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**Mary Fallin, Governor**  
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**Secretary of State**  
**Peggy Coe, Editor-in-Chief**

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Oklahoma State <b>PENSION</b> Commission .....	525	State <b>TREASURER</b> .....	735
State Board of Examiners of <b>PERFUSIONISTS</b> .....	527	Board of Regents of <b>TULSA</b> Community College ( <i>exempted</i>	
Office of <b>PERSONNEL</b> Management .....	530	<i>11-1-98</i> ) .....	740
Board of Commercial <b>PET</b> Breeders .....	532	Oklahoma <b>TURNPIKE</b> Authority ( <i>Name changed to Oklahoma</i>	
Oklahoma State Board of <b>PHARMACY</b> .....	535	<b>TRANSPORATION</b> Authority <i>11-1-99</i> - <i>no rules enacted in this</i>	
<b>PHYSICIAN</b> Manpower Training Commission .....	540	<i>Title - See</i> Title 731) .....	745
Board of <b>PODIATRIC</b> Medical Examiners .....	545	Oklahoma <b>UNIFORM</b> Building Code Commission .....	748
Oklahoma <b>POLICE</b> Pension and Retirement System .....	550	Board of Trustees for the <b>UNIVERSITY</b> Center at Tulsa ( <i>exempted</i>	
State Department of <b>POLLUTION</b> Control ( <i>abolished 1-1-93</i> ) .....	555	<i>11-1-98</i> ) .....	750
<b>POLYGRAPH</b> Examiners Board .....	560	<b>UNIVERSITY</b> Hospitals Authority .....	752
Oklahoma Board of <b>PRIVATE</b> Vocational Schools .....	565	<b>UNIVERSITY</b> Hospitals Trust .....	753
State Board for <b>PROPERTY</b> and Casualty Rates		Board of Regents of the <b>UNIVERSITY</b> of Oklahoma ( <i>exempted</i>	
( <i>abolished 7-1-06; see also Title 365</i> ) .....	570	<i>11-1-98</i> ) .....	755
State Board of Examiners of <b>PSYCHOLOGISTS</b> .....	575	Board of Regents of the <b>UNIVERSITY</b> of Science and Arts	
Department of <b>CENTRAL</b> Services ( <i>Formerly</i> : Office of <b>PUBLIC</b>		of Oklahoma ( <i>exempted 11-1-98</i> ) .....	760
Affairs) .....	580	Oklahoma <b>USED</b> Motor Vehicle and Parts Commission .....	765
<b>PUBLIC</b> Employees Relations Board .....	585	Oklahoma Department of <b>VETERANS</b> Affairs .....	770
Oklahoma <b>PUBLIC</b> Employees Retirement System .....	590	Board of <b>VETERINARY</b> Medical Examiners .....	775
Department of <b>PUBLIC</b> Safety .....	595	Oklahoma Department of <b>CAREER</b> and Technology Education	
<b>REAL</b> Estate Appraiser Board .....	600	( <i>Formerly</i> : Oklahoma Department of <b>VOCATIONAL</b> and	
Oklahoma <b>REAL</b> Estate Commission .....	605	Technical Education) .....	780
Board of Regents of <b>REDLANDS</b> Community College ( <i>exempted</i>		Oklahoma <b>WATER</b> Resources Board .....	785
<i>11-1-98</i> ) .....	607	Board of Regents of <b>WESTERN</b> Oklahoma State College ( <i>exempted</i>	
State <b>REGENTS</b> for Higher Education .....	610	<i>11-1-98</i> ) .....	790
State Department of <b>REHABILITATION</b> Services .....	612	Oklahoma <b>WHEAT</b> Commission .....	795
Board of Regents of <b>ROGERS</b> State College ( <i>exempted 11-1-98</i> ) .....	615	Department of <b>WILDLIFE</b> Conservation .....	800
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# Notices of Rulemaking Intent

Prior to adoption and gubernatorial/legislative review of a proposed PERMANENT rulemaking action, an agency must publish a Notice of Rulemaking Intent in the *Register*. In addition, an agency may publish a Notice of Rulemaking Intent in the *Register* prior to adoption of a proposed EMERGENCY or PREEMPTIVE rulemaking action.

A Notice of Rulemaking Intent announces a comment period, or a comment period and public hearing, and provides other information about the intended rulemaking action as required by law, including where copies of proposed rules may be obtained.

*For additional information on Notices of Rulemaking Intent, see 75 O.S., Section 303.*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 13. FUEL ALCOHOL**

*[OAR Docket #12-32]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

35:13-1-1. [AMENDED]

35:13-1-2. [AMENDED]

### **SUMMARY:**

The proposed amendments incorporate the date for the most recent version of the Code of Federal Regulations for the Fuel Alcohol program.

### **AUTHORITY:**

State Board of Agriculture; 2 O.S. §§ 2-4, 2-18, 11-20 et seq.; Article 6, Section 31, Constitution of the State of Oklahoma.

### **COMMENT PERIOD:**

Persons may submit written comments to Bennett Abbott at [bennett.abbott@ag.ok.gov](mailto:bennett.abbott@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period from February 1, 2012 through March 2, 2012.

### **PUBLIC HEARING:**

A public hearing will be held at 9:00 a.m., March 2, 2012 in the Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Bennett Abbott at the above address during the period from February 1, 2012 through March 2, 2012.

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [www.ag.ok.gov/proposedrules](http://www.ag.ok.gov/proposedrules) or by contacting Bennett Abbott at the above address.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the above address.

### **CONTACT PERSON:**

Bennett Abbott, (405) 522-5803, e-mail address: at [bennett.abbott@ag.ok.gov](mailto:bennett.abbott@ag.ok.gov).

*[OAR Docket #12-32; filed 1-11-12]*

## **TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 17. WATER QUALITY**

*[OAR Docket #12-31]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 5. Registered Poultry Feeding Operations

35:17-5-11 [AMENDED]

Subchapter 7. Poultry Waste Applicators Certification

35:17-7-8 [AMENDED]

### **SUMMARY:**

The proposed amendments incorporate changes to education requirements of operators of poultry feeding operations and poultry waste applicators. The proposed amendments are necessary to make the Department's rules consistent with the changes to 2 O.S. § 10-9.5 as modified by SB 92 and effective on January 1, 2012.

### **AUTHORITY:**

Article 6, Section 31, Constitution of the State of Oklahoma; and State Board of Agriculture; 2 O.S. §§ 2-4, 10-9 et seq.

### **COMMENT PERIOD:**

Persons may submit written comments to Bennett Abbott at [bennett.abbott@ag.ok.gov](mailto:bennett.abbott@ag.ok.gov), 2800 North Lincoln Boulevard, P.O. Box 528804, Oklahoma City, Oklahoma 73152-8804 during the period from February 1, 2012 through March 2, 2012.

### **PUBLIC HEARING:**

A public hearing will be held at 9:30 a.m., March 2, 2012 in the Board Room, located at the Oklahoma Department of Agriculture, Food, and Forestry, 2800 North Lincoln Boulevard, Oklahoma City, Oklahoma.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to

## Notices of Rulemaking Intent

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Bennett Abbott at the above address during the period from February 1, 2012 through March 2, 2012.

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained by visiting [www.ag.ok.gov/proposedrules](http://www.ag.ok.gov/proposedrules) or by contacting Bennett Abbott at the above address.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement is available at the above address.

### **CONTACT PERSON:**

Bennett Abbott, (405) 522-5803, e-mail address: at [bennett.abbott@ag.ok.gov](mailto:bennett.abbott@ag.ok.gov).

*[OAR Docket #12-31; filed 1-11-12]*

## **TITLE 92. OKLAHOMA STATE ATHLETIC COMMISSION CHAPTER 10. RULES FOR BOXING AND OTHER ACTIVITIES**

*[OAR Docket #12-34]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions

92:10-1-2 [AMENDED]

92:10-1-5 [AMENDED]

92:10-1-8 [AMENDED]

### **SUMMARY:**

The proposed rules modify definitions to accord with the Commission's enabling act. The proposed rules also provide a deadline for submission of bout cards, clarify the prohibition against mixed-gender competition and clarify circumstances under which the Commission can impose administrative penalties and otherwise contain clean-up language.

### **AUTHORITY:**

3A O.S.2011, § 603; Oklahoma State Athletic Commission

### **COMMENT PERIOD:**

Written and oral comments will be accepted until the conclusion of the rules hearing on March 7, 2012. Comments may be submitted to Joe Miller, Oklahoma State Athletic Commission, 1000 NE 10th Street, Room 1213, Oklahoma City, OK 73117-1299. The comment period is from February 1, 2012, to March 7, 2012.

### **PUBLIC HEARING:**

A public hearing has been scheduled for March 7, 2012, at the Oklahoma State Department of Health, 1000 NE 10th Street, Room 314, Oklahoma City, OK, at 1:30 p.m.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the agency with information in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by

the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Joe Miller, Oklahoma State Athletic Commission, 1000 NE 10th Street, Room 1213, Oklahoma City, OK 73117-1299. The Commission is not aware of any business entities affected by these proposed rules.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rule may be obtained from the Oklahoma State Athletic Commission. Copies may be obtained by written request mailed to the attention of Joe Miller, Oklahoma State Athletic Commission, 1000 NE 10th Street, Room 1213, Oklahoma City, OK 73117-1299.

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303 (D), a rule impact statement will be prepared and available for review after February 15, 2011. A copy of the rule impact statement may be obtained by written request mailed to the attention of Joe Miller, Oklahoma State Athletic Commission, 1000 NE 10th Street, Room 1213, Oklahoma City, OK 73117-1299.

### **CONTACT PERSONS:**

Joe Miller, Administrator, Oklahoma State Athletic Commission (405) 271-2694; and Grant Moak, Assistant Attorney General, at (405) 522-0152.

*[OAR Docket #12-34; filed 1-11-12]*

## **TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS CHAPTER 1. ADMINISTRATIVE ORGANIZATION AND OPERATIONS**

*[OAR Docket #11-1261]*

### **INTENDED RULEMAKING ACTION:**

Notice of proposed Permanent rulemaking

### **PROPOSED RULES:**

Chapter 1. Administrative Organization and Operations  
[AMENDED]

### **SUMMARY:**

The proposed revisions to Chapter 1 include changes necessary to amend current rules to include definitions for "certified chiropractic assistants" and "nonclinical".

