooling efficiency affixed to an existing heating or cooling source. (4-29-80)

301. -- 399. (RESERVED).

400. STANDARDS AND TECHNIQUES FOR WEATHERIZATION.

Only materials which meet or exceed standards prescribed in the table contained in Subsection 400.01 will be purchased with funds provided under these rules. (12-31-91)

01. Standards for Weatherization Materials - TABLE.

MATERIAL OR PRODUCT	STANDARDS	
a. Insulation-Mineral fiber:		
i. Blanket/batt:	Conformance to F.S.*HH-I-521E and ASTM C665-70.	(4-29-80)
ii. Board:	Conformance to F.S. HH-I-526C and ASTM C612-70 or C726-72.	(4-29-80)
iii. Duct material:	Conformance to F.S. HH-I-558B	(4-29-80)
iv. Loose fill	Conformance to F.S. HH-I-1030A and ASTM C764-73.	(4-29-80)
b. Insulation-Mineral cellular:		
i. Aggregate board:	Conformance to F.S. HH-I-529B	(1-10-78)
ii. Cellular glass:	Conformance to F.S. HH-I-551E and ASTM C552-73.	(4-29-80)
iii. Perlite:	Conformance to F.S. HH-I-574A and ASTM C549-73.	(1-10-78)
iv. Vermiculite:	Conformance to F.S. HH-I-585B and ASTM C516-67.	(1-10-78)
c. Insulation-Organic fiber:		
i. Cellulose-Type I:	Conformance to F.S. HH-I-515C and ASTM C739-73 (loose fill).	(4-29-80)

MATERIAL OR PRODUCT	STANDARDS	
ii. Cellulose-Type II:	Conformance to ASTM C739-73 loose fill and fire safety requirements.**	(4-29-80)
iii. Vegetable:	Conformance to F.S. HH-I-528B and fire safety requirements.	(1-10-78)
iv. Board and Block:	Conformance to F.S. LLL-I-535A and ASTM C208-72 & fire safety requirements.	(1-10-78)
d. Insulation-Organic cellular:		(1-10-78)
i. Polystyrene board:	Conformance to F.S. HH-I-524B and ASTM C578-69 & fire safety requirements.	(1-10-78)
ii. Urethane board:	Conformance to F.S. HH-I-530A and ASTM C591-69 & fire safety requirements.	(1-10-78)
iii. Flexible unicellular:	Conformance to F.S. HH-I-573B and ASTM C534-70 & fire safety requirements.	(4-29-80)
e. Reflective Insulation-Air spaces:	Conformance to F.S. HH-I-1252A.	(1-10-78)
f. Storm windows:		(1-10-78)
i. Aluminum frame:	Equivalent to ANSI A134.3-1972.	(1-10-78)
ii. Wood frame:	Conformance to Sec. 3 of NWMA Industry Standard I.S.2-73.	(1-10-78)
iii. Rigid vinyl frame:	Conformance to NBS Product Standard PS26-70 and performance guarantee.	(4-29-80)
iv. Frameless plastic:	Required minimum thickness, glazing 6 mil (0.006 in).	(1-10-78)
g. Storm doors:		(1-10-78)
i. Aluminum:	Equivalent to ANSI A134.4-1972.	(1-10-78)
ii. Wood:		(1-10-78)
(a) Pine:	Conformance to Sec. 3 of NWMA I.S.5-73.	(1-10-78)
(b) Fir, hemlock:	Conformance to Sec. 3 of FHDA/5-75 spruce.	(1-10-78)
(c) Hardwood:	Conformance to Sec. 3 of NWMA veneered I.S.I-73.	(4-29-80)
iii. Rigid vinyl:	Conformance to NBS Product Standard PS26-70 and performance guarantee.	(1-10-78)
h. Caulks and sealants:	Commercial availability.	(1-10-78)
i. Weatherstripping:	Commercial availability.	(4-29-80)
j. Vapor barriers:	Commercial availability	4-29-80)
k. Clock thermostats:	Commercial availability.	(1-10-78)
l. Skirting:	Commercial availability.	(4-29-80)
m. Items to improve attic ventilation.:	Commercial availability.	(4-29-80)
n. Materials used as a patch to reduce in filtration through the building envelope:	Commercial availability.	(4-29-80)

NOTES

* F.S. means federal specifications as cited, copies of which can be obtained from Specifications Sales, Building 197, Washington Naval Yard, General Services Administration, Washington, D.C. 20407. (4-29-80)

** For fire safety requirements, see Section 2.1.3.1 of NBSIR 75-795 which can be obtained from DOE. (4-29-80)

02. Weatherization Methods. A weatherization project must utilize the approaches to weatherization contained in "Project Retro-Tech," Conservation Paper No. 28, revised July 1979, including the energy conservation techniques therein. (4-29-80)

401. -- 499. (RESERVED).

500. SERVICE DELIVERY.

Funds provided by this program will be subgranted to community based organizations by the Department. (4-29-80)

01. Funding Priorities. Community Action Agencies which have effectively operated Emergency Conservation projects funded by the U.S. Community Services Administration will be given priority for funding in the geographical area served by the Community Action Agency. (4-29-80)

02. Affirmative Action. Grants and subgrants will require that minorities are served in proportion to their numbers among the poor of the service area. (4-29-80)

03. Labor. To the maximum extent practicable, the subgrantee must secure the services of volunteers, training participants, and public service employment workers, pursuant to CETA, to work under the supervision of qualified supervisors and foremen. (4-29-80)

04. Monitoring. The State Economic Opportunity Office (SEOO), as grantee for the U.S. Department of Energy Weatherization Assistance Grants, will monitor and evaluate the operation of projects carried out by the subgrantees through on-site inspections and other means to insure the effective provision of weatherization assistance in a nondiscriminatory manner for dwelling units of low-income residents of the state of Idaho. (4-29-80)

996. ADMINISTRATIVE PROVISIONS.

Contested case appeals shall be governed by Idaho Department of Health and Welfare Rules, Title 05, Chapter 03, Sections 000, et seq., "Rules Governing Contested Cases and Declaratory Rulings." (12-31-91)

997. CONFIDENTIALITY OF RECORDS.

Any disclosure of information obtained by the Department is subject to the restrictions contained in Idaho Department of Health and Welfare Rules, Title 05, Chapter 01, "Rules Governing the Protection and Disclosure of Department Records." (12-31-91)

998. INCLUSIVE GENDER.

For the purposes of these rules, words used in the masculine gender include the feminine and vice-versa where appropriate. (1-10-78)

999. SEVERABILITY.

Idaho Department of Health and Welfare Rules, Title 04, Chapter 16, are severable. If any rule, or part thereof, or the application of such rule to any person or circumstance is declared invalid, that invalidity does not affect the validity of any remaining portion of this chapter. (4-29-80)