



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

[R16-122]

- 1. Title and its heading: Administration
Chapter and its heading: 8, State Retirement System Board
Article and its heading: 9, Compensation
Section number: R2-8-901, R2-8-902, R2-8-903, R2-8-904, R2-8-905 (Sections may be added, deleted, or further modified as necessary.)

2. The subject matter of the proposed rule: The ASRS needs to adopt approximately five rules to clarify how it defines "compensation" for various members and uses different types of compensation for certain calculations. The rules also need to clarify how the ASRS may use compensation from a separate Employer for certain calculations depending on the date of membership. These rules will clarify which compensation the ASRS will use for contribution accounting and pension calculations. These rules will increase understandability of how the ASRS uses compensation in its calculations, but the rules do not impose any additional requirements or burdens on members.

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
E-mail: JessicaR@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

[R16-123]

- 1. Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 11, State Board of Dental Examiners
Article and its heading: 4, Fees
Section numbers: R4-11-401 through R4-11-403, R4-11-405, and R4-11-406
(Additional Sections may be made, amended, or deleted as necessary.)

2. The subject matter of the proposed rule:

A.R.S. § 41-1008(D) requires an agency to comply with the provisions of the Administrative Procedure Act when establishing or increasing a fee. The Board is placing in rule the fees it is expressly authorized to collect for an initial or renewal license of a dentist (A.R.S. § 1236), dental hygienists (A.R.S. § 32-1287), and denturists (A.R.S. § 32-1297.06) and registration as a business entity offering dental services (A.R.S. § 32-1213). The Board is also placing in rule the fee for late renewal by a business entity (A.R.S. § 32-1213(D)) and for a permit to administer general anesthesia or semiconscious, conscious, or oral sedation (A.R.S. § 32-1207(E)). The Board's statutes establish some fees the Board is authorized to collect. In the interest of assisting applicants and licensees comply with statute.

To reduce the balance in the Dental Board, the Board is reducing by 15 percent the amount collected to renew a license and reducing the amount collected for a permit to administer general anesthesia or semiconscious, conscious, or sedation at multiple locations. The Board is also extending the term of a permit to administer general anesthesia or semiconscious, conscious, or oral sedation from three to five years. The Board is also no longer collecting a convenience fee for taking payments by credit card.

An exemption from Executive Order 2015-03 was provided by Christina Corieri, Policy Advisor for Health and Human Services in the Governor's Office, in an e-mail dated June 24, 2016.

3. A citation to all published notices relating to the proceeding:

None

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 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

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)
ARIZONA LONG-TERM CARE SYSTEM

[R16-141]

- 1. Title and its heading: 9, Health Services
Chapter and its heading: 28, AHCCCS - Arizona Long-Term
Article and its heading: 7, Standards for Payments
Section numbers: R9-28-702 (As part of this rulemaking, the Administration may add, delete, or modify Sections as necessary.)
2. The subject matter of the proposed rule: A.R.S. § 36-2999.52 authorizes the Administration to administer a provider assessment on health care items and services provided by nursing facilities and to make supplemental payments to nursing facilities for covered Medicaid expenditures. The Administration is proposing an amendment to rule amending the dollar amounts used to calculate the assessment.
3. A citation to all published notices relating to the proceeding: Notice of Proposed Rulemaking: 22 A.A.R. 2015, August 5, 2016 (in this issue).
4. The name and address of agency personnel with whom persons may communicate regarding the rule: Name: James Maguire, Address: AHCCCS, Office of Administrative Legal Services, 701 E. Jefferson, Mail Drop 6200, Phoenix, AZ 85034, Telephone: (602) 417-4501, Fax: (602) 253-9115, E-mail: AHCCCSrules@azahcccs.gov
5. The time which the agency will accept written comments and the time and place where oral comments may be made: The Administration will accept written comments Monday through Friday, 8 a.m. to 5 p.m., at the address indicated in question #4. Public hearings will be scheduled later to provide a forum for interactive discussion with interested parties. E-mail comments will be accepted.
6. A timetable for agency decisions or other action on the proceeding, if known: The Notice of Proposed rulemaking will be published along with this Notice of Rulemaking Docket Opening.

NOTICE OF RULEMAKING DOCKET OPENING

STATE MINE INSPECTOR - AGGREGATE MINED LAND RECLAMATION

[R16-124]

- 1. Title and its heading: 11, Mines
Chapter and its heading: 3, State Mine Inspector - Aggregate Mined Land Reclamation
Article and its heading: 1, Definitions, 2, General Regulatory Provisions, 3, Exploration Operation Reclamation Plan, 4, Exploration Operation Reclamation Standards, 5, Mining Unit Reclamation Plan, 6, Mining Unit Reclamation Standards, 7, Revegetation and Soil Standards, 8, Financial Assurance
Section numbers: R11-3-101, R11-3-201 through R11-3-210, R11-3-301 and R11-3-302, R11-3-401 and R11-3-402, R11-3-501 through R11-3-505, R11-3-601 through R11-3-603, R11-3-701 through R11-3-705, and R11-3-801 through R11-3-818 (Additional Sections may be made, amended, or repealed as necessary.)
2. The subject matter of the proposed rule: The legislature enacted the Aggregate Mine Land Reclamation Act (A.R.S. Title 27, Chapter 6) in 2005. The Act



requires aggregate exploration operations and aggregate mining units to submit reclamation plans and financial assurance mechanisms to the Office of the State Mine Inspector. The Act requires the State Mine Inspector to make rules consistent with the Act for reclamation of surface disturbances at aggregate exploration operations and mining units, financial assurances, and notice and public meetings. This rulemaking makes the required rules.

A Notice of Proposed Rulemaking for the required rules was published at 12 A.A.R. 742, March 10, 2006. The rulemaking process was not completed. However, in the interim, members of the industry have been complying with the proposed rules.

This rulemaking is exempt from Executive Order 2016-03 under paragraph (3)(a) of the Order.

3. A citation to all published notices relating to the proceeding:

None

4. Name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Laurie Swartzbaugh
Address: State Mine Inspector
1700 W. Washington St., Suite 403
Phoenix, AZ 85007
Telephone: (602) 542-5971
Fax: (602) 542-5335
E-mail: lswartzbaugh@asmi.az.gov
Web site: <https://asmi.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 Inspector 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