
NOTICES OF RULEMAKING DOCKET OPENING

This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an "announcement" that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

NOTICE OF RULEMAKING DOCKET OPENING

STATE RETIREMENT SYSTEM BOARD

[R15-116]

1. **Title and its heading:** 2, Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 4, Practice and Procedure before the Board
Section number: R2-8-403, R2-8-405
2. **The subject matter of the proposed rule:**
R2-8-403 allows a person who is dissatisfied with a decision by the Director to file an appeal with the ASRS by submitting a Request for Hearing of an appealable agency action. The ASRS will amend the rule to distinguish between an appeal related to a long-term disability determination and an appeal related to a member benefits determination. R2-8-405 allows a person who is dissatisfied with the final decision of the appeal to file a motion for rehearing or review. The ASRS will amend this rule to distinguish between a motion for reconsideration and a motion for rehearing. The amended rules will better reflect the ASRS appeals process and will make the appeal rules more consistent, clear, and understandable; this rulemaking will ensure members have notice about how the ASRS processes different types of appeals.
3. **A citation to all published notices relating to the proceeding:**
None
4. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
Name: Jessica A. Ross, Rule Writer
Address: Arizona State Retirement System
3300 N. Central Ave., Suite 1400
Phoenix, AZ 85012-0250
Telephone: (602) 240-2039
Fax: (602) 264-6113
E-Mail: JessicaR@azasrs.gov
Website: www.azasrs.gov
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Board will accept comments during business hours at the address listed in item 4. Information regarding an oral proceeding will be included in the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined



NOTICE OF RULEMAKING DOCKET OPENING

STATE BOARD OF DENTAL EXAMINERS

[R15-117]

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 11, State Board of Dental Examiners
Articles and their headings: 2, Licensure By Credential
 3, Examinations, Licensing Qualifications, Application And Renewal, Time-frames
Section numbers: R4-11-201, R4-11-202, R4-11-203, R4-11-204, R4-11-205, R4-11-301, R4-11-302, R4-11-303, R4-11-304, R4-11-305 (*As part of this rulemaking, the Board may add, delete, or modify additional Sections as necessary*)

2. **Subject matter of the proposed rule:**
 The Five-Year rule review identified necessary amendments to AAC Title 4, Chapter 11, Article 2 Licensure by Credential, Article 3 Examinations Licensing Qualifications, Application and Renewal, and Time-Frames. The Board has proposed the following changes to AAC Articles listed above:
- Repeals the consideration of an application for licensure by credential at the next scheduled Board meeting in AAC R4-11-201. When licensure by credential was enacted, the Board reviewed every application. The Board has not delegated the issuance of licenses to the Executive Director. Now the Board reviews applications with disclosures.
 - For consistency, adds United States territory and District of Columbia throughout Article 2.
 - Repeals R4-11-201(A)(2)(c) which required a detailed report prepared by a Board recognized organization (PBIS). The Committee agreed that it was impossible to compare an older exam with present day WREB. The Board began reviewing comparison reports in 2003. Since that time, the Board not denied licensure based on the comparison report.
 - Amend R4-11-203(A) & (B) Dental Hygienist Licensure by Credential; Application to mirror R4-11-202(A) & (B) Dental Licensure by Credential; Application. The repealed text in R4-11-203(A) currently exists in Arizona Revised Statutes § 32-1284.
 - Adds accepting a verified third-party transcript provider for dental, dental hygiene or denturist transcripts to R4-11-301(A)(3). At the April 11, 2014 meeting, the Board voted to open a docket for this amendment.
 - Amendment to R4-11-301(A)(4) updates language regarding proof of dental hygiene clinical examination taken within the last five years to match ARS § 32-1285, amended in 2013.
 - Amend R4-11-301(A)(6) to require Healthcare Provider CPR for applicants. Healthcare Provider CPR is required to renew a license.
 - Amend R4-11-301(A)(7) to allow license verifications from other states to be accepted without being sent directly to the Board. More and more states are using electronic methods of transmitting verifications of licensure. Indiana was the first state to send digital verifications and two more states have recently contacted the Board to set us up to retrieve their digital verifications.
 - Amends R4-11-301(A)(9) to clarify that denturist applicants need a Health Integrity and Protection Data Bank report.
 - Repeals R4-11-302 – Determination of Successful Completion of Licensure Examinations. The Board no longer gives examinations.
 - Adds Mobile Dental Facility and Portable Dental Unit Permits to R4-11-303 License Timeframe Rules
 Updates R4-11-304 to clarify Radiography Certification by Credential.
 - Amendment to R4-11-305 updates names of anesthesia and sedation permits.

The rule will include format, style, and grammar necessary to comply with the current rules of the Secretary of State.

The agency docket number, if applicable: R1502

3. **A Citation to all published notices relating to the proceeding:**
 Notice of Proposed Rulemaking: 21 A.A.R. 1887, September 18, 2015 (*in this issue*)



- 4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
 Name: Elaine Hugunin, Executive Director
 Address: State Board of Dental Examiners
 4205 N. 7th Ave., Suite 300
 Phoenix, AZ 85013
 Telephone: (602) 542-4493
 Fax: (602) 242-1445
 E-mail: elaine.hugunin@azdentalboard.us
 Website: www.dentalboard.az.gov
- 5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 The Board will accept written comments Monday through Friday, 8:00 a.m. to 5:00 p.m. Oral comments may be made at the Board office Monday through Friday, 8:00 a.m. to 4:30 p.m.
 Location: Arizona State Board of Dental Examiners
 4205 N. 7th Ave., Suite 300
 Phoenix, AZ 85013
 Written and oral comments will be accepted until the close of record on a date and time as yet undetermined.
- 6. **A timetable for agency decisions or other action in the proceeding:**
 None

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

[R15-120]

- 1. **Title and its heading:** 18, Environmental Quality
Chapter and its heading: 11, Department of Environmental Quality – Water Quality Standards
Articles and their headings: 1, Water Quality Standards for Surface Waters
Section numbers: R18-11-106, R18-11-109, R18-11-110, R18-11-115, R18-11-121, Appendix A, B and C (*Sections may be added, deleted, or modified as necessary*)
- 2. **The subject matter of the proposed rule:**
 The Clean Water Act requires that states review, modify as appropriate, and adopt surface water quality standards for “waters of the U.S.” at least once every three years, subject to approval by the U.S. Environmental Protection Agency (EPA). The Arizona Department of Environmental Quality’s (ADEQ) last rulemaking for the surface water quality standards was in 2009. ADEQ is seeking to amend errors or clarify language from the 2009 rules changes.
- 3. **A citation to all published notices relating to the proceeding:**
 Notice of Proposed Rulemaking: 21 A.A.R. 1895, September 18, 2015 (*in this issue*)
- 4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
 Name: Wendy LeStarge
 Telephone: (602) 771-4836, or (800) 234-5677, ext. 771-4836
 Fax: (602) 771-4834
 E-mail: lestarge.wendy@azdeq.gov
 Address: Arizona Department of Environmental Quality
 1110 W. Washington St. (5415B-2)
 Phoenix, AZ 85007
 Web Site: www.azdeq.gov
- 5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
 Written comments on this rulemaking may be submitted at any time to the person referenced in item # 4 above. Formal written comments for the rulemaking record should be submitted after publication of the notice of proposed rulemaking in the *Arizona Administrative Register* and prior to the close of public record date, which has not yet been determined.
- 6. **A timetable for agency decisions or other action on the proceeding, if known:**
 To be determined