

UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah State Government. The Department of Administrative Services, Division of Administrative Rules produces the *Bulletin* under authority of Section 63-46a-10, *Utah Code Annotated* 1953.

Inquiries concerning administrative rules or other contents of the *Bulletin* may be addressed to the responsible agency or to: Division of Administrative Rules, 4120 State Office Building, Salt Lake City, Utah 84114, telephone (801) 538-3218, FAX (801) 538-1773. To view rules information, and on-line versions of the division's publications, visit: <http://www.rules.utah.gov/>

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)*. The *Digest* is available by E-mail or over the Internet. Visit <http://www.rules.utah.gov/publicat/digest.htm> for additional information.

Division of Administrative Rules, Salt Lake City 84114

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NOTICES OF PROPOSED RULES

A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between February 16, 2008, 12:00 a.m., and February 29, 2008, 11:59 p.m. are included in this, the March 15, 2008, issue of the *Utah State Bulletin*.

In this publication, each PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the PROPOSED RULE is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [~~example~~]). Rules being repealed are completely struck out. A row of dots in the text between paragraphs (.) indicates that unaffected text from within a section was removed to conserve space. Unaffected sections are not printed. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of each rule that is too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least April 14, 2008. The agency may accept comment beyond this date and will list the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency to hold a hearing on a specific PROPOSED RULE. Section 63-46a-5 requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through July 13, 2008, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than seven calendar days after the close of the public comment period nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

The public, interest groups, and governmental agencies are invited to review and comment on PROPOSED RULES. *Comment may be directed to the contact person identified on the RULE ANALYSIS for each rule.*

PROPOSED RULES are governed by Section 63-46a-4; and Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page.

**Crime Victim Reparations,
Administration
R270-1-10
Moving, Transportation Expenses**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31023

FILED: 02/27/2008, 12:31

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The rule establishes standards for moving expenses and the amendment includes rent as an eligible moving expense.

SUMMARY OF THE RULE OR CHANGE: The amendment authorizes payment of rent as part of moving expenses and increases the cap on moving expenses from \$2,000 to \$2,500. Payment of rent is currently governed by Section R270-1-24 and is limited to victims of domestic violence and child abuse who were dependent on the perpetrator for payment of rent. This amendment would allow the Office of Crime Victim Reparations to consider rent expenses for all victims who are eligible for moving expenses. It establishes a maximum of \$1,200 toward rent expenses that is part of the cap on moving expenses. The current cap on rent expenses is \$1,800. Thus, the amendment makes the rent benefit available to more victims, but slightly reduces the total amount payable toward rent. The amendment will also streamline the application process for rent.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 63-25a-406(1)(c) and 63-25a-411(4)

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** Because the rent benefit will be available to additional victims, the Office of Crime Victim Reparations expects to pay more on rent than is currently paid. The Office estimates the increase to be approximately \$150,000 per year. This will impact the Crime Victim Reparation Fund and will have no impact on the general fund.
- ❖ **LOCAL GOVERNMENTS:** There will be no quantifiable budget impact on local governments. However, this amendment may result in a slight workload decrease for some local government employees. Victim advocates working in police departments and prosecutors' offices currently assist victims in completing a separate rent application. With this amendment, a separate rent application will no longer be required. Because advocates will no longer need to provide assistance with the rent application, they will be able to focus their time on other demands.
- ❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** Because rent payments will be made on behalf of more victims, additional landlords are likely to benefit from this amendment. Those landlords will be required to provide minimal information (tax ID number) to facilitate payment.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs for all parties will decrease because the separate rent

application will no longer be required. The victim will spend less time seeking the rent benefit. Local government victim advocates will spend less time assisting victims during the application process. The Office of Crime Victim Reparations will spend less time processing the applications.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Businesses involved in rental properties are likely the only businesses that will be impacted.

Such businesses will receive additional payments from the Office of Crime Victim Reparations. The time such businesses will invest in order to receive these payments will be minimal. Ron Gordon, Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

**CRIME VICTIM REPARATIONS
ADMINISTRATION
Room 200
350 E 500 S
SALT LAKE CITY UT 84111-3347, or
at the Division of Administrative Rules.**

DIRECT QUESTIONS REGARDING THIS RULE TO:

Ronald B Gordon at the above address, by phone at 801-238-2367, by FAX at 801-533-4127, or by Internet E-mail at rbgordon@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Ronald B Gordon, Director

R270. Crime Victim Reparations, Administration.

R270-1. Award and Reparation Standards.

R270-1-10. Moving, Transportation Expenses.

A. Pursuant to Subsection 63-25a-411(4)(a), ~~[victims of violent crime who suffer a traumatic experience or threat of bodily harm are allowed]~~ reparation officers may authorize crime-related moving expenses up to \$2500. This may include actual rent expenses for up to two months or \$1200, whichever is less. ~~[Board approval is needed where extenuating circumstances exist.]~~

B. Transportation expenses up to \$1000 are allowed for crime-related travel including, but not limited to, participation in court hearings and parole hearings as well as medical or mental health visits for primary and secondary victims. The Board may approve travel expenses in excess of \$1000 where extenuating circumstances exist.

KEY: victim compensation, victims of crimes

Date of Enactment or Last Substantive Amendment: [January 2], 2008

Notice of Continuation: July 3, 2006

Authorizing, and Implemented or Interpreted Law: 63-25a-401 et seq.

◆ ————— ◆

**Crime Victim Reparations,
Administration
R270-1-22
Sexual Assault Forensic Examinations**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31013

FILED: 02/19/2008, 10:00

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule provides guidelines regarding payments by Crime Victim Reparations (CVR) to medical providers for sexual assault forensic examinations. This amendment clarifies responsibilities of the victim and the medical provider.

SUMMARY OF THE RULE OR CHANGE: The rule currently requires that the sexual assault forensic examination be reported to law enforcement in order for CVR to provide payment for the examination. This amendment clarifies that the health care provider will make that report to law enforcement. It further clarifies that the victim of the sexual assault (the patient of the sexual assault forensic examination) is not required to participate in the criminal justice system in order for CVR to make payment to the medical provider for the examination.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 63-25a-406(1)(c) and 63-25a-411(4)(i)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: CVR currently pays for sexual assault forensic examinations and CVR has been interpreting current rules consistent with this amendment. However, it is possible that some law enforcement agencies will authorize sexual assault forensic examinations that previously would not have been authorized. If so, CVR will incur additional costs associated with those examinations. The funding source for these examinations is the Crime Victim Reparation Fund. No general fund monies and no tax dollars are spent on these examinations. Any increase is expected to be minimal.

❖ LOCAL GOVERNMENTS: Law enforcement agencies do not pay for the sexual assault examinations. Law enforcement officers do respond to medical facilities when such examinations are conducted. If officers respond to more exams, there will be a cost to the law enforcement agency associated with that response. Because the increase in examinations is expected to be minimal, costs, if any, to law enforcement agencies are also expected to be minimal.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: Medical providers that provide sexual assault forensic examinations will continue to bill CVR for those examinations. Such providers may receive payment for additional examinations.

