**GOVERNOR’S REGULATORY REVIEW COUNCIL (GRRC)**

**MINUTES OF THE MARCH 6, 2018 COUNCIL MEETING**

The Governor’s Regulatory Review Council Meeting was held on Tuesday, March 6, 2018 at 10:00 a.m., at the Arizona Department of Administration, 100 N. 15th Ave., Room 300, Phoenix, AZ 85007.

**PRESENT:**

**Council Chairwoman:** Nicole O. Colyer (telephonically)

**Council Member:** Connie Wilhelm

**Council Member:** Brenda Burns

**Council Member:** John Sundt

**Council Member:** Christopher Ames (telephonically)

**Council Member:** Frank Thorwald

**Assistant Solicitor General:** Angela Paton

**Staff Attorney:** Chris Kleminich

**Staff Attorney:** Shama Thathi (telephonically)

**Executive Staff Assistant:** Dolores Habre

**Outside Counsel:**  Tim LaSota

**ABSENT:**

**Council Member:** Steve Voeller

1. **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

**Council Member Wilhelm** called the meeting to order at 10:00 a.m.

1. **DISCLOSURE OF CONFLICTS OF INTEREST**

Chairwoman Colyer declared a conflict of interest on Item D and did not participate in any discussion or voting on that agenda item.

Council Member Wilhelm and Assistant Solicitor General Paton declared conflicts of interest on Item K and did not participate in any discussion or voting on that agenda item.

1. **CONSENT AGENDA ITEMS**
2. Rules
   1. **DEPARTMENT OF TRANSPORTATION (R-18-0301)**

Title 17, Chapter 1, Article 7, Advertising and Sponsorship Program

**New Article:** Article 7

**New Section:** R17-1-701; R17-1-702; R17-1-703; R17-1-704; R17-1-705; R17-1-706; R17-1-707; R17-1-708; R17-1-709; R17-1-710; R17-1-711; R17-1-712; R17-1-713; R17-1-714

* 1. **DEPARTMENT OF REVENUE (R-18-0303)**

Title 15, Chapter 5, Article 6, Prime Contracting Classification

**Amend:** R15-5-601

* 1. **DEPARTMENT OF HEALTH SERVICES (R-18-0304)**

Title 9, Chapter 10, Article 1, General

**New Section:** R9-10-120

* 1. **AHCCCS (R-18-0305)**

Title 9, Chapter 28, Article 4, Eligibility and Enrollment

**Amend:** R9-28-408

* 1. **AHCCCS (R-18-0306)**

Title 9, Chapter 28, Article 8, TEFRA Liens and Recoveries

**Amend:** R9-28-801; R9-28-802; R9-28-803; R9-28-806; R9-28-807

**Repeal:** R9-28-801.01

1. Five-Year Review Reports
   1. **NATUROPATHIC PHYSICIANS MEDICAL BOARD**

Title 4, Chapter 18, Article 1, General Provisions; Article 2, Licenses, Specialist Certificates; Continuing Medical Education, Renewal; Article 4, Approval of Schools of Naturopathic Medicine; Article 5, Naturopathic Clinical Training and Preceptorship Training Program Requirements; Article 7, Time-Frames for Board Decisions; Article 8, Experimental Medicine

* 1. **DEPARTMENT OF TRANSPORTATION**

Title 17, Chapter 4, Article 8, Motor Vehicle Records

* 1. **AHCCCS**

Title 9, Chapter 22, Article 5, General Provisions and Standards

* 1. **AHCCCS**

Title 9, Chapter 28, Article 5, Program Contractor and Provider Standards

* 1. **DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 5, All Articles

* 1. **DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 6, Article 1, General

* 1. **DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 6, Article 10, HIV-Related Testing and Notification

* 1. **DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 6, Article 11, STD-Related Testing and Notification

**2.9 DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 10, Article 4, Nursing Care Institutions

**2.10** **DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 10, Article 11, Adult Day Health Care Facilities

**2.11** **DEPARTMENT OF HEALTH SERVICES**

Title 9, Chapter 23, All Articles

**ACTION:** **Member Burns** moved to approve the items on the consent agenda. **Member Thorwald** seconded the motion. The motion passed unanimously.