### **AUTHORITY:**

HB 1658; Board of Chiropractic Examiners

### **COMMENT PERIOD:**

Written comments will be accepted February 1, 2012 through March 2, 2012 at: Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105, Attn: Beth Carter

### **PUBLIC HEARING:**

Public hearing is scheduled on March 13, 2012 9:00 a.m. at the Office of the Board of Veterinary Medical Examiners and the Oklahoma Board of Dentistry conference room, 201 N. E. 38th Terrace, Suite 1 and 2, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Oklahoma Board Of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**RULE IMPACT STATEMENT:**

The rule impact statement may be obtained from the Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**CONTACT PERSON:**

Beth Carter (405) 524-6223

*[OAR Docket #11-1261; filed 12-29-11]*

**TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS  
CHAPTER 3. DISCIPLINARY PROCEDURES**

*[OAR Docket #11-1262]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed Permanent rulemaking

**PROPOSED RULES:**

Chapter 3. Disciplinary Procedures [AMENDED]

**SUMMARY:**

The proposed revisions to Chapter 3 include amending language in this rule to coincide with current statutes in Title 59 O.S. Section 161.6 which relate to the investigator employed or contracted with by the Oklahoma Board of Chiropractic Examiners. The rule will set out requirements and procedures that the Investigator, Advisory Committee, Executive Director and the board must follow during the investigation of all formal complaints filed by members of the public regarding chiropractic physicians.

**AUTHORITY:**

SB 299; Board of Chiropractic Examiners

**COMMENT PERIOD:**

Written comments will be accepted February 1, 2012 through March 2, 2012 at: Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105, Attn: Beth Carter

**PUBLIC HEARING:**

Public hearing is scheduled on March 13, 2012 9:00 a.m. at the Office of the Board of Veterinary Medical Examiners and the Oklahoma Board of Dentistry conference room, 201 N. E. 38th Terrace, Suite 1 and 2, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Oklahoma Board Of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**RULE IMPACT STATEMENT:**

The rule impact statement may be obtained from the Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**CONTACT PERSON:**

Beth Carter (405) 524-6223

*[OAR Docket #11-1262; filed 12-29-11]*

**TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS  
CHAPTER 10. LICENSURE OF CHIROPRACTIC PHYSICIANS**

*[OAR Docket #11-1263]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed Permanent rulemaking

**PROPOSED RULES:**

Chapter 10. Licensure of Chiropractic Physicians [AMENDED]

**SUMMARY:**

The proposed revisions to chapter 10 include changes necessary to amend current language regarding licensure, fees and amendments to definitions in this chapter.

**AUTHORITY:**

59 O.S. Supp 2008, SEC.; Board of Chiropractic Examiners

**COMMENT PERIOD:**

Written comments will be accepted February 1, 2012 through March 2, 2012 Oklahoma Board of Chiropractic Examiners. 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105, Attn: Beth Carter

**PUBLIC HEARING:**

Public hearing is scheduled on March 13, 2012 9:00 a.m. at the Office of the Board of Veterinary Medical Examiners and the Oklahoma Board of Dentistry conference room, 201 N. E. 38th Terrace, Suite 1 and 2, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**RULE IMPACT STATEMENT:**

The rule impact statement may be obtained from the Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup>

## Notices of Rulemaking Intent

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Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**CONTACT PERSON:**

Beth Carter (405) 524-6223

*[OAR Docket #11-1263; filed 12-29-11]*

**TITLE 140. BOARD OF CHIROPRACTIC EXAMINERS**  
**CHAPTER 30. CERTIFIED CHIROPRACTIC ASSISTANTS**

*[OAR Docket #11-1264]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed Permanent rulemaking

**PROPOSED RULES:**

Chapter 30. Certified Chiropractic Assistants [NEW]

**SUMMARY:**

The proposed new rule for Chapter 30

**AUTHORITY:**

HB 1658 effective November 1, 2011; Board of Chiropractic Examiners

**COMMENT PERIOD:**

Written comments will be accepted February 1, 2012 through March 2, 2012 at: Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105, Attn: Beth Carter

**PUBLIC HEARING:**

Public hearing is scheduled on March 13, 2012 9:00 a.m. at the Office of the Board of Veterinary Medical Examiners and the Oklahoma Board of Dentistry conference room, 201 N. E. 38<sup>th</sup> Terrace, Suite 1 and 2, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Oklahoma Board Of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**RULE IMPACT STATEMENT:**

The rule impact statement may be obtained from the Oklahoma Board of Chiropractic Examiners, 201 N.E. 38<sup>th</sup> Terrace, Suite 3, Oklahoma City, Oklahoma 73105. Telephone 405-524-6223.

**CONTACT PERSON:**

Beth Carter (405) 524-6223

*[OAR Docket #11-1264; filed 12-29-11]*

**TITLE 160. DEPARTMENT OF CONSUMER CREDIT**  
**CHAPTER 5. FEES**

*[OAR Docket #12-15]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

160:5-1-2 [AMENDED]

**SUMMARY:**

The proposed rule amendment allows the Administrator of Consumer Credit to authorize the refund of a fee paid to the Department of Consumer Credit for good cause shown by an applicant or licensee. The proposed rule amendment also modifies existing language to indicate that fees are non-refundable unless required or indicated otherwise by statute or rule.

**AUTHORITY:**

Commission on Consumer Credit; 14A O.S. § 6-302.

**COMMENT PERIOD:**

Written and oral comments will be accepted during the period of February 1, 2012 to March 7, 2012. Comments may be submitted to Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56<sup>th</sup> Street, Suite 240, Oklahoma City, OK 73112 or via email at [rmartin@okdocc.ok.gov](mailto:rmartin@okdocc.ok.gov).

**PUBLIC HEARING:**

A public hearing regarding the proposed rules will be held at 9:30 a.m. on Wednesday, March 7, 2012 at the Department of Consumer Credit conference room, 3613 N.W. 56<sup>th</sup> Street, Suite 240, Oklahoma City, OK 73112.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by the proposed rule are requested to provide the agency with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rule. Business entities may submit this information in writing during the period from February 1, 2012 to March 7, 2012 at the above address.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained from the Department of Consumer Credit, 3613 N.W. 56<sup>th</sup> Street, Suite 240, Oklahoma City, OK 73112 or the Department of Consumer Credit Internet website at [www.ok.gov/okdocc/Rules\\_and\\_Actions/index.html](http://www.ok.gov/okdocc/Rules_and_Actions/index.html).

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S. § 303(D), a rule impact statement will be prepared and will be available on and after February 16, 2012 at the same locations listed above for reviewing and obtaining copies of the proposed rules.

**CONTACT PERSON:**

Roy John Martin, General Counsel, Department of Consumer Credit, 3613 N.W. 56th Street, Suite 240, Oklahoma City, OK 73105, 405-521-3653, rmartin@okdocc.ok.gov.

*[OAR Docket #12-15; filed 1-9-12]*

**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 1. ADMINISTRATIVE  
OPERATIONS**

*[OAR Docket #12-11]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
- 365:1-1-4. Requests for Information [AMENDED]
- Subchapter 9. Description of Forms and Instructions
- 365:1-9-18. Bail bond forms [AMENDED]

**SUMMARY:**

The amendment to 365:1-1-4 updates the address and phone number of the Office of the Insurance Commissioner and now requires all requests for information from the public be in written form. The amendment to 365:1-9-18 updates the requirements for the bail bondsman application by requiring the applicant complete the application and comply with pertinent statutes. It also clarifies language that the bondsman execute a "pledge of the certificate of deposit" and an "assignment of the annuity deposit" regarding payment of unpaid bond forfeitures. The amended language adds that the license reinstatement period be a period of within one year after the expiration date and that a reinstatement fee shall be double the license fee. It also adds that name changes for individual licenses require proper documentation at the time of the request.

**AUTHORITY:**

Insurance Commissioner, 36 O.S. §§ 307.1 and 59 O.S. § 1302

**COMMENT PERIOD:**

Written or oral comments regarding the proposed rule amendment shall be received on or before March 2, 2012. Comments shall be directed to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

**PUBLIC HEARING:**

A public hearing regarding the proposed rule amendments will be held March 7, 2012, at 9:30 a.m. at the Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the

proposed rules. The comments shall be submitted to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, at the mailing address above on or before March 2, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Additional copies of the rules may also be obtained at the Oklahoma Insurance Department.

**RULE IMPACT STATEMENT:**

A rule impact statement will be available on and after February 1, 2012, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above.

**CONTACT PERSON:**

Julie Meaders, Assistant General Counsel, (405) 521-2746.

*[OAR Docket #12-11; filed 1-9-12]*

**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 10. LIFE, ACCIDENT AND  
HEALTH**

*[OAR Docket #12-12]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
- Part 1. General Provisions
- 365:10-1-15. Eliminating unfair discrimination on basis of children as single applicants [AMENDED]
- 365:10-1-16. Providing insurance policy information [NEW]
- Part 3. Standardized Health Claim Forms
- 365:10-1-31. Definitions [AMENDED]
- 365:10-1-32. Requirements for use of HCFA form 1500 and HCFA form 1491 [AMENDED]
- Subchapter 5. Minimum Standards; Contract Guidelines
- Part 7. Credit Life and Credit Accident and Health Insurance
- 365:10-5-73. Agent or representative compensation [AMENDED]
- Part 15. Small Employer Health Insurance Reform Regulation
- 365:10-5-150. Statement of purpose [AMENDED]
- 365:10-5-155. Restrictions relating to premium rates [AMENDED]
- 365:10-5-164. Uniform Health Questionnaire [NEW]
- Part 17. Actuarial Opinion and Memorandum Regulation
- 365:10-5-177. Description of actuarial memorandum including an asset adequacy analysis [AMENDED]
- Subchapter 29. External Review Regulations [NEW]
- 365:10-29-1. Purpose [NEW]
- 365:10-29-2. Applicability and Scope [NEW]

## Notices of Rulemaking Intent

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- 365:10-29-3. Definitions [NEW]
- 365:10-29-4. Notice of Right to an External Review and External Review Procedures [NEW]
- 365:10-29-5. Authorization to Disclose Protected Health Information [NEW]
- 365:10-29-6. External Review Requests [NEW]
- 365:10-29-7. Notice of Initial Determination [NEW]
- 365:10-29-8. Independent Review Organization Application [NEW]
- 365:10-29-9. Independent Review Organization Recordkeeping and Reporting Requirements [NEW]
- 365:10-29-10. Health Carrier Recordkeeping and Reporting Requirements [NEW]
- Appendix PP. Notice of Appeal Rights [NEW]
- Appendix QQ. External Review Request Form [NEW]
- Appendix RR. Application for Registration as an Independent Review Organization [NEW]
- Appendix SS. Independent Review Organization External Review Annual Report Form [NEW]
- Appendix TT. Health Carrier External Review Annual Report Form [NEW]
- Appendix UU. Policy Holder's Authorization to Release Insurance Policy Information to Agent of Record [NEW]
- Appendix VV. Uniform Health Questionnaire [NEW]

### **SUMMARY:**

The definition of "qualifying event" was amended in 365:10-1-15 to encourage insurers issuing individual accident and health policies within the state to participate in an annual open enrollment period for children under the age of 19. During the annual open enrollment period, children under the age of (19) shall be offered coverage on a guaranteed issue basis, without any limitations or riders based on health status.

New rule 365:10-1-16 designates that insurers shall use the "Policy Holder's Authorization To Release Insurance Policy Information To Agent Of Record" form, specified in Appendix UU, or a substantially similar form to comply with 36 O.S. § 1435.41. 365:10-1-31 and 32 are amended to change reference from ICD 9 to ICD 10.