COMPLIANCE COSTS FOR AFFECTED PERSONS: At a minimum, medical providers will be required to call the appropriate law enforcement department and report the exam in order for the medical provider to received payment from CVR. Because

this is the current practice among providers, it is not expected that this amendment will result in additional compliance costs. If there are any costs, they would be negligible as they would be the costs associated with the call to law enforcement.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Medical providers will continue to submit bills to CVR for payment of the sexual assault forensic examinations. This will continue to be a positive fiscal impact for those providers. No other businesses will be impacted. Ronald B. Gordon, Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

**CRIME VICTIM REPARATIONS
ADMINISTRATION**
Room 200
350 E 500 S
SALT LAKE CITY UT 84111-3347, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Ronald B Gordon at the above address, by phone at 801-238-2367, by FAX at 801-533-4127, or by Internet E-mail at rbgordon@utah.gov

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THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Ronald B Gordon, Director

R270. Crime Victim Reparations, Administration.

R270-1. Award and Reparation Standards.

R270-1-22. Sexual Assault Forensic Examinations.

A. Pursuant to Subsections 63-25a-402(19) and 63-25a-411(4)(i), the cost of sexual assault forensic examinations for gathering evidence and providing treatment may be paid by the CVR office in the amount of \$300.00 without photo documentation and up to \$600.00 with a photo examination. The CVR office may also pay for the cost of medication and up to 85% of the hospital expenses. The following agency guidelines need to be adhered to when making payments for sexual assault forensic examinations:

1. A sexual assault forensic examination shall be reported by the health care provider who performs the examination to law enforcement.

2. Victims shall not be charged for sexual assault forensic examinations.

3. Victims shall not be required to participate in the criminal justice system or cooperate with law enforcement or prosecuting attorneys as a condition of being provided a sexual assault forensic examination or as a condition of payment being made pursuant to this rule.

~~3~~4. The agency may reimburse any licensed health care facility that provides services for sexual assault forensic examinations.

4. The agency may reimburse licensed medical personnel trained to gather evidence of sexual assaults who perform sexual assault forensic examinations.

5. CVR may pay for the collection of evidence and not attempt to prove or disprove the allegation of sexual assault.

6. A request for reimbursement shall include the law enforcement case number or be signed by a law enforcement officer, victim/witness coordinator or medical provider.

7. The application or billing for the sexual assault forensic examination must be submitted to CVR within one year of the examination.

8. The billing for the sexual assault forensic examination shall:

a. identify the victim by name, address, date of birth, Social Security number, telephone number, patient number;

b. indicate the claim is for a sexual assault forensic examination; and

c. itemize services and fees for services.

9. All collateral sources that are available for payment of the sexual assault forensic examination shall be considered before CVR Trust Fund monies are used. Pursuant to Subsection 63-25a-411(i), the Director may determine that reimbursement for a sexual assault forensic examination will not be reduced even though a claim could be recouped from a collateral source.

10. Evidence will be collected only with the permission of the victim or the legal guardian of the victim. Permission shall not be required in instances where the victim is unconscious, mentally incapable of consent or intoxicated.

11. Restitution for the cost of the sexual assault forensic examination may be pursued by the CVR office.

12. Payment for sexual assault forensic examinations shall be considered for the following:

a. Fees for the collection of evidence, for forensic documentation only, to include:

i. history;

ii. physical; and

iii. collection of specimens and wet mount for sperm.

b. Emergency department services to include:

i. emergency room, clinic room or office room fee;

ii. cultures for gonorrhea, chlamydia, trichomonas, and tests for other sexually transmitted disease;

iii. serum blood test for pregnancy;

iv. morning after pill or high dose oral contraceptives for the prevention of pregnancy; and

v. treatment for the prevention of sexually transmitted disease up to four weeks.

13. The victim of a sexual assault that is requesting payment by CVR for services needed or rendered beyond the sexual assault forensic examination needs to submit an application for compensation to the CVR office.

KEY: victim compensation, victims of crimes

Date of Enactment or Last Substantive Amendment: [January 2], 2008

Notice of Continuation: July 3, 2006

Authorizing, and Implemented or Interpreted Law: 63-25a-401 et seq.

Crime Victim Reparations, Administration **R270-1-24** Rent Awards

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31024

FILED: 02/27/2008, 12:50

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This section provides guidelines for payment of rent. Section R270-1-10 will be amended to include the rent benefit as part of moving expenses, making this section unnecessary. (DAR NOTE: The proposed amendment to Section R270-1-10 is under DAR No. 31023 in this issue, March 15, 2008, of the Bulletin.)

SUMMARY OF THE RULE OR CHANGE: The rent benefit is currently available only to victims of domestic violence and child abuse who were dependent on the perpetrator for payment of rent. The Office of Crime Victim Reparations proposes amendments to Section R270-1-10 to extend the rent benefit to all victims who qualify for moving expenses and to include rent assistance as part of moving expenses.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 63-25a-406(1)(c) and 63-25a-411(4)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** The fiscal impact of the removal of Section R270-1-24 must be viewed in conjunction with the amendment to Section R270-1-10. Because the rent benefit will be available to additional victims, the Office of Crime Victim Reparations expects to pay more on rent than is currently paid. The Office estimates the increase to be approximately \$150,000 per year. This is the same increase described in the analysis of Section R270-1-10 and is not cumulative. This will impact the Crime Victim Reparation Fund and will have no impact on the general fund.

❖ **LOCAL GOVERNMENTS:** The fiscal impact of this amendment must be viewed in conjunction with the amendment to Section R270-1-10. There will be no quantifiable budget impact on local governments. However, this amendment may result in a slight workload decrease for some local government employees. Victim advocates working in police departments and prosecutors' offices currently assist victims in completing a separate rent application. With this amendment, a separate rent application will no longer be required. Because advocates will no longer need to provide assistance with the rent application, they will be able to focus their time on other demands.

❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** The fiscal impact of this amendment must be viewed in conjunction with the amendment to Section R270-1-10. Because rent payments will be made on behalf of more victims, additional landlords are likely to benefit from this amendment. Those landlords will be required to provide minimal information (tax ID number) to facilitate payment.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs must be viewed in conjunction with the amendment to Section R270-1-10. Compliance costs for all parties will decrease because the separate rent application will no longer be required. The victims will spend less time seeking the rent benefit. Local government victim advocates will spend less time assisting victims during the application process. The Office of Crime Victim Reparations will spend less time processing the applications.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The fiscal impact on businesses must be viewed in conjunction with the amendment to Section R270-1-10. Businesses involved in rental properties are likely the only businesses that will be impacted. Such businesses will receive additional payments from the Office of Crime Victim Reparations. The time such businesses will invest in order to receive these payments will be minimal. Ron Gordon, Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
**CRIME VICTIM REPARATIONS
 ADMINISTRATION**
 Room 200
 350 E 500 S
 SALT LAKE CITY UT 84111-3347, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 Ronald B Gordon at the above address, by phone at 801-238-2367, by FAX at 801-533-4127, or by Internet E-mail at rbgordon@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Ronald B Gordon, Director

R270. Crime Victim Reparations, Administration.

