

New or changed state agency rules

Published in The Power County Press Sept. 6, 2023.

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 September 20, 2023, unless otherwise posted.
The proposed rule written comment submission deadline is September 27, 2023, 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

11-0701-2301, Rules Governing Motor Vehicles – General Rules. Zero-Based Rulemaking (ZBR) Chapter Rewrite provides for education, safety, and lighting standards for all owners and operators of motor vehicles operating on highways under ISP jurisdiction.

11-0703-2301, Rules Governing Emergency Vehicles/Authorized Emergency Vehicles. ZBR Rewrite specifies the approval process for authorized emergency vehicles including reporting requirements for scope of duties, instruction courses, operating area, lighting, and dispatch communication.

11-1001-2301, Rules Governing Idaho Public Safety and Security Information System. Rulemaking establishes usage fees for law enforcement agencies accessing the ILETS network across Idaho.

11-1301-2301, The Motor Carrier Rules. ZBR Rewrite applies safety requirements to intrastate and foreign motor carriers that provide transportation to persons or property over Idaho highways.

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

13-0104-2301, Rules Governing Licensing. (Temp & Prop) Removes limit for outfitter tag set-aside to increase tag allocation from verified use.

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

***16-0202-2301, Idaho Emergency Medical Services (EMS) Physician Commission.** (*PH) ZBR Rewrite establishes standards for scope of practice and medical supervision for EMS licensed personnel, air medical, ambulance services, and nontransport EMS agencies.

***16-0301-2301, Eligibility for Health Care Assistance for Families and Children.** (*PH) ZBR Rewrite details application requirements, financial and non-financial criteria, emergency conditions, and income disregards to obtain health coverage for adults and children.

***16-0302-2301, Skilled Nursing Facilities.** (*PH) ZBR Rewrite promotes safe treatment of individuals housed in a facility through regulations and standards for the provision of adequate care and licensure of skilled nursing facilities in the state of Idaho.

***16-0304-2301, Idaho Food Stamp Program.** (*PH) ZBR Rewrite contains benefit eligibility criteria administered by the Department to help raise the nutritional level among low-income households whose limited food purchasing power contributes to hunger and malnutrition.

***16-0306-2301, Refugee Medical Assistance.** (*PH) Federal increase of eligibility period for medical assistance under the RMA program.

***16-0503-2301, Contested Case Proceedings and Declaratory Rulings.** (*PH) ZBR Rewrite authorizes the Department and the Board to conduct contested case proceedings, issue declaratory rulings, and adopt rules governing such proceedings.

***16-0739-2301, Designated Examiners and Dispositioners.** (*PH) Proposed rule updates the application and letter of designation, such as a Senior Designated Examiners, for designated examiners and dispositioners operating in the state.

IDAPA 17 – IDAHO INDUSTRIAL COMMISSION PO Box 83720, Boise, ID 83720-0041

***17-1001-2301, Administrative Rules Under the Crime Victims Compensation Act.** (*PH) ZBR Rewrite increases transparency and streamlines Program access, including removal of medical fee schedule and requirement for changing physicians and extends time to submit treatment bills.

IDAPA 18 – DEPARTMENT OF INSURANCE PO Box 83720, Boise, ID 83720-83720-0043

***18-0102-2301, Schedule of Fees, Licenses, and Miscellaneous Charges.** (*PH) ZBR Rewrite provides amounts to be collected for insurance fees, licenses, and miscellaneous charges.

***18-0404-2301, The Managed Care Reform Act Rule.** (*PH) ZBR Rewrite defines and establishes operating procedures for a Managed Care Organization.

***18-0408-2301, Individual and Group Supplementary Disability Insurance Minimum Standards Rule.** (*PH) ZBR Rewrite implements law to: standardize terms and coverages of individual and group supplementary disability insurance; facilitate public understanding and comparison of coverage; eliminate confusion with the purchase of coverages or settlement of claims; and to provide disclosure in marketing and sales.

***18-0601-2301, Rules Pertaining to Bail Agents.** (*PH) ZBR Rewrite sets requirements and procedures relating to bail agents and regulates insurance producers applicable to bail agents.

***18-0602-2301, Producers Handling of Fiduciary Funds.** (*PH) ZBR Rewrite applies to producers and bail agents for allowable fiduciary fund accounts and types, deposits of other funds, account designation, interest, and disbursement of funds.

***18-0603-2301, Rules Governing Disclosure Requirements for Insurance Producers When Charging Fees.** (*PH) ZBR Rewrite provides disclosure requirements for resident and non-resident insurance producers when charging fees to consumers.

***18-0706-2301, Rules Governing Life and Health Reinsurance Agreements.** (*PH) ZBR Rewrite sets standards for reinsurance agreements involving life insurance, annuities, or accident and sickness (disability) insurance so that financial statements properly reflect insurer's business.

***18-0710-2301, Corporate Governance Annual Disclosure.** (*PH) ZBR Rewrite details procedures for filing and required content of the Corporate Governance Annual Disclosure, necessary to carry out the provisions of Title 41, Chapter 64, Idaho Code.

***18-0801-2301, Adoption of the International Fire Code.** (*PH) ZBR Rewrite helps to protect life and property from fire and explosion in the state of Idaho through the State Fire Marshal adopting the International Fire Code and editions.

IDAPA 20 – IDAHO DEPARTMENT OF LANDS PO Box 83720, Boise, ID 83720-0050

20-0301-2301, Rules Governing Dredge and Placer Mining Operations in Idaho. ZBR Rewrite implements statutory provisions, which enables the removal of minerals while preserving water quality and ensuring rehabilitation for beneficial use of the land following mining.