The amendment to 365:10-5-73 allows travel incentives for captive agents because the risk of improper steering of business to particular insurers does not apply to captive agents who only write insurance for a specific insurer. The amendment to 365:10-5-150 deletes a reference to the reinsurance program because it was legislatively repealed in 2010. The amendment to 365:10-5-155 removes group size as a case characteristic because 36 O.S. § 6512(7) does not permit group size as a case characteristic. Pursuant to 36 O.S. § 6519(D), new rule 365:10-5-164 requires all small employer carriers that obtain health status information from a small employer to use the uniform health questionnaire specified in Appendix VV prior to offering coverage. The purpose of the amendment to 365:10-5-177 is to avoid duplicative procedure by requiring the appointed actuary to only submit the regulatory asset adequacy issues summary to the insurance company's domestic regulator.

The new Subchapter 29 creates rules for the implementation and regulation of the Uniform Health Carrier External Review

Act. 365:10-29-1 sets forth the purpose of new subchapter 29. 365:10-29-2 sets forth the applicability and scope of subchapter 29. 365:10-29-3 sets forth that all terms used in subchapter 29 shall have the same meaning as defined in 36 O.S. § 6475.4(B). 365:10-29-4 provides for the manner a health carrier shall provide notice as set out in the Notice of Appeal Rights form in Appendix PP. 365:10-29-5 requires that health carriers providing notice shall provide a form authorizing the health care provider to disclose protected health information as set out in the Oklahoma State Department of Health Standard Authorization form, ODH 206, or in the alternative, a form that complies with 45 CFR § 164.508 and 43A O.S. § 1-109. 365:10-29-6 provides for the manner a covered person or authorized representative shall request an external review as set out in the External Review Request form in Appendix QQ. 365:10-29-7 provides that a Notice of Initial Determination shall be made in writing to the same address as the External Review Request form in Appendix QQ. 365:10-29-8 provides that an independent review organization certified by the Oklahoma State Department of Health to do external review as of August 25, 2011, may apply one time before December 31, 2011, for temporary approval effective for 180 days and sets out the necessary information required to be submitted for the temporary application. It also references the Application for Registration as an Independent Review Organization form in Appendix RR as the application to be otherwise used by independent review organizations seeking approval to conduct external reviews. 365:10-29-9 relates to the recordkeeping and reporting requirements that each independent review organization shall follow as set out in the Independent Review Organization External Review Annual Report form in Appendix SS. 365:10-29-10 relates to the recordkeeping and reporting requirements each health carrier shall follow as set out in the Health Carrier External Review Annual Report form in Appendix TT.

### **AUTHORITY:**

Insurance Commissioner; 36 O.S. § 307.1, 36 O.S. § 4061, 36 O.S. § 6475.5(A)(3), 36 O.S. § 6475.6(A)(2), 36 O.S. § 6475.12(G), 36 O.S. § 6526

### **COMMENT PERIOD:**

Written or oral comments regarding the proposed rule amendment shall be received on or before March 2, 2012. Comments shall be directed to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

### **PUBLIC HEARING:**

A public hearing regarding the proposed rule amendment will be held March 7, 2012, at 9:30 a.m. at the Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Julie

Meaders, Assistant General Counsel, Oklahoma Insurance Department, at the mailing address above on or March 2, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Additional copies of the rules may also be obtained at the Oklahoma Insurance Department.

**RULE IMPACT STATEMENT:**

A rule impact statement will be available on and after February 1, 2012 in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above.

**CONTACT PERSON:**

Julie Meaders, Assistant General Counsel, (405) 521-2746.

*[OAR Docket #12-12; filed 1-9-12]*

**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 15. PROPERTY AND CASUALTY**

*[OAR Docket #12-13]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 7. Property and Casualty Competitive Loss Cost Rating Regulation

365:15-7-3. Property and casualty rate, loss cost and manual rule filings [AMENDED]

365:15-7-30. Special Commercial Risks [AMENDED]

**SUMMARY:**

365:15-7-3 is amended to update the address of the Oklahoma Insurance Commissioner. 365: 15-7-30 requires a renumbering of paragraphs to be consistent with the amendment to 36 O.S. § 997, effective November 1, 2010.

**AUTHORITY:**

Insurance Commissioner, 36 O.S. §§ 307.1, 907 and 986.

**COMMENT PERIOD:**

Written or oral comments regarding the proposed rule amendment shall be received on or before March 2, 2012. Comments shall be directed to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

**PUBLIC HEARING:**

A public hearing regarding the proposed rule amendment will be held March 7, 2012, at 9:30 a.m. at the Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Julie Meaders, Assistant General Counsel, Oklahoma Insurance

Department, at the mailing address above on or before March 2, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Additional copies of the rules may also be obtained at the Oklahoma Insurance Department.

**RULE IMPACT STATEMENT:**

A rule impact statement will be available on and after February 1, 2012, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above.

**CONTACT PERSON:**

Julie Meaders, Assistant General Counsel, (405) 521-2746.

*[OAR Docket #12-13; filed 1-9-12]*

**TITLE 365. INSURANCE DEPARTMENT  
CHAPTER 25. LICENSURE OF  
PRODUCERS, ADJUSTERS, BAIL  
BONDSMEN, COMPANIES, PREPAID  
FUNERAL BENEFITS, CEMETERY  
MERCHANDISE TRUSTS, AND VIATICAL  
SETTLEMENT PROVIDERS AND BROKERS**

*[OAR Docket #12-14]*

**INTENDED RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Producers, Brokers, Limited Lines Producers and Vehicle Protection Product Warrantors

365:25-3-1. Insurance producers continuing education [AMENDED]

365:25-3-14. Insurance adjusters continuing education [AMENDED]

Subchapter 5. Bail Bondsmen

Part 1. Continuing Education for Bail Bondsmen

365:25-5-3. Education requirements [AMENDED]

365:25-5-4. Application for course approval [AMENDED]

Part 5. General Provisions Pertaining to Bail Bondsmen

365:25-5-34. Professional bondsman deposits [AMENDED]

365:25-5-35. Bondsman license renewal [AMENDED]

365:25-5-43. Appointments [AMENDED]

**SUMMARY:**

The amendments to sections 365:25-3-1(d)(1) and 365:25-3-14(d)(1) make the rules consistent with changes to 36 O.S. §§ 1435.29(A)(1) and 6217(B) effective November 1, 2011, which no longer require continuing education be in the subjects of the lines for which the insurance producer or adjuster is licensed. The amendments to 365:25-3-1(d)(6) and 365:25-3-14(d)(5) change the word "met" to "reported" due to the continuing education reporting requirements of the new producer and adjuster data base implemented in June 2011.

## Notices of Rulemaking Intent

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The amendment to 365:25-5-3(b) reflects that bail bondsman must complete eight (8) credit hours of continuing education annually to meet the biennial requirement. The amendment to 365:25-5-4 reflects the change from the annual Oklahoma Bondsman Association's submission for continuing education course approval period to a biennial period. The amendment to 365:25-5-34 eliminates the requirement that a professional bondsman making an additional or replaced deposit appear in person at the Office of the Insurance Commissioner and now allows a professional bondsman to mail an additional or replaced deposit via certified mail. It also states that the additional or replaced deposit is not added or included in the deposit total until received, processed and accepted by the Insurance Department staff. 365:25-5-35 amends terminology in the rule from "renewal" to "reinstatement" to reflect that a reinstatement is not a late renewal but instead requires a new application based on the original license application fee of \$250.00 plus an additional \$250.00 for late reinstatement for a total of \$500.00. 365:25-5-43 amends language because the bail bondman's appointment form is now electronically sent to the appropriate county court clerk instead of being mailed.

### **AUTHORITY:**

Insurance Commissioner, 36 O.S. §§ 307.1, 1435.19, 1435.29, 6217, 59 O.S. §§ 1302 and 1308.1.

### **COMMENT PERIOD:**

Written or oral comments regarding the proposed rule amendment shall be received on or before March 2, 2012. Comments shall be directed to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

### **PUBLIC HEARING:**

A public hearing regarding the proposed rule amendment will be held March 7, 2012, at 9:30 a.m. at the Oklahoma Insurance Department, Five Corporate Plaza, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities are requested to provide any increase in costs expected to be incurred due to compliance with the proposed rules. The comments shall be submitted to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, at the mailing address above on or before March 2, 2012.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rule amendments may be inspected at the Oklahoma Insurance Department at the physical address listed above. Office hours are from 8:00 a.m. through 5:00 p.m., Monday through Friday. Additional copies of the rules may also be obtained at the Oklahoma Insurance Department.

### **RULE IMPACT STATEMENT:**

A rule impact statement will be available on and after February 1, 2012, in accordance with 75 O.S. § 303(D). A copy of the statement may be obtained at the physical address above.

### **CONTACT PERSON:**

Julie Meaders, Assistant General Counsel, (405) 521-2746.

*[OAR Docket #12-14; filed 1-9-12]*

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## **TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 1. AGENCY AUTHORITY AND OBJECTIVES**

*[OAR Docket #12-16]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

390:1-1-4 [AMENDED]

390:1-1-6 [AMENDED]

### **SUMMARY:**

Amendments are necessary to include approval of new law enforcement agencies and police departments in accordance with statutory mandate, and to clarify statutory citations.

### **AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., Section 3311(B)(20) and 70 O.S., Section 3311, et seq.

### **COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to [norma.floyd@cleet.state.ok.us](mailto:norma.floyd@cleet.state.ok.us).

### **PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Norma Floyd, Administrative Assistant, (405) 239-5166.

[OAR Docket #12-16; filed 1-10-12]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 2. ADMINISTRATIVE PROCEDURES**

[OAR Docket #12-17]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 390:2-1-2 [AMENDED]
- 390:2-1-4 [AMENDED]
- 390:2-1-11 [AMENDED]

**SUMMARY:**

Amendments are necessary to correct statutory citations and to allow more time for subpoenas to be submitted prior to hearings.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., Section 3311 *et seq.*; 59 O.S., Section 1451 *et seq.*; 59 O.S., Section 1750 *et seq.*; 20 O.S., Section 1313.12; 21 O.S. Section 1289.9 and 21 O.S. Section 1290.1 *et seq.*

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to norma.floyd@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at www.ok.gov/cleet.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Norma Floyd, Administrative Assistant, (405) 239-5166.

[OAR Docket #12-17; filed 1-10-12]

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 10. PEACE OFFICER CERTIFICATION**

[OAR Docket #12-18]

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 390:10-1-5 [AMENDED]
- 390:10-1-7 [AMENDED]

**SUMMARY:**

Amendments are necessary to clarify inactive officers, and to make testing timelines consistent throughout CLEET Rules. Amendments also include new statutory mandate for officers who have been suspended, revoked or voluntarily surrendered their certification to pay a One Hundred Fifty Dollar (\$150.00) fee upon reinstatement.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., Section 3311(K)(10)(c) and 70 O.S., Section 3311, *et seq.*

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to norma.floyd@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

## Notices of Rulemaking Intent

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### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012 at the CLEET offices and web address listed above.