R270-1. Award and Reparation Standards.

~~**R270-1-24. Rent Awards.**~~

~~— A. Pursuant to Subsection 63-25a-411(4)(a), victims of domestic violence or child abuse may be awarded for actual rent expenses for up to three months, not to exceed a maximum rent award of \$1800, if the following conditions apply:~~

- ~~— 1. The perpetrator was living with the victim at the time of the crime or the rent assistance appears directly related to the victim's ability to distance herself/himself from the perpetrator.~~
- ~~— 2. It appears reasonable that the perpetrator was assisting or was solely responsible for rent.~~
- ~~— 3. The victim agrees that the perpetrator is not allowed on the premises.~~
- ~~— 4. The victim submits a safety plan to CVR and the plan is approved by CVR.~~
- ~~— 5. The victim submits a self-sufficiency plan to CVR and the plan is approved by CVR.~~
- ~~— 6. The need for rent assistance is directly related to and caused by the crime upon which the claim is based.~~
- ~~— B. No victim shall receive more than one rent award in their lifetime.~~

]
KEY: victim compensation, victims of crimes
Date of Enactment or Last Substantive Amendment: [January 2], 2008
Notice of Continuation: July 3, 2006
Authorizing, and Implemented or Interpreted Law: 63-25a-401 et seq.



Education, Administration
R277-721
Deadline for CACFP Sponsor
Participation in Food Distribution
Program

NOTICE OF PROPOSED RULE
 (Repeal)

DAR FILE NO.: 31014
 FILED: 02/20/2008, 12:33

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being repealed because the rule is no longer necessary. If any requirements relating to deadlines for Child and Adult Care Food Program (CACFP) sponsor participation in food distribution programs exist, they are now included in federal law and regulations.

SUMMARY OF THE RULE OR CHANGE: This action repeals the rule in its entirety.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 53A-1-401(3) and 53A-1-402(3)

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** There are no anticipated costs or savings to the state budget. All funding for participation in this program was provided by the federal government.
- ❖ **LOCAL GOVERNMENTS:** There are no anticipated costs or savings to local government. All funding for participation in this program was provided by the federal government.

❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** There are no anticipated costs or savings to small businesses and persons other than businesses. All funding for participation in this program was provided by the federal government.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. All funding for participation in this program was provided by the federal government.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on businesses. Patti Harrington, State Superintendent of Public Instruction

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

EDUCATION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY UT 84111-3272, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Carol Lear at the above address, by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.

~~**[R277-721. Deadline for CACFP Sponsor Participation in Food Distribution Program.**~~

~~**R277-721-1. Definitions.**~~

- ~~— A. "CACFP" means Child and Adult Care Food Program.~~
- ~~— B. "Board" means the Utah State Board of Education.~~

~~**R277-721-2. Authority and Purpose.**~~

- ~~— A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities and Section 53A-1-402(3) which permits the Board to administer funds made available through programs of the federal government.~~
- ~~— B. The purpose of this rule is to specify deadlines for sponsor participation in the food distribution program.~~

~~**R277-721-3. Deadlines.**~~

- ~~— A. Sponsors approved for participation in CACFP before June 1 shall have the opportunity to choose to receive USDA donated~~

~~entitlement commodities or cash in lieu of entitlement commodities for the coming federal fiscal year.~~

~~— B. New sponsors at new sites approved by CACFP participation after May 31 shall receive cash in lieu of entitlement commodities and are not eligible to receive entitlement commodities until the federal fiscal year following the first May 31 of participation.~~

~~— C. New sponsors purchasing existing sites already receiving entitlement commodities and approved for CACFP participation after May 31 shall have the option of continuing to receive entitlement commodities or receiving cash in lieu of commodities for all sites under its sponsorship.~~

~~**KEY: food aid programs**~~

~~**Date of Enactment or Last Substantive Amendment: 1987**~~

~~**Notice of Continuation: January 8, 2008**~~

~~**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3); 53A-1-402(3)**~~



Education, Administration

R277-722

Withholding Payments and Commodities in the CACFP

NOTICE OF PROPOSED RULE

(Repeal)

DAR FILE No.: 31015

FILED: 02/20/2008, 12:34

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being repealed because the rule is no longer necessary. If any requirements relating to withholding payments and commodities in the Child and Adult Care Food Program (CACFP) exist, they are included in federal law and regulations.

SUMMARY OF THE RULE OR CHANGE: This action repeals the rule in its entirety.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 53A-1-401(3) and 53A-1-402(3)

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** There are no anticipated costs or savings to the state budget. All funding for participation in this program was provided by the federal government.
- ❖ **LOCAL GOVERNMENTS:** There are no anticipated costs or savings to local government. All funding for participation in this program was provided by the federal government.
- ❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** There are no anticipated costs or savings to small businesses and persons other than businesses. All funding for participation in this program was provided by the federal government.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. All funding for participation in this program was provided by the federal government.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on businesses. Patti Harrington, State Superintendent of Public Instruction

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

EDUCATION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY UT 84111-3272, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol Lear at the above address, by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R277. Education, Administration.

~~[R277-722. Withholding Payments and Commodities in the CACFP.~~

~~**R277-722-1. Definitions.**~~

- ~~— A. "CACFP" means Child and Adult Care Food Program.~~
- ~~— B. "Board" means the Utah State Board of Education.~~
- ~~— C. "USOE" means the Utah State Office of Education.~~

~~**R277-722-2. Authority and Purpose.**~~

- ~~— A. This rule is authorized under Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities and Section 53A-1-402(3) which permits the Board to administer funds made available through programs of the federal government.~~
- ~~— B. The purpose of this rule is to specify payment procedures required of delinquent CACFP participants.~~

~~**R277-722-3. Payment Procedures.**~~

- ~~— CACFP participants who do not pay commodity billings or respond to audit and review citations and overclaims, or both, are subject to the following:~~
 - ~~— A. If no appeal has been submitted on an overclaim citation or billing, claims for reimbursement shall not be paid unless a corrective action plan or arrangement for repayment of the overclaim, approved by the USOE, is received in the USOE prior to~~

~~the end of the next whole claiming period following notice of delinquency.~~

~~— B. If commodity charges are not paid within 30 days of billing, subsequent claims for reimbursement shall not be paid and commodities shall not be allocated or delivered until payment is received.~~

~~— C. If response, payment, or appeal is not received by the USOE within 30 days plus a preceding whole claiming period, with notice of the delinquency, participation in CACFP is suspended and no reimbursements or commodity deliveries shall occur until response is received and approved by the USOE.~~

~~— D. Delinquency of 60 days plus a preceding whole claiming period, with notice of delinquency, is cause for the permanent denial of previously unpaid reimbursements and continued denial of commodity allocations and deliveries. Participation shall be reinstated only with full payment of overclaims and commodity billings and initiation of corrective actions approved by on site inspection at the reasonable convenience of the USOE.~~

KEY: food aid programs

Date of Enactment or Last Substantive Amendment: 1987

Notice of Continuation: January 8, 2008

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3); 53A-1-402(3)



Human Services, Substance Abuse and
Mental Health, State Hospital
R525-6
Prohibited Items and Devices

NOTICE OF PROPOSED RULE

(New Rule)

DAR File No.: 31031

FILED: 02/29/2008, 09:48

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is a replacement for a rule that was reviewed by the Legislature's Administrative Rules Review Committee and placed on the nonreauthorization list in S.B. 43 (2008 General Session) which means the rule will expire on 05/01/2008. The reason for this recommendation is based on the broad description of the "entire campus" as a secure area.

