

Dear Senators LODGE, Broadsword, Bock, and
Representatives BLOCK, Hartgen, Ringo:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the
Department of Health and Welfare - Idaho Council on Domestic Violence:

16.05.04 - Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding
(Docket No. 16-0504-1101)

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the
cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research
and Legislation no later than fourteen (14) days after receipt of the rules analysis from Legislative
Services. The final date to call a meeting on the enclosed rules is no later than 08/06/2011. If a meeting is
called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules analysis
from Legislative Services. The final date to hold a meeting on the enclosed rules is 09/03/2011.

The germane joint subcommittee may request a statement of economic impact with respect to a
proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement,
and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has
been held.

To notify Research and Legislation, call 334-4845, or send a written request to the address or FAX
number indicated on the memorandum enclosed.



Jeff Youtz
Director

Legislative Services Office Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Health & Welfare Committee and the House Commerce and Human Resources Committee
FROM: Principal Legislative Research Analyst - Brooke Murdoch
DATE: July 20, 2011
SUBJECT: Department of Health and Welfare - Idaho Council on Domestic Violence

16.05.04 - Rules of the Idaho Council on Domestic Violence & Victim Assistance Grant Funding (Docket No. 16-0504-1101)

The Department of Health and Welfare submits notice of temporary and proposed rulemaking at IDAPA 16.05.04 - Rules of the Idaho Council on Domestic Violence and Victim Assistance Grant Funding. This rulemaking provides the new edition number of a document incorporated by reference entitled "Minimum Standards for Domestic Violence Offender Intervention Programs." According to the Department, the purpose of this rulemaking is to prohibit conjoint treatment, commonly referred to as couples counseling, as an alternative intervention. The Department states that this revision reflects changes to language in the standards document negotiated with stakeholders during the 2011 legislative session. The negotiated standards document is accessible online at <http://www.icdv.idaho.gov>.

Informal negotiated rulemaking was conducted by interested stakeholders during the 2011 legislative session. A "Notice of Intent to Promulgate Rules - Negotiated Rulemaking" was not published in the Idaho Administrative Bulletin.

The temporary and proposed rule is within the authority granted to the Idaho Council on Domestic Violence and Victim Assistance in Section 39-5209, Idaho Code.

cc: Department of Health & Welfare
Tamara Prisock & Luann Dettman

IDAPA 16 - DEPARTMENT OF HEALTH AND WELFARE
16.05.04 - RULES OF THE IDAHO COUNCIL ON DOMESTIC VIOLENCE
AND VICTIM ASSISTANCE GRANT FUNDING

DOCKET NO. 16-0504-1101

NOTICE OF RULEMAKING - TEMPORARY AND PROPOSED RULE

EFFECTIVE DATE: The effective date of the temporary rule is July 1, 2011.

AUTHORITY: In compliance with Section 67-5221(1), and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a temporary rule, and proposed rulemaking procedures have been initiated. The action is authorized pursuant to Section 39- 5209, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rulemaking will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than July 20, 2011.

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of its supporting reasons for adopting a temporary rule and a nontechnical explanation of the substance and purpose of the proposed rulemaking:

In accordance with input from stakeholders and legislative intent, Section I.B.4. of the document entitled: "Minimum Standards for the Domestic Violence Offender Intervention Programs," is being revised so as to prohibit conjoint treatment (couples counseling) as an alternative intervention. This revision reflects changes to language in the standards document negotiated with stakeholders during the 2011 legislative session. To review the standards document showing the negotiated revisions, go to <http://www.icdv.idaho.gov>.

In the Incorporations by Reference section of the chapter, a new volume number is being added to the citation for the revised standards document.

TEMPORARY RULE JUSTIFICATION: Pursuant to Section 67-5226(1)(a), Idaho Code, the Governor has found that temporary adoption of this rule is appropriate as it necessary to protect the public health, safety, or welfare.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: NA

FISCAL IMPACT: The following is a specific description, if applicable, of any fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year:

There is no anticipated fiscal impact to the state general fund related to this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220, Idaho Code, informal negotiated rulemaking was conducted during the 2011 legislative session with interested stakeholders. No "Notice of Intent to Promulgate Rules - Negotiated Rulemaking" was published in the Idaho Administrative Bulletin.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, the revised Minimum Standards for Domestic Violence Offender Intervention Programs document, edition 2011-1, is being incorporated by reference into these rules to give it the force and effect of law. The document is not being published in this chapter of rules due to its length and format, and because of the cost for republication. The document will be available at <http://www.icdv.idaho.gov> on its effective date, July 1, 2011.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rule, contact Luann Dettman at (208) 332-1540.

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before July 27, 2011.

DATED this 3rd day of June, 2011.

Tamara Prisock
DHW - Administrative Procedures Section
450 W. State Street - 10th Floor
P.O. Box 83720
Boise, ID 83720-0036
phone: (208) 334-5564; fax: (208) 334-6558
e-mail: dhwrules@dhw.idaho.gov

THE FOLLOWING IS THE TEMPORARY RULE & PROPOSED TEXT OF DOCKET NO. 16-0504-1101

004. INCORPORATION BY REFERENCE.

01. General. Unless provided otherwise, any reference in these rules to any document identified in Section 004 shall constitute the full incorporation into these rules of that document for the purposes of the reference, including any notes and appendices therein. The term “document” includes codes, standards, or rules which have been adopted by an agency of the state or of the United States or by any nationally recognized organization or association. (5-3-03)

02. Availability of Reference Material. Copies of the documents incorporated by reference into these rules are available: (5-3-03)

a. At the Idaho Council on Domestic Violence and Victim Assistance, 304 North 8th Street, Suite 140, P.O. Box 83720, Boise, Idaho 83720-0036. (3-30-11)

b. On the internet at: <http://www.icdv.idaho.gov>. (5-3-03)

03. Documents Incorporated by Reference. The following documents are incorporated by reference into these rules: (5-3-03)

a. “Domestic Violence Program and Personnel Standards,” published by the Idaho Council on Domestic Violence and Victim Assistance, effective November 20, 1998. (5-3-03)

b. “Minimum Standards for Domestic Violence Offender Intervention Programs,” published by the Idaho Council on Domestic Violence and Victim Assistance, edition 2011-1, effective July 1, 2011. ~~(3-30-11)~~(7-1-11)T

c. “Sexual Assault Program and Personnel Standards,” published by the Idaho Council on Domestic Violence and Victim Assistance, effective April 27, 2001. (5-3-03)