### CONTACT PERSON:

Norma Floyd, Administrative Assistant, (405) 239-5166.

*[OAR Docket #12-18; filed 1-10-12]*

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### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 15. BASIC PEACE OFFICER CERTIFICATION TRAINING

*[OAR Docket #12-19]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

Subchapter 1. Basic Academy Programs

390:15-1-13 [AMENDED]

390:15-1-18 [AMENDED]

Subchapter 3. Collegiate Officer Program

390:15-3-7 [AMENDED]

390:15-3-8 [AMENDED]

### SUMMARY:

Amendments are necessary to clarify current academy and collegiate officer program procedures related to firearms training. Amendments also clarify statutory certification requirements and clarify cadet attendance policies, and makes testing requirements consistent.

### AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., Section 3311(B)(2), 70 O.S., Section 3311(J) and 70 O.S., Section 3311, et seq.

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to [norma.floyd@cleet.state.ok.us](mailto:norma.floyd@cleet.state.ok.us).

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment

period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012, at the CLEET offices and web address listed above.

### CONTACT PERSON:

Norma Floyd, Administrative Assistant, (405)239-5166.

*[OAR Docket #12-19; filed 1-10-12]*

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### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 20. RESERVE OFFICER CERTIFICATION AND TRAINING

*[OAR Docket #12-20]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:20-1-5 [AMENDED]

390:20-1-15 [NEW]

### SUMMARY:

Amendment removes gender reference for reserve academy coordinators. Amendments also are necessary to address recent statutory changes requiring a One Hundred Fifty Dollar (\$150.00) reinstatement fee for reserve officers who have been suspended, revoked or have voluntarily surrendered their certification.

### AUTHORITY:

Council on Law Enforcement Education and Training; 11 O.S., Section 34-101; 19 O.S., Section 547; 63 O.S., Sections 683.1 et. seq.; 70 O. S., Section 3311 (A), 70 O.S., Section 3311(E)(2)(g), 70 O.S., Section 3311 (K)(10)(c), and 70 O.S., Section 3311, et seq.

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to [norma.floyd@cleet.state.ok.us](mailto:norma.floyd@cleet.state.ok.us).

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in

at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012, at CLEET, 2401 Egypt Road, Ada, Oklahoma.  
**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at www.ok.gov/cleet.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012, at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Norma Floyd, Administrative Assistant, (405) 239-5166.

*[OAR Docket #12-20; filed 1-10-12]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 25. CONTINUING LAW ENFORCEMENT EDUCATION**

*[OAR Docket #12-21]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

390:25-1-14 [AMENDED]

**SUMMARY:**

Amendments are necessary to include new statutory mandate that officers who have their certification revoked, voluntarily surrendered, or suspended for failure to meet annual training requirements, must pay a One Hundred Fifty Dollar, (\$150.00) reinstatement fee.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O. S., Section 3311 (A); 70 O.S., Section 3311 (B)(2); 70 O.S. Section 3311(K)(10)(c); and 70 O.S., Section 3311, et seq.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to norma.floyd@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at www.ok.gov/cleet.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Norma Floyd, Administrative Assistant, (405) 239-5166.

*[OAR Docket #12-21; filed 1-10-12]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 27. POLICE OFFICER ANNUAL FIREARMS REQUALIFICATION**

*[OAR Docket #12-22]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

390:27-1-5 [AMENDED]

390:27-1-6 [AMENDED]

**SUMMARY:**

Amendment is necessary to address new statutory mandate requiring individuals who have had their certification revoked, voluntarily surrendered or suspended for failure to obtain annual education or training requirements to pay a One Hundred Fifty, (\$150.00) reinstatement fee. Amendment also allows individuals to submit CLEET identifying number in lieu of social security number for record keeping.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., Section 3311(A); 70 O.S., Section 3311 (B)(2); 70 O.S., Section 3311(K)(10)(c); and 70 O.S., Section 3311, et seq.

## Notices of Rulemaking Intent

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### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012, at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to [norma.floyd@cleet.state.ok.us](mailto:norma.floyd@cleet.state.ok.us).

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012, at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012 at the CLEET offices and web address listed above.

### CONTACT PERSON:

Norma Floyd, Administrative Assistant, (405) 239-5166.

*[OAR Docket #12-22; filed 1-10-12]*

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### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 30. CDS DETECTOR DOG CERTIFICATION

*[OAR Docket #12-23]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:30-1-6 [AMENDED]

### SUMMARY:

Amendment is necessary to update rules to reflect current testing process. Amendment will allow CLEET to address minimum standards as required by 70 O.S., Section 3311(L)(2).

### AUTHORITY:

Council on Law Enforcement Education and Training; 70 O.S., Section 3311 (B)(9), 70 O.S., Section 3311 (L)(2); 70 O.S., Section 3311(L)(2), and 70 O.S., Section 3311, et seq.

### COMMENT PERIOD:

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to [norma.floyd@cleet.state.ok.us](mailto:norma.floyd@cleet.state.ok.us).

### PUBLIC HEARING:

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at [www.ok.gov/cleet](http://www.ok.gov/cleet).

### RULE IMPACT STATEMENT:

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012 at the CLEET offices and web address listed above.

### CONTACT PERSON:

Norma Floyd, Administrative Assistant (405) 239-5166.

*[OAR Docket #12-23; filed 1-10-12]*

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### TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING CHAPTER 31. BOMB DETECTOR DOG CERTIFICATION

*[OAR Docket #12-24]*

### RULEMAKING ACTION:

Notice of proposed PERMANENT rulemaking

### PROPOSED RULES:

390:31-1-3 [AMENDED]

390:31-1-5 [AMENDED]

### SUMMARY:

Amendments are non-substantial and necessary to update rules to reflect current licensing process and testing agencies.

Amendment will allow CLEET to address minimum standards as required by 70 O.S. 3311(L)(2).

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., Section 3311 (B)(9), 70 O.S., Section 3311(L)(2), and 70 O.S., Section 3311, et seq.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to norma.floyd@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at www.ok.gov/cleet.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Norma Floyd, Administrative Assistant (405) 239-5166.

*[OAR Docket #12-24; filed 1-10-12]*

**TITLE 390. COUNCIL ON LAW ENFORCEMENT EDUCATION AND TRAINING  
CHAPTER 55. FACILITIES MANAGEMENT**

*[OAR Docket #12-25]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- 390:55-1-11 [AMENDED]
- 390:55-1-12 [AMENDED]

**SUMMARY:**

Amendments are necessary to update rules to reflect current cafeteria vendor processes, and allow CLEET to charge for replacement name tags for students and visitors.

**AUTHORITY:**

Council on Law Enforcement Education and Training; 70 O.S., Section 3311(B)(13), and 70 O.S., Section 3311, et seq.

**COMMENT PERIOD:**

Persons wishing to make written or oral comments may do so by 4:00 p.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, Attn: Norma Floyd, or by e-mail to norma.floyd@cleet.state.ok.us.

**PUBLIC HEARING:**

Public hearings will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 5 minutes to speak and must sign in at the door. The public hearing will be held at 10:00 a.m. on March 6, 2012 at CLEET, 2401 Egypt Road, Ada, Oklahoma.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

CLEET requests that business entities affected by these proposed rule changes provide CLEET, within the comment period, in dollar amounts if possible, the increase in the level of direct costs such as fees, and indirect costs such as labor, reporting, professional services or other costs expected to be incurred by the particular business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Norma Floyd, at the above address, before the close of the comment period on March 6, 2012.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained by contacting Norma Floyd at CLEET, 2401 Egypt Road, Ada, Oklahoma 74820-0669, (405) 239-5166, or from the CLEET web site at www.ok.gov/cleet.

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be issued and made available on February 3, 2012 at the CLEET offices and web address listed above.

**CONTACT PERSON:**

Norma Floyd, Administrative Assistant (405) 239-5166.

*[OAR Docket #12-25; filed 1-10-12]*

**TITLE 435. STATE BOARD OF MEDICAL LICENSURE AND SUPERVISION  
CHAPTER 10. PHYSICIANS AND SURGEONS**

*[OAR Docket #12-33]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

- Subchapter 1. General Provisions
- 435:10-1-4. Definitions [AMENDED]

## Notices of Rulemaking Intent

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Subchapter 7. Regulation of Physician and Surgeon Practice

435:10-7-4. Unprofessional conduct [AMENDED]

435:10-7-11. Use of controlled substances for the management of chronic pain [AMENDED]

Subchapter 13. Supervision of Advanced Practice Nurse with Prescriptive Authority

435:10-13-2. Eligibility to supervise advanced practice nurse with prescriptive authority [AMENDED]

### SUMMARY:

The proposed amendments clarify the definition of "physician/patient relationship" to mean that it does not require a face-to-face visit with the patient for the provision of immunizations. Additional amendments address proper prescribing of Scheduled drugs for pain not associated with malignancy or terminal illness, requiring documented use of the prescription monitoring program and proper record keeping. Amendments further set out that it is unprofessional conduct to not comply with these standards. The final amendment clarifies supervision requirements for physicians supervising Advanced Practice Nurses with Prescriptive Authority.

### AUTHORITY:

Title 59 O.S., §§ 489, 491, and 509, State Board of Medical Licensure and Supervision

### COMMENT PERIOD:

The comment period will run from February 1, 2012, to March 5, 2012. Written comments may be sent to the office of the Board, PO Box 18256, Oklahoma City, OK 73154-0256.

### PUBLIC HEARING:

A public hearing will be held to provide an opportunity for persons to orally present their views on March 8, 2012, at 9:00 a.m. at the office of the Board, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma. Written notice of intent to make oral comment must be received by this office no later than , 2010.

### REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:

n/a

### COPIES OF PROPOSED RULES:

Copies of the proposed rules may be obtained at the office of the Board, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma.

### RULE IMPACT STATEMENT:

A rule impact statement will be prepared and available after February 1, 2012 at the office of the Board, 101 N.E. 51<sup>st</sup> Street, Oklahoma City, Oklahoma, 73015.

### CONTACT PERSON:

Kathy Plant, Executive Secretary (405) 962-1400, ext. 122

[OAR Docket #12-33; filed 1-11-12]

## TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS CHAPTER 1. ADMINISTRATIVE OPERATIONS

[OAR Docket #11-1272]

### RULEMAKING ACTION:

Notice of Proposed PERMANENT Rulemaking

### PROPOSED RULES:

Subchapter 7. Fees and Deposits [AMENDED]

Subchapter 9. Continuing Education [AMENDED]

### SUMMARY:

Within the context of its current 2012 Permanent Rulemaking process, the OSBELTCA is proposing adding, deleting and/or modifying certain administrative fees and defining the amount of a fine for a specific recurring violation of our rules. The Board's authority as related to the imposition of Administrative Fees is found at 63 O.S. §330.61. All administrative fees that are currently assessed by the Board and those changes that the Board is proposing in the 2012 Permanent Rulemaking process currently underway are set forth in OAC 490:1-7-2., "Schedule of fees." Under Subchapter 9, the Board's standard penalty for violations resulting from continuing education audits is being formalized in the rules to save time and effort in the assessment of these penalties.