SUMMARY OF THE RULE OR CHANGE: The entire campus designation that appeared in the old rule has been removed and specific buildings have been identified as secure areas. Inference that a person would not be in violation of this rule while securing weapons has been removed and the direction to secure weapons in a locked vehicle has been removed.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 62A-15-603(3), 76-8-311.1(2)(a), and 76-8-311.3(2)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This rule imposes no additional safety measures or procedures that would increase or decrease costs to the state other than those in existence with the old rule. There have been a few incidents with staff who brought contraband onto the campus and the Utah State Hospital handled the situations internally. The costs of these internal investigations have not been so extensive that they could not be absorbed by the standing budget.

❖ **LOCAL GOVERNMENTS:** This rule imposes no additional burden on local governments to enforce its requirements that would increase or decrease costs other than those costs that existed with the old rule if law enforcement were called to assist in the removal of an offender. Within the last year, there have been no incidents related to the old rule that have required the assistance of an outside police agency.

❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** This rule is procedural in nature to ensure the safety of the Utah State Hospital and has no impact on small business.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule is procedural in nature and does not require additional fees, equipment, or other financial obligations that would be imposed on individuals who enter buildings at the State Hospital to ensure compliance.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: After careful review, the Department of Human Services has determined that this rule will have no financial impact on businesses in the state of Utah. Lisa-Michele Church, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HUMAN SERVICES
SUBSTANCE ABUSE AND MENTAL HEALTH,
STATE HOSPITAL
UTAH STATE HOSPITAL
PROVO UT 84603-0270, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Thom Dunford at the above address, by phone at 801-538-4519, by FAX at 801-538-9892, or by Internet E-mail at TDUNFORD@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Mark I Payne, Director

R525. Human Services, Substance Abuse and Mental Health, State Hospital.**R525-6. Prohibited Items and Devices.****R525-6-1. Authority.**

(1) This rule establishes secure areas on the Utah State Hospital campus and procedures for securing prohibited items and devices as authorized by Subsection 76-8-311.3(2).

R525-6-2. Establishment of Secure Areas.

(1) Pursuant to Subsections 62A-15-603(3) and 76-8-311.3(2), the following buildings of the Utah State Hospital are established as secure areas:

(a) Forensic Mental Health Facility;

(b) Lucy Beth Rampton Building;

(c) Beesley Building;

(d) MS Building;

(e) Youth Center; and

(f) any building constructed on the Utah State Hospital campus to replace or expand these buildings that perform similar functions of the above listed buildings.

R525-6-3. Items and Devices Prohibited from Secure Areas.

(1) Pursuant to Subsections 76-8-311.1(2)(a) and 76-8-311.3(2), all weapons, contraband, controlled substances, ammunition, items that implement escape, explosives, spirituous or fermented liquors, firearms, or any devices that are normally considered to be weapons are prohibited from entry beyond the secure storage lockers in the foyers of each building listed above.

R525-6-4. Storage of Prohibited Items and Devices.

(1) The public is notified of the availability of secure storage lockers at the entrance of the Utah State Hospital campus. Directions for use of the storage lockers are provided at or near the entrance of each of the above listed buildings.

KEY: weapons, state hospital, secure areas, prohibited items and devices

Date of Enactment or Last Substantive Amendment: 2008

Authorizing, and Implemented or Interpreted Law: 62A-15-603(3); 76-8-311.1(2)(a); 76-8-311.3(2)



Human Services, Recovery Services

R527-305High-Volume, Automated Administrative
Enforcement in Interstate Child Support
Cases**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 31025

FILED: 02/27/2008, 14:22

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to add the office authority for creating rules and to change the "IV-D Child Support Services program within the Office of Recovery Services (CSS/ORS)" to the Office of Recovery Services/Child Support Services (ORS/CSS) to maintain consistency with policy and other legal documents for ORS/CSS. This amendment also adds the definition for IV-D.

SUMMARY OF THE RULE OR CHANGE: This amendment adds a subsection in the first section to show the department's authority for rulemaking. In Section R527-305-2, changes "IV-D Child Support Services program within the Office of Recovery Services" (CSS/ORS) to the "Office of Recovery Services/Child Support Services (ORS/CSS)" and adds the definition for "IV-D" to Section R527-305-3 and changes the CSS/ORS in Section R527-305-4 to ORS/CSS consistent with the previous changes.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-11-305

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The proposed changes to the rule are for clarification purposes only and do not affect the current procedures. Therefore, no additional financial impact on any state programs is anticipated.

❖ LOCAL GOVERNMENTS: Administrative rules of the Office of Recovery Services/Child Support Services (ORS/CSS) do not apply to local government. Therefore, there will not be any financial impact on the local government.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: The basic requirements of the current rule will not change when the proposed amendment becomes effective. Consequently, there should not be any additional financial impact on those individuals.

COMPLIANCE COSTS FOR AFFECTED PERSONS: No person or entity affected by this rule should incur any additional costs as a result of the proposed changes because the basic procedures remain the same.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule provides the procedures for the office when a request is received from a IV-D child support agency of another state for high-volume, automated administrative enforcement of support orders. Businesses are not addressed in the rule or the proposed changes and it is not anticipated the changes will create any fiscal impact on them. Lisa-Michelle Church, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HUMAN SERVICES
RECOVERY SERVICES
515 E 100 S
SALT LAKE CITY UT 84102-4211, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

LeAnn Wilber at the above address, by phone at 801-536-8950, by FAX at 801-536-8833, or by Internet E-mail at lwilber@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Mark Brasher, Director

R527. Human Services, Recovery Services.**R527-305. High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases.****R527-305-1. Authority.**

1. The Department of Human Services is authorized to create rules necessary for the provision of social services by Section 62A-11-107. Section 62A-11-111 provides for collection with liens and the disposition of property acquired by the department.

2. This rule establishes procedures for High-Volume, Automated Administrative Enforcement in Interstate child support cases pursuant to Section 62A-11-305, and Subsection 466(a)(14) of the Social Security Act.

R527-305-2. Purpose.

The purpose of this rule is to provide procedures for the [~~IV-D Child Support Services~~]Office of Recovery Services/Child Support Services [~~program within the Office of Recovery Services~~] (~~CSS/ORS/CSS~~), when a request is received from a IV-D child support agency of another state for high-volume, automated administrative enforcement of support orders.