20-0303-2301, Rules Governing Administration of the Reclamation Fund. ZBR Rewrite sets participation criteria for the Reclamation Fund, an alternative form of financial assurance required by law for mines. Fund is used to ensure lands are properly reclaimed, protecting public and wildlife.

20-0305-2301, Navigable Waterways Mineral Leasing in Idaho. ZBR Rewrite ensures the state is compensated for the exploration and extraction of minerals from the beds of all state-owned navigable waterways. Updates revise late payment policy and extend coverage to all waterways.

IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES 11341 W Chinden Blvd, Bldg 4, Boise, ID 83714

24-0701-2301, Rules of the Idaho State Board of Landscape Architects. ZBR Repeals chapter and moves necessary provisions to IDAPA 24.02.01.

***24-1401-2301, Rules of the State Board of Social Work Examiners.** (*PH) ZBR Rewrite governs the practice of social work in Idaho to protect the public health by establishing minimum practice standards and qualifications for applicants, supervision requirements, and licensure fees.

***24-3101-2301, Rules of the Idaho State Board of Dentistry.** (*PH) ZBR Rewrite constitutes the minimum requirements for licensure and regulation of all dental health professionals – dentists, dental hygienists, and dental therapists – practicing in the state.

***24-3501-2301, Rules of the Outfitters and Guides Licensing Board.** (*PH) Rulemaking clarifies impact of tag transfers and harmonizes tag allocations made by the Fish and Game Commission. Also, addresses competitive application process and outfitter limitations on Idaho rivers.

***24-3801-2301, Rules of the State of Idaho Board of Veterinary Medicine.** (*PH) ZBR Rewrite applies licensing procedures, supervision requirements, standards of practice, inspections, and grounds for discipline of veterinarians, veterinary and euthanasia technicians, and agencies.

***24-3930-2302, Rules of Building Safety (Building Code Rules).** (*PH) ZBR Rewrite adopts specific editions of building codes prescribed by law; provides fees for building plans examination services, permits, and inspections; and inspection processes on all public buildings and school facilities.

***24-3931-2301, Rules for Factory Built Structures.** (*PH) ZBR Rewrite governs persons engaged in the business of manufacturing, selling, or installing manufactured or mobile homes in Idaho.

***24-3950-2301, Rules of the Public Works Contractors License Board.** (*PH) ZBR Rewrite prescribes requirements and application process for all branches across all classes of licensure of public works contractors performing construction and management services on public works projects.

***24-4001-2301, Rules for the Board of Naturopathic Health Care.** (*PH) New Chapter comports legislative changes related to new naturopathic licenses and naturopathic registration types, to include fees and continuing education renewal requirements for licensure.

IDAPA 29 – IDAHO POTATO COMMISSION 661 S Rivershore Ln, Ste 230, Eagle, ID 83616

29-0101-2301, Rules of the Idaho Potato Commission. ZBR Rewrite governs: payment of taxes to, and procedural rules before, the Commission; records kept by growers, dealers, handlers, shippers, processors, container manufacturers, and out-of-state repackers; use of Certification Marks and Trademarks; and branding and labeling requirements.

IDAPA 35 – IDAHO STATE TAX COMMISSION 11321 W Chinden Blvd, Bldg 2, Boise, ID 83714

***35-0103-2301, Property Tax Administrative Rules.** (*PH) ZBR Rewrite clarifies administrative aspects of property tax law in the state of Idaho.

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY 1410 N Hilton St, Boise, ID 83706

***58-0101-2301, Rules for the Control of Air Pollution in Idaho.** (*PH) Proposed rule updates federal regulations incorporated by reference with the July 1, 2023, Code of Federal Regulations effective date. Also, adding back a defined term inadvertently omitted.

58-0108-2301, Idaho Rules for Public Drinking Water Systems. ZBR Rewrite controls and regulates design, construction, operation, maintenance, and quality control of public drinking water, assuring systems are protected from contamination which may injure consumer health.

58-0125-2301, Rules Regulating the Idaho Pollutant Discharge Elimination System Program. ZBR Rewrite establishes procedures and requirements for issuance and maintenance of authorization permits to discharge pollutants to waters of the United States.

NOTICE OF ADOPTED / AMENDED PROCLAMATION(S)

IDAPA 13 – IDAHO FISH AND GAME COMMISSION

13-0000-2300P7, Establishing Seasons and Limits for Hunting, Fishing, and Trapping in Idaho

NOTICES OF INTENT TO PROMULGATE RULES – NEGOTIATED RULEMAKING

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

IDAPA 50 – COMMISSION OF PARDONS AND PAROLE

50-0101-2301, Rules of the Commission of Pardons and Parole

IDAPA 58 – DEPARTMENT OF ENVIRONMENTAL QUALITY

58-0103-2301, Individual/Subsurface Sewage Disposal Rules and Rules for Cleaning of Septic Tanks

58-0110-2301, Rules Regulating the Disposal of Radioactive Materials Not Regulated Under the Atomic Energy Act of 1954, as Amended

IDAPA 59 – PUBLIC EMPLOYEES RETIREMENT SYSTEM OF IDAHO

59-0101-2301, Rules for the Public Employee Retirement System of Idaho (PERSI)

59-0201-2301, Rules for the Judges' Retirement Fund

Please refer to the Idaho Administrative Bulletin **September 6, 2023, Volume 23-9**, 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.

Issues of the Idaho Administrative Bulletin can be viewed at www.adminrules.idaho.gov/
Office of the Administrative Rules Coordinator, Division of Financial Management, PO Box 83720, Boise, ID 83720-0032
Phone: 208-334-3900; Email: adminrules@dfm.idaho.gov