### AUTHORITY:

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

### COMMENT PERIOD:

Written and/or oral comments will be accepted February 1, 2012 through March 2, 2012, at the Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd Street, Suite 62, Oklahoma City, OK 73107; or via electronic mail to Gaylord Z. Thomas at gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

### PUBLIC HEARING:

The public hearing will be scheduled to begin at 8:30 a.m. on March 2, 2012, in the Seminole Meeting Room, Shepherd Mall Office Center, 2401 N.W. 23rd Street, Suite 2B, Oklahoma City, OK 73107. This will be a single hearing to address all three chapters of OAC 490 (1, 10 and 15) with proposed changes, to include the fee changes proposed.

### REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:

Business entities affected by these proposed rules are requested to provide the Board with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information, in writing, before March 2, 2012, to Gaylord Z. Thomas, Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23<sup>rd</sup>

Street, Suite 62, Oklahoma City, OK 73107; or may, before March 2, 2012, submit this information via electronic mail to: gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov. These rules may also be viewed from the Board's website at http://www.ok.gov/osbeltca/.

**IMPACT STATEMENT:**

Pursuant to 75 O. S., §303(D), a rules impact statement will be prepared and will be available on and after publication of this Notice on February 1, 2012 at the same locations listed above for reviewing and obtaining copies of the proposed rules.

**CONTACT PERSON:**

Ginger Dean, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1616.

*[OAR Docket #11-1272; filed 1-6-12]*

**TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS  
CHAPTER 1. ADMINISTRATIVE OPERATIONS**

*[OAR Docket #11-1273]*

**RULEMAKING ACTION:**

Notice of Proposed PERMANENT Rulemaking

**PROPOSED RULES:**

Chapter 1. Administrative Operations [AMENDED]

**SUMMARY:**

The purpose of the proposed rulemaking action is to incorporate the Statutory changes effected by enrolled House Bill No. 1282 of the 2011 Regular Session, and to update requirements for Long Term Care Administrators in Oklahoma. The proposed changes primarily account for the addition of newly added administrator types that fall under the purview of this Board; update and add definitions, update and add to the schedule of fees (in a separate submission) and revise language to standardize and improve readability of the document.

**AUTHORITY:**

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

**COMMENT PERIOD:**

Written and/or oral comments will be accepted February 1, 2012 through March 2, 2012, at the Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd Street, Suite 62, Oklahoma City, OK 73107; or via electronic mail to Gaylord Z. Thomas at

gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

**PUBLIC HEARING:**

The public hearing will be scheduled to begin at 8:30 a.m. on March 2, 2012, in the Seminole Meeting Room, Shepherd Mall Office Center, 2401 N.W. 23rd Street, Suite 2B, Oklahoma City, OK 73107. This will be a single hearing to address all three chapters of OAC 490 (1, 10 and 15) with proposed changes, to include the fee changes proposed.

**REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Board with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information, in writing, before March 2, 2012, to Gaylord Z. Thomas, Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd Street, Suite 62, Oklahoma City, OK 73107; or may, before March 2, 2012, submit this information via electronic mail to: gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov. These rules may also be viewed from the Board's website at http://www.ok.gov/osbeltca/.

**IMPACT STATEMENT:**

Pursuant to 75 O. S., §303(D), a rules impact statement will be prepared and will be available on and after publication of this Notice on February 1, 2012 at the same locations listed above for reviewing and obtaining copies of the proposed rules.

**CONTACT PERSON:**

Ginger Dean, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1616.

*[OAR Docket #11-1273; filed 1-6-12]*

**TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS  
CHAPTER 10. LONG TERM CARE ADMINISTRATORS**

*[OAR Docket #11-1271]*

**RULEMAKING ACTION:**

Notice of Proposed PERMANENT Rulemaking

**PROPOSED RULES:**

Chapter 10. Long Term Care Administrators [AMENDED]

## Notices of Rulemaking Intent

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### **SUMMARY:**

The purpose of the proposed rulemaking action is to incorporate the Statutory changes effected by Enrolled House Bill No. 1282 of the 2011 Regular Session and to update requirements for Long Term Care Administrators in Oklahoma, to include licensure requirements for the newly added administrator types and includes continuing education requirements. The proposed changes update and revise language to standardize and improve readability of the document.

### **AUTHORITY:**

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

### **COMMENT PERIOD:**

Written and/or oral comments will be accepted February 1, 2012 through March 2, 2012, at the Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd Street, Suite 62, Oklahoma City, OK 73107; or via electronic mail to Gaylord Z. Thomas at gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

### **PUBLIC HEARING:**

The public hearing will be scheduled to begin at 8:30 a.m. on March 2, 2012, in the Seminole Meeting Room, Shepherd Mall Office Center, 2401 N.W. 23rd Street, Suite 2B, Oklahoma City, OK 73107. This will be a single hearing to address all three chapters of OAC 490 (1, 10 and 15) with proposed changes, to include the fee changes proposed.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Board with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules.

Business entities may submit this information, in writing, before March 2, 2012, to Gaylord Z. Thomas, Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd Street, Suite 62, Oklahoma City, OK 73107; or may, before March 2, 2012, submit this information via electronic mail to: Gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

### **COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to Gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov. These rules may also be viewed from the Board's website at <http://www.ok.gov/osbeltca/>.

### **IMPACT STATEMENT:**

Pursuant to 75 O. S., §303(D), a rules impact statement will be prepared and will be available on and after publication of

this Notice on February 1, 2012 at the same locations listed above for reviewing and obtaining copies of the proposed rules.

### **CONTACT PERSON:**

Ginger Dean, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1616.

*[OAR Docket #11-1271; filed 1-6-12]*

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## **TITLE 490. OKLAHOMA STATE BOARD OF EXAMINERS FOR LONG TERM CARE ADMINISTRATORS CHAPTER 15. LONG TERM CARE CERTIFIED ASSISTANT ADMINISTRATORS**

*[OAR Docket #11-1274]*

### **RULEMAKING ACTION:**

Notice of Proposed PERMANENT Rulemaking

### **PROPOSED RULES:**

Chapter 15. Long Term Care Certified Assistant Administrators [AMENDED]

### **SUMMARY:**

The purpose of the proposed rulemaking action is to update requirements for Long Term Care Assistant Administrators in Oklahoma. The proposed changes update and add definitions and update and revise language to clarify and improve readability of the document.

### **AUTHORITY:**

Oklahoma State Board of Examiners for Long Term Care Administrators, Title 63 O.S. Section 330.51 et seq.

### **COMMENT PERIOD:**

Written and/or oral comments will be accepted February 1, 2012 through March 2, 2012, at the Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd Street, Suite 62, Oklahoma City, OK 73107; or via electronic mail to Gaylord Z. Thomas at gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

### **PUBLIC HEARING:**

The public hearing will be scheduled to begin at 8:30 a.m. on March 2, 2012, in the Seminole Meeting Room, Shepherd Mall Office Center, 2401 N.W. 23rd Street, Suite 2B, Oklahoma City, OK 73107. This will be a single hearing to address all three chapters of OAC 490 (1, 10 and 15) with proposed changes, to include the fee changes proposed.

### **REQUEST FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the Board with information, in dollar amounts if possible, about the increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information, in writing, before March 2, 2012, to Gaylord Z. Thomas, Executive Director, Oklahoma State Board of Examiners for Long Term Care Administrators ("OSBELTCA"), 2401 N.W. 23rd

Street, Suite 62, Oklahoma City, OK 73107; or may, before March 2, 2012, submit this information via electronic mail to: Gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov.

**COPIES OF PROPOSED RULES:**

Copies of the proposed rules may be obtained for review by the public between the hours 8:30 a.m. and 5:00 p.m., Monday through Friday, at the Board office, or an electronic request may be made to Gz.thomas@osbeltca.ok.gov, Ginger.Dean@osbeltca.ok.gov, or Pam.Duren@osbeltca.ok.gov. These rules may also be viewed from the Board's website at http://www.ok.gov/osbeltca/.

**IMPACT STATEMENT:**

Pursuant to 75 O. S., §303(D), a rules impact statement will be prepared and will be available on and after publication of this Notice on February 1, 2012 at the same locations listed above for reviewing and obtaining copies of the proposed rules.

**CONTACT PERSON:**

Ginger Dean, Oklahoma State Board of Examiners for Long Term Care Administrators. Tel: (405) 522-1616.

*[OAR Docket #11-1274; filed 1-6-12]*

**TITLE 585. PUBLIC EMPLOYEES  
RELATIONS BOARD  
CHAPTER 2. OPERATIONS UNDER THE  
FPAA AND THE MECBA**

*[OAR Docket #12-27]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 2. Operations under the FPAA and the MECBA [AMENDED]

**SUMMARY:**

The amendments to the above listed chapters are proposed to remove references to the Municipal Employee Collective Bargaining Act due to its repeal pursuant to House Bill 1593, Sections 1 and 2, effective November 1, 2011.

**AUTHORITY:**

Public Employees Relations Board; 11 O.S., Section 51-101, *et seq.* and 11 O. S. Section 51-200, *et seq.*

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on March 5<sup>th</sup>, 2012, at the following address: Debbie Tiehen, Public Employees Relations Board, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, mailing address, P.O. Box 53218, Oklahoma City, OK 73152, email: Debbie\_tiehen@dcs.state.ok.us

**PUBLIC HEARING:**

A public hearing will be held at the Public Employees Relations Board, Will Rogers Office Building, Suite 214/216, Will Rogers Building, 2401 N. Lincoln Boulevard, Oklahoma

City, OK, on Monday, March 5<sup>th</sup>, 2012 at 10:00 a.m. Anyone who wishes to speak must sign in by 9:45 a.m. on that day.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for 25 cents per copy from the Public Employees Relations Board, Will Rogers Building, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, proposed amendments will also be posted online: http://www.ok.gov/DCS/PERB/index.html

**RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be available for review on and after publication of this Notice of Rulemaking Intent on February 1<sup>st</sup>, 2012 at the Public Employees Relations Board, Will Rogers Building, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK and online at the above website.

**CONTACT PERSON:**

Debbie Tiehen, Public Employees Relations Board, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, mailing address, P.O. Box 53218, Oklahoma City, OK 73152, email: Debbie\_tiehen@dcs.state.ok.us

*[OAR Docket #12-27; filed 1-10-12]*

**TITLE 585. PUBLIC EMPLOYEES  
RELATIONS BOARD  
CHAPTER 30. UNFAIR LABOR PRACTICE  
AND PROHIBITED PRACTICE CHARGES**

*[OAR Docket #12-28]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Chapter 30. Unfair Labor Practice and Prohibited Practice Charges [AMENDED]

**SUMMARY:**

The amendments to the above listed chapters are proposed to remove references to the Municipal Employee Collective Bargaining Act due to its repeal pursuant to House Bill 1593, Sections 1 and 2, effective November 1, 2011.