R527-305-3. Definitions.

1. "Requesting State" means the state sending an administrative interstate enforcement request to the assisting state.

2. "Assisting State" means the state matching the requesting state's delinquent obligors against data[-]bases and, if appropriate, seizing assets on behalf of the requesting state.

3. "High-Volume, Automated Administrative Enforcement in Interstate Cases" means the use of automated data processing to search the assisting state's data[-]bases to determine whether information is available regarding parents who owe child support in the requesting state, and the seizure of identified assets, if appropriate, using the same techniques as used in intrastate cases.

4. "IV-D agency" means an agency authorized by Title IV, Section D of the Social Security Act to administer child support services and collections.

R527-305-4. Procedures for High-Volume, Automated Administrative Enforcement of Interstate Referrals.

The procedures below apply whenever ~~ORS/CSS~~[~~ORS~~] receives a request for high-volume, automated administrative enforcement of interstate cases from another state's IV-D agency.

1. Another state may transmit a request for automated administrative enforcement of support orders to ~~ORS/CSS~~[~~ORS~~] by electronic or other means. The requesting state may transmit a single high-volume referral that includes multiple requests.

2. A request for automated administrative interstate enforcement shall not be considered a transfer of the cases referred to the ORS/CSS[OR] caseload.

3. ORS/CSS[OR] will conduct a match of the referral data against Utah state databases to which it has access to determine if information regarding the obligor is available. ORS/CSS[OR] will notify the requesting state of the results of the search.

4. ORS/CSS[OR] will give an automated administrative interstate enforcement request the same priority it gives to a regular interstate case referred by another state for collection services or establishment, modification, or registration of an order.

KEY: child support, interstate

Date of Enactment or Last Substantive Amendment: ~~June 16, 1998~~ 2008

Notice of Continuation: March 10, 2003

Authorizing, and Implemented or Interpreted Law: 62A-11-305

◆ ————— ◆

Insurance, Administration R590-164 Uniform Health Billing Rule

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31030

FILED: 02/28/2008, 08:37

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being changed to update standards.

SUMMARY OF THE RULE OR CHANGE: The substantive changes to this rule include the addition of an expiration date for forms UB-92 HCFA-1450 and CMS 1500; clarification of the status of the Health Care Financing Administration (HCFA) with the Department of Health and Human Services; adding a national standard setting entity to the list of those to be consulted by the Utah Health Information Network (UHIN) Standards Committee; adding Subsection R590-164-6(C) which was mistakenly omitted when the rule was last updated; and renaming one electronic data interchange standard, adding a new standard, and changing the effective dates of three standards.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-22-614.5

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The changes to this rule will have no effect on the state or department budget or revenues since the rule does not require filings or fees.

❖ LOCAL GOVERNMENTS: This rule will have no effect on local governments since it deals solely with the billing process between insurers and medical providers.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: The changes are updating existing standards that are already in use. They will have no or minimal impact on users.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The changes are updating existing standards that are already in use. They will have no or minimal impact on users.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be little or no impact felt as a result of these changes. D. Kent Michie, Commissioner

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

INSURANCE
ADMINISTRATION
Room 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.

R590-164. Uniform Health Billing Rule.

R590-164-4. Definitions.

As used in this rule:

A. Uniform Claim Forms are defined as:

(1)(a) "UB-92 HCFA-1450" means the health insurance claim form maintained by HCFA for use by institutional care providers. Currently this form is known as the UB92. This form will not be used after 01/01/2008.

(b) "UB-04" means the health insurance claim form maintained by NUBC for use by institutional care providers.

(2)(a) "Form HCFA-1500 (12-90)" means the health insurance claim form maintained by HCFA for use by health care providers.

(b) "Form CMS 1500 (08-05)" means the health insurance claim form maintained by NUCC for use by health care providers. This form will not be used after 06/01/2008.

(3) "American Dental Association, 1999 Version 2000" means the uniform dental claim form approved by the American Dental Association for use by dentists.

(4) "NCPDP" means the National Council for Prescription Drug Program's Claim Form or its electronic counterpart.

B. Uniform Claim Codes are defined as:

(1) "ASA Codes" means the codes contained in the ASA Relative Value Guide developed and maintained by the American Society of Anesthesiologists to describe anesthesia services and related modifiers.

(2) "CDT Codes" means the current dental terminology prescribed by the American Dental Association.

(3) "CPT Codes" means the current physicians procedural terminology, published by the American Medical Association.

(4) "HCPCS" means HCFA's Common Procedure Coding System, a coding system that describes products, supplies, procedures and health professional services and includes, the American Medical Association's (AMA's) Physician Current Procedural Terminology, codes, alphanumeric codes, and related modifiers. This includes:

(a) "HCPCS Level 1 Codes" which are the AMA's CPT codes and modifiers for professional services and procedures.

(b) "HCPCS Level 2 Codes" which are national alphanumeric codes and modifiers for health care products and supplies, as well as some codes for professional services not included in the AMA's CPT codes.

(5) "ICDCM Codes" means the diagnosis and procedure codes in the International Classification of Diseases, clinical modifications published by the U.S. Department of Health and Human Services.

(6) "NDC" means the National Drug Codes of the Food and Drug Administration.

(7) "[~~UB92~~UB04 Rate Codes" means the code structure and instructions established for use by the National Uniform Billing Committee.

C. "Electronic Data Interchange Standard" means the:

(1) ASC X12N standard format developed by the Accredited Standards Committee X12N Insurance Subcommittee of the American National Standards Institute and the ASC X12N implementation guides as modified by the Utah Health Information Network (UHIN) Standards Committee;

(2) other standards developed by the UHIN Standards Committee at the request of the commissioner; and

(3) as adopted by the commissioner by rule.

D. "Payer" means an insurer or third party administrator that pays for, or reimburses for the costs of health care expense.

E. "Provider" means any person, partnership, association, corporation or other facility or institution that renders or causes to be rendered health care or professional services, and officers, employees or agents of any of the above acting in the course and scope of their employment.

F. "HCFA" means the Health Care Financing Administration of the U.S. Department of Health and Human Services. HCFA is no longer an active division of the Department of Health and Human Services.

G. "UHIN Standards Committee" means the Standards Committee of the Utah Health Information Network.

H. "CMS" means the Centers for Medicare and Medicaid Services of the U.S. Department of Health and Human Services. CMS replaced HCFA.

I. "HIPAA" means the federal Health Insurance Portability and Accountability Act.

J. "NUBC" means the National Uniform Billing Committee.

K. "NUCC" means the National Uniform Claim Committee.

R590-164-6. Electronic Data Interchange Transactions.

A. The commissioner shall use the UHIN Standards Committee to develop electronic data interchange standards for use by payers and providers transacting health insurance business electronically. In developing standards for the commissioner, the UHIN Standards Committee shall consult with national standard setting entities including but not limited to Centers for Medicare and Medicaid Services (CMS), the National Uniform Claim Form Committee, ASC X12, NCPDP, and the National Uniform Billing Committee.