1. **CONSIDERATION AND DISCUSSION OF RULES**

**DEPARTMENT OF ADMINISTRATION (R-18-0302)**

Title 2, Chapter 1, Article 6, Adjusted Work Hours; Article 8, Reimbursement for Public or Private Transportation; Article 9, Reimbursement for Vanpool Transportation

**Amend:** Article 8; R2-1-801; R2-1-802; R2-1-803; R2-1-804; R2-1-805

**Renumber:** R2-1-602; R2-1-805

**Repeal:** Article 6; R2-1-601; R2-1-603; R2-1-805; Article 9; R2-1-901;

R2-1-902; R2-1-903; R2-1-904; R2-1-905

**Mr. Kleminich** described the status of the rulemaking.

**ACTION: Member Burns** moved to approve the rulemaking. **Member Thorwald** seconded the motion. The motion passed by a unanimous vote. **Chairwoman Colyer** did not participate in the vote.

1. **CONSIDERATION AND DISCUSSION OF FIVE-YEAR REVIEW REPORTS**

None.

1. **CONSIDERATION AND DISCUSSION OF FIVE-YEAR REVIEW REPORT DUE DATE EXTENSION REQUESTS**

**BOARD OF NURSING**

Title 4, Chapter 19, Articles 3 and 8

**DEPARTMENT OF ENVIRONMENTAL QUALITY**

Title 18, Chapter 2, Article 10

**Mr. Kleminich** described the nature of the requests.

**ACTION: Member Burns** moved to approve the requests. **Member Thorwald** seconded the motion. The motion passed by a unanimous vote.

1. CONSIDERATION AND DISCUSSION OF A.R.S. § 41-1008(E) EXTENSION REQUESTS

**DEPARTMENT OF TRANSPORTATION –** R17-4-407(E)

**Mr. Kleminich** described the nature of the request.

**ACTION: Member Burns** moved to approve the request. **Member Thorwald** seconded the motion. The motion passed by a unanimous vote.

1. CONSIDERATION AND DISCUSSION OF THE REVIEW OF RULES OUTSIDE OF THE FIVE-YEAR REVIEW PROCESS

**DEPARTMENT OF TRANSPORTATION**

R20-2-205:        Taxi Cab License Display

**Ms. Thathi** gave a brief presentation.

**ACTION: Member Burns** moved to require a review of the rule by March 13, 2018. **Member Thorwald** seconded the motion. The motion passed by a unanimous vote.

1. CONSIDERATION AND DISCUSSION OF STATUS REPORTS SUBMITTED BY THE DEPARTMENT OF ECONOMIC SECURITY

**Ms. Thathi** gave a brief presentation.

**ACTION: Member Burns** moved to approve the reports. **Member Thorwald** seconded the motion. The motion passed by a unanimous vote.

1. DISCUSSION OF PROPOSED LEGISLATION WITH POTENTIAL IMPACTS ON THE COUNCIL

**Mr. Kleminich** noted that there are no new legislative updates.

1. CONSIDERATION AND DISCUSSION OF *ARIZONA ADVOCACY NETWORK, ET AL. V. STATE OF ARIZONA, ET AL.*

**Mr. Kleminich** gave a brief presentation.

**ACTION: Member Burns** moved to go into executive session for discussion with **Mr. LaSota**. **Member Thorwald** seconded the motion. The motion passed by a unanimous vote. **Member Wilhelm** did not participate in the vote.

The Council went into executive session at 10:07 a.m.

The Council came out of executive session at 10:47 a.m. There was no further discussion on the item.

1. ADJOURNMENT

**Member Burns** adjourned the meeting at 10:48 a.m.

Respectfully submitted by

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*GRRC Executive Staff Assistant*