**AUTHORITY:**

Public Employees Relations Board; 11 O.S., Section 51-101, *et seq.* and 11 O. S. Section 51-200, *et seq.*

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on March 5<sup>th</sup>, 2012, at the following address: Debbie Tiehen, Public Employees Relations Board, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, mailing address, P.O. Box 53218, Oklahoma City, OK 73152, email: Debbie\_tiehen@dcs.state.ok.us

## Notices of Rulemaking Intent

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### **PUBLIC HEARING:**

A public hearing will be held at the Public Employees Relations Board, Will Rogers Office Building, Suite 214/216, Will Rogers Building, 2401 N. Lincoln Boulevard, Oklahoma City, OK, on Monday, March 5<sup>th</sup>, 2012 at 10:00 a.m. Anyone who wishes to speak must sign in by 9:45 a.m. on that day.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for 25 cents per copy from the Public Employees Relations Board, Will Rogers Building, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, proposed amendments will also be posted online: <http://www.ok.gov/DCS/PERB/index.html>

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be available for review on and after publication of this Notice of Rulemaking Intent on February 1<sup>st</sup>, 2012 at the Public Employees Relations Board, Will Rogers Building, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK and online at the above website.

### **CONTACT PERSON:**

Debbie Tiehen, Public Employees Relations Board, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, mailing address, P.O. Box 53218, Oklahoma City, OK 73152, email: [Debbie\\_tiehen@dcs.state.ok.us](mailto:Debbie_tiehen@dcs.state.ok.us)

*[OAR Docket #12-28; filed 1-10-12]*

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### **TITLE 585. PUBLIC EMPLOYEES RELATIONS BOARD CHAPTER 35. CERTIFICATION CASES**

*[OAR Docket #12-29]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Chapter 35. Certification Cases [AMENDED]

### **SUMMARY:**

The amendments to the above listed chapters are proposed to remove references to the Municipal Employee Collective Bargaining Act due to its repeal pursuant to House Bill 1593, Sections 1 and 2, effective November 1, 2011.

### **AUTHORITY:**

Public Employees Relations Board; 11 O.S., Section 51-101, *et seq.* and 11 O. S. Section 51-200, *et seq.*

### **COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 5:00 p.m. on March 5<sup>th</sup>, 2012, at the following address: Debbie Tiehen, Public Employees Relations Board, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, mailing address,

P.O. Box 53218, Oklahoma City, OK 73152, email: [Debbie\\_tiehen@dcs.state.ok.us](mailto:Debbie_tiehen@dcs.state.ok.us)

### **PUBLIC HEARING:**

A public hearing will be held at the Public Employees Relations Board, Will Rogers Office Building, Suite 214/216, Will Rogers Building, 2401 N. Lincoln Boulevard, Oklahoma City, OK, on Monday, March 5<sup>th</sup>, 2012 at 10:00 a.m. Anyone who wishes to speak must sign in by 9:45 a.m. on that day.

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for 25 cents per copy from the Public Employees Relations Board, Will Rogers Building, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, proposed amendments will also be posted online: <http://www.ok.gov/DCS/PERB/index.html>

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303(D), a rule impact statement will be available for review on and after publication of this Notice of Rulemaking Intent on February 1<sup>st</sup>, 2012 at the Public Employees Relations Board, Will Rogers Building, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK and online at the above website.

### **CONTACT PERSON:**

Debbie Tiehen, Public Employees Relations Board, Administration, 2401 N. Lincoln Boulevard, Suite 206, Oklahoma City, OK 73105, mailing address, P.O. Box 53218, Oklahoma City, OK 73152, email: [Debbie\\_tiehen@dcs.state.ok.us](mailto:Debbie_tiehen@dcs.state.ok.us)

*[OAR Docket #12-29; filed 1-10-12]*

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### **TITLE 605. OKLAHOMA REAL ESTATE COMMISSION CHAPTER 10. REQUIREMENTS, STANDARDS AND PROCEDURES**

*[OAR Docket #12-01]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking.

### **PROPOSED RULES:**

Subchapter 1. General Provisions

605:10-1-2. [AMENDED]

605:10-1-3. [AMENDED]

Subchapter 3. Education and Examination Requirements

605:10-3-5. [AMENDED]

605:10-3-7. [AMENDED]

Subchapter 5. Instructor and Entity Requirements and Standards

605:10-5-1. [AMENDED]

605:10-5-1.1. [AMENDED]

605:10-5-2. [AMENDED]

Subchapter 7. Licensing Procedures and Options

- 605: 10-7-2. [AMENDED]
- 605:10-7-3. [AMENDED]
- 605:10-7-4. [AMENDED]
- 605:10-7-7. [AMENDED]
- 605:10-7-8. [AMENDED]
- 605:10-7-8.1. [AMENDED]
- 605:10-7-8.2. [AMENDED]
- 605:10-7-8.3. [AMENDED]
- 605:10-7-8.4. [NEW]
- Subchapter 9. Broker's Operational Procedures
- 605:10-9-1. [AMENDED]
- 605:10-9-4. [AMENDED]
- Subchapter 11. Associate's Licensing Procedures
- 605:10-11-2. [AMENDED]
- 605:10-11-3. [AMENDED]
- Subchapter 13. Trust Account Procedures
- 605:10-13-1. [AMENDED]
- Subchapter 15. Disclosures
- 605:10-15-3. [AMENDED]
- Subchapter 17. Causes for Investigation; Hearing Process; Prohibited Acts; Discipline
- 605:10-17-4. [AMENDED]
- 605:10-17-6. [AMENDED]
- Appendix A. Residential Property Condition Disclosure Statement [REVOKED]
- Appendix A. Residential Property Condition Disclosure Statement [NEW]

**SUMMARY:**

Permanent revisions to the Rules and Regulations are proposed as described herein. These proposed amendments affect real estate licensees, school entities and instructors, and the general public, and if promulgated will have an effective date of July 1, 2012. Proposed revisions are summarized as follows:

- 605:10-1-2. Definitions** - Adding that social networking shall be included within the definition of advertising; and defining rents or leases within the definition of a real estate broker.
- 605:10-1-3. Appeal of administrative decisions; procedures** - Adding that any adverse administrative action or decision of a third party contract vendor may be appealed by the adversely affected party.
- 605:10-3-5. Examinations** - Adding a rule that addresses the process in the event an applicant is caught cheating on the real estate examination by the examination contract vendor and the right to appeal the action taken.
- 605:10-3-7. Provisional sales associate postlicense education requirement** - Adding a hyphen between the word postlicense; and adding contracts to the post-license course content.
- 605:10-5-1. Approval of prelicense course offerings** - Adding a hyphen between the word prelicense; and clarifying that an approved entity shall not advertise a course as approved prior to receiving approval from the Commission.
- 605:10-5-1.1. Approval of postlicense course offerings** - Adding hyphen between the word postlicense; clarifying that

an approved entity shall not advertise a course as approved prior to receiving approval from the Commission; placing a 7 year retention period on records retained by the post-license entity; and requiring that an entity notify the Commission electronically of licensees who complete the post-license requirement.

**605:10-5-2. Approval of continuing education offerings** - Deleting some documentation requirements for approval submissions; clarifying that an approved entity shall not advertise a course as approved prior to receiving approval from the Commission; and clarifying that on all in-class presentations the instructor must be present for all of the offering and if such in-class presentation and transmitted electronically to other receiving locations, the receiving locations only have to have an in-class monitor rather than an approved instructor.

**605:10-7-2. License terms and fees; renewals; reinstatements** - Adding a hyphen between the words prelicense and postlicense; and deleting a paragraph out of this rule and placing it in a more appropriate rule (605:10-7-4).

**605:10-7-3. Placement of license on inactive status** - Adding language that states if a licensee fails to comply with a request for documentation from the Commission, based on another appropriate statute or rule requirement which affects the license, the Commission shall place the license inactive.

**605:10-7-4. Request for activation or re-issuance of license** - Rewording language that addresses the process of a licensee renewing on inactive status and thereafter requesting active status within the same license term; and adding language that was deleted from rule 605:10-7-2.

**605:10-7-7. Branch offices** - Adding clarifying language that documents are required in addition to the fee to license a branch office.

**605:10-7-8. Corporation licensing procedures and requirements of good standing** - Deleting the reference that a corporation appoint a new broker within 3 working days.

**605:10-7-8.1. Partnership licensing procedures and requirements of good standing** - Deleting the reference that a partnership appoint a new broker partner within 3 working days.

**605:10-7-8.2. Association licensing procedures and requirements of good standing** - Deleting the reference that an association appoint a new broker manager within 3 working days.

**605:10-7-8.3. Sole Proprietor licensing procedures** - Clarifying language in this rule.

**605:10-7-8.4. Managing broker, broker proprietor or branch broker's corporation or association formed for the purpose of receiving compensation** - Adding a new rule that establishes the process that will allow a managing broker, broker proprietor or branch broker to form an entity (that is not licensed by the Oklahoma Real Estate Commission) and wherein commissions of the broker can be paid for tax purposes.

**605:10-9-1. Place of business and broker requirements** - Stating that the licenses of those that are licensed do not have

## Notices of Rulemaking Intent

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to be displayed but rather maintained at the office location and available upon request.

**605:10-9-4. Advertising** - Clarifying that yard signs must contain the telephone number of the broker.

**605:10-11-2. Associate licenses** - Deleting an obsolete rule requirement.

**605:10-11-3. Associate's corporation or association** - Changing the title of the rule and clarifying language throughout the rule.

**605:10-13-1. Duty to account; broker** - Adding language that requires the broker to ensure that all documents retained by a third party vendor are maintained and able to be retrieved for a 5 year time period; deleting the requirement that a broker maintain two copies of alternative media; adding language that applies to firm mergers and indicating that they have 30 days in which to provide the Commission required documentation; and adding language that addresses a new federal requirement on the security breach of personal information and outlining the process for reporting the incident.

**605:10-15-3. Requirements for furnishing psychological factors** - Clean up language only.

**605:10-17-4. Prohibited dealings** - Correcting for the matter of consistency (with another law portion [Section 858-353 & 858-354] the requirement that a licensee inform the buyer and seller "in writing" at the time an offer is presented that they will be expected to pay certain closing costs at closing; and adding a prohibited act for failing to maintain documents relating to trust accounts or real estate transactions for the 5 year time period as required by the rules.

**605:10-17-6. Requirements for suspended/revoked brokers and associates** - Amending the title of this section and throughout the rule to change the wording from "broker and associates" to "licensee"; and deleting unnecessary language.

**APPENDIX A. RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT** - Adding that "earthquake damage to the property" is now information that should be disclosed on the disclosure form to a potential purchaser of real estate.