B. Standards developed and adopted by the UHIN Standards Committee shall not be required for use by payers and providers, until adopted by the commissioner by rule.

C. Payers shall accept the applicable electronic data if transmitted in accordance with the adopted electronic data interchange standard. Payers may reject electronic data if not transmitted in accordance with the adopted electronic data interchange standard.

D. The following HIPAA+ electronic data interchange standards developed and adopted by the UHIN Standards Committee and adopted by the commissioner are hereby incorporated by reference with this rule and are available for public inspection at the department during normal business hours or at www.insurance.utah.gov/rules/index.htm.

(1) #1 - "Anesthesia v2.0." Purpose: to standardize the transmission of anesthesia data for health care services. This standard does not alter any contractual agreement between providers and payers. Effective date: 07-12-2003.

(2) #2A - "UB92 Form Locator Elements v2.0." Purpose: to clearly describe the use of each form locator in the UB-92 (HCFA 1450) claim billing form and its crosswalk to the HIPAA 837 004010X096A1 Institutional implementation guide. This standard creates a uniform billing method for institutional claims. Effective date: 07-12-2003.

(3) #2B - "HCFA 1500 Box Elements v2.0." Purpose: to clearly describe the standard use of each box (for print images) and its crosswalk to the HIPAA 837 004010X098A1 Professional implementation guide. This standard creates a uniform billing method for professional claims. Effective date: 07/12/03.

(4) #2D - "Dental Form Locator Elements v2.0." Purpose: to clearly describe the standard use of each Form Locator (for print images) and its crosswalk to the HIPAA 837 004010X097A1 Dental implementation guide. This standard creates a uniform billing method for dental claims. Effective date: 12/12/03.

(5) #3 - "837 Health Care Claim Standard v2.1." Purpose: to detail the standard transactions for the transmission of health care claims and encounters and associated transactions in the state of Utah. Effective date: 01/17/03.

(6) #4 - "Provider Remittance Advice v2.0." Purpose: to detail the standard transactions for the transmission of health care remittance advices in the state of Utah. Effective date: 01/17/03.

(7) #8 - "Patient Identification Number v2.0." Purpose: to describe the standard for the patient identification number in Utah. Effective date: 09/11/98.

(8) #9a - "Professional Common Edits". Purpose: to detail common edits used in all professional claims. Effective date: 10/17/97.

(9) #10 - "Facilities Common Edits". Purpose: to detail common edits used in all facility claims. Effective date: 9/10/99.

(10) #11 - "Medicaid Enrollment Standard v2.0." Purpose: to describe the standard for the transmission of a Medicaid enrollment transaction in the state of Utah. Effective date: 04/12/03.

(11) #12 - "HCFA Box 17 / 17A". Purpose: to establish a standard approach to reporting referring provider name and identifier number on the HCFA 1500 claim form. This Standard also provides the cross walk to the ASC X12 837 Professional Claim version 4010A. Effective date: 09/04/04.

(12) #18 - "Acknowledgements v2.3." Purpose: to detail the standard transaction for the reporting of transmission receipt and transaction and/or functional group X12 standard syntactical errors. This standard adopts the use of the ASC X12 997 transaction. Effective date: 07/08/06.

(13) #20 - "Front-End Acknowledgement Standard v2.2." Purpose: to delineate a standardized front-end encounter acknowledgement transaction. This transaction will be used only to report on the status of a claim/encounter at the level of the payers "front end" claim/encounter edits, i.e., before the payer is legally required to keep a history of the claim/encounter. Effective date: 12/02/05.

(14) #26 - "Telehealth v2.1." Purpose: to provide a uniform standard of billing for a health care claim/encounter delivered via telehealth. Two types of telehealth technology have been identified to deliver health care. Effective date: 9/13/03.

(15) #27 - "Metabolic and Dietary Foods v2.1." Purpose: to provide a uniform standard for billing of metabolic dietary products for those providers and payers that use the UB92 and the HCFA 1500 or the electronic equivalent. Effective date: 09/11/04.

(16) #28 - "Home Health v2.1." Purpose: to provide a uniform standard of billing for a home health care claim/encounter. Effective date: 06/12/04.

(17) #30 - "Pain Management". Purpose: to provide a uniform method of submitting a pain management claim/encounter, pre-authorization, and notification. Effective date: 10/19/02.

(18) # 31 - "Eligibility Inquiry and Response Standard ~~v2.2~~v2.3." Purpose: to detail the Standard transactions for the transmission of health care eligibility inquiries and responses in the state of Utah. Effective date: ~~06/12/04~~06/02/07.

(19) #32 - "Benefits Enrollment and Maintenance Standard v2.1." Purpose: to mandate the use of the ASC X12 834 HIPAA addenda transaction for health care benefits enrollment and maintenance transactions. Effective date: 12/06/04.

(20) #34 - "Psychiatric Day Treatment Standard v2.0." Purpose: to provide a uniform standard for submitting a psychiatric day treatment claim/encounter, pre-authorization, and notification. Effective date: 10/09/02.

(21) #35 - "Prior Authorization/Referral Standard v2.0." Purpose: to (1) lay out general recommendations to payers and providers about handling the UHIN Internet based prior authorization/referral (termed the 278) system, (2) set out the minimum data set that providers will submit in the 278 request, and (3) set out the minimum data set that payers will return on the 278 response. Effective date: 10/08/02.

(22) #36 - "Claim Status Inquiry v2.2." Purpose: to detail the Standard transactions for the transmission of health care claim status inquiries and response in the state of Utah. Effective date: 07/08/06.

(23) #37 - "Individual Name v2.0." Purpose: to provide guidance for entering names into any Utah provider, payer or sponsor systems for patients, enrollees, as well as all other people associated with these records. Effective Date: 07/12/03.

(24) #46 - "Required 'Unknown' Values v2.0." Purpose: to provide guidance for the use of common data values that can be used within the HIPAA transactions when a required data element is not known by the provider, payer or sponsor for patients, enrollees, as well as all other people associated with these transactions. These data values should only be used when the data is truly not available or known. These values are not to be used to replace known data. Effective Date: 06/12/04.

(25) #50 - "Coordination of Benefits v2.0." Purpose: to streamline the coordination of benefits process between payers and providers. The over all goal of this standard is to define the data to be exchanged for Coordination of Benefits (COB) and increase effective communications. Effective Date: 07/08/06.

(26) #51 - "National Provider Identifier v2.1." Purpose: to describe the agreed upon requirements surrounding the National Provider Identifier and it's usage for providers and payers in the State of

Utah during the transition period of May 23, 2005 through May 22, 2007. Effective Date: ~~07/08/06~~09/01/2007.

(27) #56 - "~~Professional Paper Claim Form (CMS 1500)~~CMS 1500 Paper Claim Form 2.0." Purpose: to clearly describe ~~the standard use of each Box (for print images) and its crosswalk to the HIPAA 837 004010X098A1 Professional implementation guide~~the use of each form locator in the CMS 1500 claim billing form and its crosswalk to the HIPAA 837 004010X096A1 Institutional implementation guide. This standard applies to professional providers. Effective Date: ~~07/08/06~~09/01/2007.

(28) #57 - "UB04 Paper Claim Form 2.0." The purpose of this standard is to describe the use of each form locator in the UB04 (CMS1450) claim billing form and its crosswalk to the HIPAA 004010X096A1 Institutional implementation guide. This standard applies to institutional providers. Effective Date: 04/07/2007.

KEY: insurance law

Date of Enactment or Last Substantive Amendment: ~~September 25, 2006~~2008

Notice of Continuation: March 31, 2005

Authorizing, and Implemented or Interpreted Law: 31A-22-614.5



**Professional Practices Advisory
Commission, Administration**

R686-103

**Professional Practices and Conduct for
Utah Educators**

NOTICE OF PROPOSED RULE

(Repeal)

DAR FILE NO.: 31016

FILED: 02/20/2008, 12:43

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is repealed because the Utah State Board of Education has adopted a rule regarding Utah educator standards that replaces this rule originally from the Utah Professional Practices Advisory Commission.

SUMMARY OF THE RULE OR CHANGE: This action repeals the rule in its entirety.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-6-306(1)(a)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** There are no anticipated costs or savings to the state budget. The rule is being repealed because it has been replaced with another rule with similar and more inclusive standards.

❖ **LOCAL GOVERNMENTS:** There are no anticipated costs or savings to local government. The rule is being repealed because it has been replaced with another rule with similar and more inclusive standards.

❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** There are no anticipated costs or savings to small businesses and persons other than businesses. The rule is being repealed because it has been replaced with another rule with similar and more inclusive standards.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons. The rule is being repealed because it has been replaced with another rule with similar and more inclusive standards.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on businesses. Patti Harrington, State Superintendent of Public Instruction

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

PROFESSIONAL PRACTICES ADVISORY
COMMISSION
ADMINISTRATION
250 E 500 S
SALT LAKE CITY UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol Lear at the above address, by phone at 801-538-7835, by FAX at 801-538-7768, or by Internet E-mail at carol.lear@schools.utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Carol Lear, Director, School Law and Legislation

R686. Professional Practices Advisory Commission, Administration.

~~**R686-103. Professional Practices and Conduct for Utah Educators.**~~

~~**R686-103-1. Definitions.**~~

~~— A. "Basic Administrative/Supervisory License" means the initial certificate issued by the Board which permits the holder to be employed in a public school position which requires administration or supervision of kindergarten, elementary, middle, or secondary levels.~~

~~— B. "Commission" means the Utah Professional Practices Advisory Commission as defined and authorized under Section 53A-6-301 et seq.~~

~~— C. "Competent" means an educator who is duly qualified, is skillful, and meets all the legal requirements of the educator's position.~~

~~— D. "Educator" means a licensed person who is paid on the teachers or administrators salary schedule and whose primary function is to provide instructional, counseling or administrative services in the public schools or administrative offices as assigned.~~

~~— E. "Inappropriate" means conduct by an educator toward a student or minor that is unjustifiable because:~~

~~— (1) the conduct is illegal;~~

~~— (2) the conduct is inconsistent with Utah State Board of Education or Commission Administrative Rules; or~~

~~— (3) the conduct is inconsistent with the special position of trust of an educator.~~

~~— F. "Sexual contact" means:~~

~~— (1) the intentional touching of any sexual or intimate part of an individual;~~

~~— (2) causing, encouraging, or permitting an individual to touch any sexual or intimate part of another; or~~

~~— (3) any physical conduct of a sexual nature directed at an individual.~~

~~— G. "Sexual harassment" means any repeated or unwarranted verbal or physical advances, sexually explicit derogatory statements, or sexually discriminatory or explicit visual material or remarks made or displayed by an individual which is offensive or objectionable to the recipient or which causes the recipient discomfort or humiliation.~~

~~**R686-103-2. Authority and Purpose.**~~

~~— A. This rule is authorized by Section 53A-6-306(1)(a) which directs the Commission to adopt rules to carry out its responsibilities under the law.~~

~~— B. The purpose of this rule is to provide for competent practices and standards of moral and ethical conduct for educators in order to serve the needs of Utah students and to maintain the dignity of the education profession in the state of Utah.~~

~~**R686-103-3. Commission Action if a Licensed Educator Violates the Provisions of Professional Practice and Conduct for Utah Educators.**~~

~~— A. The individual conduct of a professional educator at all levels reflects upon the practices, values, integrity and reputation of the Utah educational profession as a whole. Violation of this rule may result in the following:~~

~~— (1) A disciplinary letter that may affect the educator's ability to obtain employment as an educator;~~

~~— (2) A letter of reprimand that would be placed in the educator's certification file and in the personnel file(s) of the district(s) where the educator is employed or seeks employment;~~

~~— (3) A designated period of probationary status for a license holder. The probation may be for a specific or indefinite time period;~~

~~— (4) Suspension of the educator's license(s) that would prevent the educator from practicing education in the state of Utah or other states during the period of suspension; and~~

~~— (5) Revocation of the educator's license(s) for a minimum of five years.~~

~~— B. This rule does not preclude alternative action by the Commission consistent with Utah law and Utah State Board of Education rules warranted under the facts of the case.~~

~~**R686-103-4. Professionalism in Employment Practices.**~~

~~— An educator acting consistent with professional practices and standards shall:~~

~~— A. assist only qualified persons, as defined by Utah law and Utah State Board of Education rules, to enter or continue in the education profession;~~

— B. employ only persons qualified or licensed appropriately for positions, except as provided under R277-511;

— C. document professional misconduct of other educators under the educators' direction as set forth in the law or this rule and take appropriate action based upon the misconduct. Such action shall include supervision or termination of employment when necessary to protect the physical or emotional well-being of students and employees and to protect the integrity of the profession, or both;

— D. not personally falsify or direct another person to falsify records or applications of any type;

— E. not recommend for employment in another district an educator who has been disciplined for unprofessional or unethical conduct or who has not met minimum professional standards in a current or previous assignment, consistent with Section 34-42-1;

— F. adhere to the terms of a contract or assignment unless health or emergency issues requires vacating the contract or assignment. Persons shall in good faith comply with penalty provisions;

— G. accept an educational employment assignment only if the educator has the appropriate certification required for that particular employment assignment except as provided for under R277-511 and shall provide only true and accurate pre-employment information or documentation;

— H. recommend for employment or continuance of employment only persons who are licensed for the position; and

— I. maintain confidentiality, consistent with the law, regarding students and colleagues.

— J. act consistent with Section 67-16-1 through 14, Utah Public Employees Ethics Act.

R686-103-5. Competent Practices.

— An educator shall:

— A. adhere to federal and state laws, State Board of Education Administrative rules, local board policies and specific directives from supervisors regarding educational practices at school and school-related activities; and

— B. exercise good judgment and prudence in the educator's personal life to avoid the impairment of the educator's professional effectiveness and respect the cultural values and standards of the community in which the educator practices.