### **AUTHORITY:**

Oklahoma Real Estate Commission; 59 O.S., Section 858-208

### **COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so before 4:00 p.m. on March 2, 2012 at the following address:

Oklahoma Real Estate Commission  
Shepherd Mall  
2401 N. W. 23<sup>rd</sup> St., Suite 18  
Oklahoma City, Oklahoma 73107-2431

### **PUBLIC HEARING:**

A public hearing will be held to provide an opportunity for persons to orally present their views. Each person will be allowed a maximum of 10 minutes to speak and must sign in at the door.

### **Date, time and place of public hearing:**

March 14, 2012 - 10:00 a.m.

Shepherd Mall  
2401 N.W. 23<sup>rd</sup> St., Suite 18

Oklahoma City, Oklahoma 73107-2431

### **REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

### **COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained for review by the public between 8:00 a.m. and 4:30 p.m., Monday through Friday, (with the exception of legal holidays) at the following location:

Oklahoma Real Estate Commission  
2401 N. W. 23<sup>rd</sup> St., Suite 18  
Oklahoma City, Oklahoma 73107-2431

### **RULE IMPACT STATEMENT:**

Pursuant to 75 O.S., Section 303 (D), a rule impact statement will be prepared and available on February 1, 2012 at the Oklahoma Real Estate Commission (address and phone number listed above).

### **CONTACT PERSON:**

Anne M. Woody, Executive Director - (405) 521-3387

*[OAR Docket #12-01; filed 1-3-12]*

## **TITLE 720. STATE TEXTBOOK COMMITTEE CHAPTER 10. TEXTBOOK SELECTION**

*[OAR Docket #12-10]*

### **RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

### **PROPOSED RULES:**

Subchapter 1. General Provisions  
720:10-1-2. Definitions [AMENDED]  
Subchapter 3. Bidding Procedures  
720:10-3-3. Information necessary to complete bid [AMENDED]  
720:10-3-5. Materials to be considered for adoption [AMENDED]  
720:10-3-9. Local district sampling [AMENDED]

### **SUMMARY:**

The purpose of the rule changes are to remove obsolete language so that the rules better reflect the kinds of instructional materials, including technology-based materials, adopted by the State Textbook Committee.

### **AUTHORITY:**

Article XIII, section 6 of the Oklahoma Constitution and 70 O.S. - § 16-118

State Textbook Committee.

### **COMMENT PERIOD:**

All interested persons are invited to submit data, views, or comments, orally or in writing, in support or opposition to the amendments, by March 2, 2012, to the Instructional Materials section of the State Department of Education, Room

2-15, Oliver Hodge Memorial Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma, 73105-4599.

**PUBLIC HEARING:**

A public hearing has not been scheduled. However, pursuant to 70 O.S., Section 303 (B) (9), "persons may demand a hearing by contacting Paige Phillips at (405) 521-3456 no later than 4:30 p.m. on March 2, 2012.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

Business entities affected by these proposed rules are requested to provide the State Textbook Committee with information, in dollar amounts if possible, about any increase in the level of direct costs, indirect costs, or other costs expected to be incurred by the business entity due to compliance with the proposed rules. Business entities may submit this information in writing to Paige Phillips at the above address no later than March 2, 2012.

**COPIES OF PROPOSED RULES:**

Copies of proposed rules may be obtained from the Instructional Materials section of the State Department of Education, Room 2-15, Oliver Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma. Copies may also be obtained by written request mailed to the attention of Paige Phillips, Instructional Materials section of the State Department of Education, Room 2-15, Oliver Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement for the amendments will be prepared as required by law, and will be available after February 1, 2012 at the Instructional Materials section of the State Department of Education, Room 2-15, Oliver Hodge Education Building, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma.

**CONTACT PERSON:**

Paige Phillips, (405)521-3456.

*[OAR Docket #12-10; filed 1-6-12]*

**TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION CHAPTER 15. TECHNOLOGY CENTERS**

*[OAR Docket #12-35]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Technology Centers Education [AMENDED]

**SUMMARY:**

The rule amendments provide current legislative language, reference to a statute that was passed in 2009 and correction of keyboarding error.

**AUTHORITY:**

Oklahoma State Board of Career and Technology Education; 70 O.S. 2011, § 14-103, 70 O.S. 2011, § 14-104, as amended.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so from February 2 through March 10, 2012, to Connie Holland, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

**PUBLIC HEARING:**

Hearings will begin at 9:30 a.m., Thursday, March 16, 2012, in Room 1-20, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies will be on file for public viewing beginning February 2, 2012, in the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law, and will be available beginning February 2, 2012, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma.

**CONTACT PERSON:**

Marie Saatkamp, Human Resources Specialist, 405-743-5455

*[OAR Docket #12-35; filed 1-11-12]*

**TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY EDUCATION CHAPTER 20. PROGRAMS AND SERVICES**

*[OAR Docket #12-36]*

**RULEMAKING ACTION:**

Notice of proposed PERMANENT rulemaking

**PROPOSED RULES:**

Subchapter 3. Secondary, Full-Time and Short-Term Adult CareerTech Programs [AMENDED]

**SUMMARY:**

The rule amendments clarify the curriculum direction/emphasis for Technology Engineering programs and explains where the teacher certification requirements can be located.

## Notices of Rulemaking Intent

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**AUTHORITY:**

Oklahoma State Board of Career and Technology Education; 70 O.S. 2011, § 14-103, 70 O.S. 2011, § 14-104, as amended.

**COMMENT PERIOD:**

Persons wishing to present their views orally or in writing may do so from February 2 through March 10, 2012, to Connie Holland, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105-4599.

**PUBLIC HEARING:**

Hearings will begin at 9:30 a.m., Thursday March 16, 2012, in Room 1-20, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**REQUESTS FOR COMMENTS FROM BUSINESS ENTITIES:**

N/A

**COPIES OF PROPOSED RULES:**

Copies will be on file for public viewing beginning February 2, 2012, in the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma 73105.

**RULE IMPACT STATEMENT:**

A Rule Impact Statement will be prepared as required by law, and will be available beginning February 2, 2012, at the Office of the State Board of Career and Technology Education, Rm. 1-18, Oliver Hodge Memorial Building, 2500 N. Lincoln Blvd., Oklahoma City, Oklahoma.

**CONTACT PERSON:**

Marie Saatkamp, Human Resources Specialist,  
405-743-5455

*[OAR Docket #12-36; filed 1-11-12]*

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# Submissions for Review

Within 10 calendar days after adoption by an agency of a proposed PERMANENT rulemaking action, the agency must submit the proposed rules to the Governor and the Legislature for review. In addition, the agency must publish in the *Register* a "statement" that the rules have been submitted for gubernatorial/legislative review.

*For additional information on submissions for gubernatorial/legislative review, see 75 O.S., Section 303.1, 303.2, and 308.*

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## **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 1. GENERAL PROVISIONS**

*[OAR Docket #11-1266]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 3. Records and Inspections

240:1-3-9. Release of confidential information to specific government agencies [AMENDED]

### **SUBMITTED TO GOVERNOR:**

January 4, 2012

### **SUBMITTED TO HOUSE:**

January 4, 2012

### **SUBMITTED TO SENATE:**

January 4, 2012

*[OAR Docket #11-1266; filed 1-4-12]*

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## **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 5. EMPLOYMENT SERVICE**

*[OAR Docket #11-1267]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 1. General Provisions

240:5-1-3. Registration for Work [NEW]

### **SUBMITTED TO GOVERNOR:**

January 4, 2012

### **SUBMITTED TO HOUSE:**

January 4, 2012

### **SUBMITTED TO SENATE:**

January 4, 2012

*[OAR Docket #11-1267; filed 1-4-12]*

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## **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 10. UNEMPLOYMENT INSURANCE PROGRAM**

*[OAR Docket #11-1268]*

### **INTENDED RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **PROPOSED RULES:**

Subchapter 1. General Provisions

240:10-1-2. Definitions [AMENDED]

240:10-1-4. Electronic signatures [NEW]

240:10-1-5. Filing by electronic means [NEW]

Subchapter 3. Benefits

Part 5. Eligibility

240:10-3-20. Instructions to secure work [AMENDED]

240:10-3-23. Claims for total unemployment benefits [AMENDED]

240:10-3-24. Claims for partial unemployment benefits [AMENDED]

Part 9. Disqualification

240:10-3-41. Application of retirement proceeds and severance pay [AMENDED]

240:10-3-45. Cases involving ~~positive~~ drug or alcohol testing tests [AMENDED]

Part 11. Filing Claims - Notice

240:10-3-54. E-mail notification in unemployment benefit claims [NEW]

### **SUBMITTED TO GOVERNOR:**

January 4, 2012

### **SUBMITTED TO HOUSE:**

January 4, 2012

### **SUBMITTED TO SENATE:**

January 4, 2012

*[OAR Docket #11-1268; filed 1-4-12]*

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## **TITLE 240. OKLAHOMA EMPLOYMENT SECURITY COMMISSION CHAPTER 15. BOARD OF REVIEW PROCEDURES**

*[OAR Docket #11-1269]*

### **RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

### **RULES:**

Subchapter 11. Appeals to District Court

## Submissions for Review

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240:15-11-1. Board of Review decision; appeal to district court [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 4, 2012

**SUBMITTED TO HOUSE:**

January 4, 2012

**SUBMITTED TO SENATE:**

January 4, 2012

*[OAR Docket #11-1269; filed 1-4-12]*

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**TITLE 240. OKLAHOMA EMPLOYMENT  
SECURITY COMMISSION  
CHAPTER 21. WORKFORCE INVESTMENT  
ACT**

*[OAR Docket #11-1270]*

**RULEMAKING ACTION:**

Submission for gubernatorial/legislative review

**RULES:**

Subchapter 1. General Provisions

240:21-1-1. Purpose and authority [AMENDED]

240:21-1-2. Definitions [AMENDED]

240:21-1-3. Addresses for appeals [AMENDED]

240:21-1-4. Time computation [NEW]

Subchapter 3. Denial or Termination of Eligibility of a Training Provider [REVOKED]

240:21-3-1. Reporting - termination [REVOKED]

240:21-3-2. Notice to the training provider [REVOKED]

240:21-3-3. Appeal [REVOKED]

240:21-3-4. Hearing [REVOKED]

240:21-3-5. District court appeal [REVOKED]

240:21-3-6. Administrative record [REVOKED]

Subchapter 7. Monitoring

240:21-7-1. Monitoring and exit conference [AMENDED]

240:21-7-2. Monitoring report [AMENDED]

240:21-7-3. Monitoring resolution [AMENDED]

240:21-7-5. Appeal [AMENDED]

**SUBMITTED TO GOVERNOR:**

January 4, 2012

**SUBMITTED TO HOUSE:**

January 4, 2012

**SUBMITTED TO SENATE:**

January 4, 2012

*[OAR Docket #11-1270; filed 1-4-12]*

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**TITLE 730. DEPARTMENT OF  
TRANSPORTATION  
CHAPTER 20. ACQUISITION AND  
DISPOSAL OF PROPERTIES**

*[OAR Docket #12-26]*

**RULEMAKING ACTION:**

Submission for gubernatorial and legislative review

**RULES:**

Subchapter 1. Rights-of-Way [NEW]

Subchapter 3. Improvement Removal and Contract Administration [NEW]

730:20-3-1. [NEW]

730:20-3-2. [NEW]

**SUBMITTED TO GOVERNOR:**

January 9, 2012

**SUBMITTED TO HOUSE:**

January 9, 2012

**SUBMITTED TO SENATE:**

January 9, 2012

*[OAR Docket #12-26; filed 1-10-12]*

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# Gubernatorial Approvals

Upon notification of approval by the Governor of an agency's proposed PERMANENT rulemaking action, the agency must submit a notice of such gubernatorial approval for publication in the *Register*.  
For additional information on gubernatorial approvals, see 75 O.S., Section 303.2.

## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

*[OAR Docket #12-02]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **RULES:**

Subchapter 2. Incorporation by Reference

252:100-2-1. [AMENDED]

252:100-2-3. [AMENDED]

APPENDIX Q. Incorporation by Reference [REVOKED]

APPENDIX Q. Incorporation by Reference [NEW]

### **GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-02; filed 1-5-12]*

## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 100. AIR POLLUTION CONTROL

*[OAR Docket #12-03]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **RULES:**

Subchapter 8. Permits for Part 70 Sources and Major New Source Review (NSR) Sources

Part 5. Permits for Part 70 Sources

252:100-8-2. [AMENDED]

252:100-8-4. [AMENDED]

Part 7. Prevention of Significant Deterioration (PSD)

Requirements for Attainment Areas

252:100-8-31. [AMENDED]

252:100-8-33. [AMENDED]

Part 9. Major Sources Affecting Nonattainment Areas

252:100-8-51.1. [AMENDED]

### **GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-03; filed 1-5-12]*

## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 205. HAZARDOUS WASTE MANAGEMENT

*[OAR Docket #12-04]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **PROPOSED RULES:**

Subchapter 3. Incorporation by Reference

252:205-3-1. [AMENDED]

### **GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-04; filed 1-5-12]*

## TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY CHAPTER 410. RADIATION MANAGEMENT

*[OAR Docket #12-05]*

### **RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

### **PROPOSED RULES:**

Subchapter 1. General Provisions

252:410-1-7. [AMENDED]

Subchapter 10. Radioactive Materials Program

Part 1. General Provisions

252:410-10-1. [AMENDED]

Part 35. Medical Use of Byproduct Material

252:410-10-35. [AMENDED]

Part 40. Domestic Licensing of Source Material

252:410-10-40. [AMENDED]

Part 71. Packaging and Transporting Radioactive Material

252:410-10-71. [AMENDED]

Subchapter 20. Standards For Protection Against Radiation

252:410-20-1. [AMENDED]

### **GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-05; filed 1-5-12]*

**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 410. RADIATION MANAGEMENT**

*[OAR Docket #12-06]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

**PROPOSED RULES:**

Subchapter 3. Radiation Machines - Common Requirements

Part 3. Radiation Safety Management

252:410-3-33. [AMENDED]

Subchapter 11. Use of X-rays and/or Particles for Therapeutic Purposes in the Healing Arts and Veterinary Medicine

Part 1. General Provisions

252:410-11-1. [AMENDED]

252:410-11-2. [AMENDED]

252:410-11-4. [AMENDED]

Part 7. Radiation Safety Management

252:410-11-71. [AMENDED]

252:410-11-74. [AMENDED]

252:410-11-75. [AMENDED]

252:410-11-81. [AMENDED]

**GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-06; filed 1-5-12]*

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**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 410. RADIATION MANAGEMENT**

*[OAR Docket #12-07]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rule revocation

**PROPOSED RULES:**

Subchapter 19. X-ray Fluorescence Instruments Used for Lead-Based Paint Detection [REVOKED]

**GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-07; filed 1-5-12]*

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**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 606. OKLAHOMA POLLUTANT DISCHARGE ELIMINATION SYSTEM (OPDES) STANDARDS**

*[OAR Docket #12-08]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

**PROPOSED RULES:**

Subchapter 1. Introduction

252:606-1-4. Date of federal regulations incorporated [AMENDED]

**GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-08; filed 1-5-12]*

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**TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 623. PRETREATMENT FOR CENTRAL TREATMENT TRUSTS**

*[OAR Docket #12-09]*

**RULEMAKING ACTION:**

Gubernatorial approval of permanent rules

**PROPOSED RULES:**

Subchapter 1. General Provisions

252:623-1-7. Incorporation by Reference [AMENDED]

**GUBERNATORIAL APPROVAL:**

December 21, 2011

*[OAR Docket #12-09; filed 1-5-12]*

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# Withdrawn Rules

An agency may withdraw proposed PERMANENT rules prior to final adoption (approval by Governor/Legislature) by notifying the Governor and the Legislature and by publishing a notice in the *Register* of such a withdrawal.

An agency may withdraw proposed EMERGENCY rules prior to approval/disapproval by the Governor by notifying the Governor, the Legislature, and the Office of Administrative Rules. The withdrawal notice is not published in the *Register*, however, unless the agency published a Notice of Rulemaking Intent in the *Register* before adopting the EMERGENCY rules.

*For additional information on withdrawal of proposed rules, see 75 O.S., Section 308(F) and 253(K) and OAC 655:10-7-33.*

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## TITLE 35. OKLAHOMA DEPARTMENT OF AGRICULTURE, FOOD, AND FORESTRY CHAPTER 13. FUEL ALCOHOL

*[OAR Docket #12-30]*

### **RULEMAKING ACTION:**

Withdrawal of PERMANENT rulemaking

### **WITHDRAWN RULES:**

35:13-1-1. [AMENDED]

35:13-1-2. [AMENDED]

### **DATES:**

#### **Adoption:**

November 15, 2011

#### **Submitted To Governor:**

November 23, 2011

#### **Submitted To House:**

November 23, 2011

#### **Submitted To Senate:**

November 23, 2011

#### **Withdrawn:**

January 11, 2012

*[OAR Docket #12-30; filed 1-11-12]*

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## TITLE 535. OKLAHOMA STATE BOARD OF PHARMACY CHAPTER 13. EMERGENCY/DISASTER PHARMACY RESPONSE

*[OAR Docket #11-1265]*

### **RULEMAKING ACTION:**

Notice of proposed withdrawal of PERMANENT rulemaking

### **PROPOSED RULES:**

535:13-1-3. Declaration and/or finding of emergency  
[AMENDED]

535:13-1-4. Pharmacy Emergency/Disaster Response  
[AMENDED]

### **DATES:**

#### **Adoption:**

November 16, 2011

#### **Submitted to Governor:**

November 21, 2011

#### **Submitted to House:**

November 21, 2011

#### **Submitted to Senate:**

November 21, 2011

#### **Withdrawn:**

December 22, 2011

*[OAR Docket #11-1265; filed 12-29-11]*

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# Executive Orders

As required by 75 O.S., Sections 255 and 256, Executive Orders issued by the Governor of Oklahoma are published in both the *Oklahoma Register* and the *Oklahoma Administrative Code*. Executive Orders are codified in Title 1 of the *Oklahoma Administrative Code*.

Pursuant to 75 O.S., Section 256(B)(3), "Executive Orders of previous gubernatorial administrations shall terminate ninety (90) calendar days following the inauguration of the next Governor unless otherwise terminated or continued during that time by Executive Order."

## TITLE 1. EXECUTIVE ORDERS

1:2011-29C.

### THIRD AMENDED EXECUTIVE ORDER 2011-29

I, Mary Fallin, Governor of the State of Oklahoma, pursuant to the authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution and 63 O.S. §§ 683.1 et seq., hereby declare that because there is a state of emergency existing in the State of Oklahoma due to extremely dry weather and lack of significant rainfall, it is necessary to assist and expedite all efforts of drought relief and wildfire suppression. In order to accommodate this need and to provide assistance to the citizens of Oklahoma in this extraordinary situation, I hereby order the temporary suspension of the following as they apply to vehicles used in the support efforts:

1. The requirements for special permits for use of oversized vehicles under Title 47 only when transporting hay. These vehicles shall not exceed 12' in width and 13' 6" in height.
2. The requirements for licensing/operating authority as required by the Oklahoma Corporation Commission;
3. The requirements for licensing/registration as required by the Oklahoma Tax Commission;
4. The requirements contained in the Motor Carrier Safety Regulations, under the authority of CFR 49, Part 390.23. All other regulations in CFR 49 shall apply.

Due to the severe drought conditions occurring statewide it is necessary to expedite access to hay for livestock. In order

to accommodate this need and to provide assistance to our farmers and ranchers in this extraordinary situation, I hereby order the temporary suspension of the requirements for special permits for use of oversized vehicles under Title 47 as they apply to vehicles used to transport round baled hay for livestock as outlined above.

This order shall terminate at the end of sixty (60) days.

This Executive Order shall be forwarded to the Oklahoma Corporation Commission, the Oklahoma Tax Commission, the Commissioner of Public Safety, and the Director of Emergency Management, who shall cause the provisions of this order to be implemented by all appropriate agencies of state government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 12th day of January 2012.

BY THE GOVERNOR OF THE  
STATE OF OKLAHOMA

Mary Fallin

ATTEST:  
Michelle R. Day  
Assistant Secretary of State

[OAR Docket #12-39; filed 1-13-12]



## STATE BOND ADVISOR'S OFFICE NOTICE OF STATE CEILING AMOUNT FOR THE CALENDAR YEAR 2012

In accordance with Title 62 O.S., Section 695.25, the maximum total volume (also referred to as "Volume Cap" or "State Ceiling Amount") of Private Activity Bonds that may be issued pursuant to federal law by the State of Oklahoma during calendar year 2012 is \$360,193,260. From the first business day of 2012 through September 1, 2012, the Volume Cap is subdivided into the following categories ("Pools") and amounts: (1) Qualified Small Issue Pool, \$43,223,191; (2) Exempt Facility Pool, \$9,004,832; (3) Beginning Agricultural Producer Pool, \$3,601,933; (4) Student Loan Pool,

\$55,829,955; (5) Economic Development Pool, \$43,223,191; (6) Oklahoma Housing Finance Agency Pool, \$54,028,989; (7) State Issuer Pool, \$14,407,730; (8) Metropolitan Area Housing Pool, \$45,024,158; (9) Rural Area Housing Pool, \$28,815,461; and (10) Local Issuer Single Family Pool, \$63,033,821. From September 2, 2012, to 9:00 a.m., December 20, 2012, any amount remaining to be allocated from these pools is combined and managed from the Consolidated Pool. On or after 9:00 a.m. on December 20, 2012, certain Private Activity Bond issuing authorities may apply to the State Bond Advisor to carry forward a portion of any remaining State Ceiling Amount.

*[OAR Docket #11-1259; filed 12-29-11]*