R686-103-6. Competent Practice Related to Students.

— An educator shall:

— A. develop and follow objectives related to learning, organize instruction time consistent with those objectives, and adhere to prescribed subject matters and curriculum.

— B. deal with each student in a just and considerate manner.

— C. resolve disciplinary problems according to law and school board policy and local building procedures;

— D. maintain confidentiality concerning a student unless a revelation of confidential information serves the best interest of the student and serves a lawful purpose;

— E. not exclude a student from participating in any program, deny or grant any benefit to any student on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation, and may not engage in a course of conduct that would encourage a student to develop a prejudice on these grounds or any others;

— F. impart to students principles of good citizenship and societal responsibility by directed learning as well as by personal example;

— G. cooperate in providing all relevant information and evidence to the proper authorities in the course of an investigation by a law enforcement agency or by Child Protective Services regarding criminal activity. However, an educator shall be entitled to decline to give evidence against himself in any such investigation if the same may tend to incriminate the educator as that term is defined by the Fifth Amendment of the U.S. Constitution;

— H. take appropriate action to prevent student harassment;

— I. follow appropriate instructions and protocols in administering standardized tests to students consistent with Section 53A-1-608; and

— J. supervise students appropriately consistent with district policy and the age of the student.

R686-103-7. Moral and Ethical Conduct.

— An educator shall:

— A. not be convicted of domestic violence or abuse, including physical, sexual, and emotional abuse of any family member;

— B. not be convicted of a stalking crime;

— C. not use or distribute illegal drugs, or be convicted of any crime related to illegal drugs;

— D. not be convicted of any illegal sexual conduct;

— E. not attend school or school functions under the influence of illegal drugs, alcohol, or prescription drugs if the drug impairs the educator's ability to perform regular activities;

— F. not participate in sexual, physical, or emotional harassment or any combination toward any student or co-worker, nor knowingly allow harassment to continue;

— G. not participate in inappropriate sexual contact with a student or minor;

— H. not knowingly fail to protect a student from any condition detrimental to that student's physical health, mental health, safety, or learning;

— I. not harass or discriminate against a student or co-worker on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, physical or mental conditions, family, social, or cultural background, or sexual orientation;

— J. not interfere with the legitimate exercise of political and civil rights and responsibilities of colleagues or a student acting consistently with law and district and school policies;

— K. not threaten, coerce, discriminate against, or create a hostile environment toward any fellow employee, regardless of employment classification, who reports or discloses to a governing agency actual or suspected violations of law, educational regulations, or standards;

— L. conduct financial business with integrity by honestly accounting for all funds committed to the educator's charge and collect and report funds consistent with school and district policy;

— M. not accept gifts or exploit a professional relationship for gain or advantage that might create the appearance of impropriety or that may impair professional judgment, consistent with Section 67-16-1 through 14, Utah Public Employees Ethics Act;

— N. not use or attempt to use district or school computers or information systems in violation of the district's acceptable use policy for employees or access information that may be detrimental to young people or inconsistent with the educator's role model responsibility; and

— O. not knowingly possess, while at school or at any school-related activity, any non-curriculum related sexually oriented material in any form.

KEY: disciplinary actions, educators

Date of Enactment or Last Substantive Amendment: September 2, 2004

Notice of Continuation: May 5, 2004

Authorizing, and Implemented or Interpreted Law: 53A-6-306(1)(a)]



Sports Authority (Utah), Pete Suazo
Utah Athletic Commission

R859-1

Pete Suazo Utah Athletic Commission
Act Rule

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31028

FILED: 02/27/2008, 17:05

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The commission has received requests from constituents to provide additional guidance for "white-collar contests" to reduce the risk of contestant injury.

SUMMARY OF THE RULE OR CHANGE: This amendment requires contestants in "white-collar contests" to be at least 21 years old, be of the same gender, and not weigh more than (15) fifteen percent more than their opponent.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 63C, Chapter 11

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None--There are no funds collected by the commission to license or sanction "white-collar contests".
- ❖ LOCAL GOVERNMENTS: None--The costs to local governments to issue business licenses and enforce existing conditional use permits for training facilities remains the same.
- ❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: None--The commission does not charge fees for sanctioning or licensing "white-collar contests".

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--The commission does not charge fees for sanctioning or licensing "white-collar contests".

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The establishment of age, weight, and gender requirements for contestants is an issue of competitive fairness and safety. Ensuring fair competition is not anticipated to impose a negative fiscal impact on either competitors or promoters. Alan Dayton, Chair, Pete Suazo Utah Athletic Commission (PSUAC)

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

SPORTS AUTHORITY (UTAH)
PETE SUAZO UTAH ATHLETIC COMMISSION
Room 500
324 S STATE ST
STE 500
SALT LAKE CITY UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Colbert at the above address, by phone at 801-538-8876, by FAX at 801-538-8888, or by Internet E-mail at bcolbert@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 3/21/2008 at 1:00 PM, PSUAC, 324 S State ST, STE 500, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 05/01/2008

AUTHORIZED BY: Bill Colbert, Secretary, PSUAC

R859. Sports Authority (Utah), Pete Suazo Utah Athletic Commission.

R859-1. Pete Suazo Utah Athletic Commission Act Rule.

R859-1-102. Definitions.

In addition to the definitions in Title 63C, Chapter 11, the following definitions are adopted for the purpose of this Rule:

- (1) "Boxing" means the sport of attack and defense using the fist, covered by an approved boxing glove.
- (2) "Designated Commission member" means a member of the Commission designated as supervisor for a contest and responsible for the conduct of a contest, as assisted by other Commission members, Commission personnel, and others, as necessary and requested by the designated Commission member.
- (3) "Drug" means a controlled substance, as defined in Title 58, Chapter 37, Utah Controlled Substances Act, or alcohol.
- (4) "Elimination Tournament" means a contest involving unarmed combat in which contestants compete in a series of matches until not more than one contestant remains in any weight category.
- (5) "Mandatory count of eight" means a required count of eight that is given by the referee of a boxing contest to a contestant who has been knocked down.
- (6) "Unprofessional conduct" is as defined in Subsection 63C-11-302(25), and is defined further to include the following:
 - (a) as a promoter, failing to promptly inform the Commission of all matters relating to the contest;
 - (b) as a promoter, substituting a contestant in the 24 hours immediately preceding the scheduled contest without approval of the Commission;
 - (c) violating the rules for conduct of contests;

- (d) testing positive for drugs or alcohol in a random body fluid screen before or after participation in any contest;
 - (e) testing positive for HIV;
 - (f) failing or refusing to comply with a valid order of the Commission or a representative of the Commission; and
 - (g) for a promoter and a contestant, entering into a secret contract that contradicts the terms of the contract(s) filed with the Commission.
- (h) A "training facility" is a location where ongoing, scheduled training of unarmed combat contestants is held.

R859-1-202. Scope and Organization.

Pursuant to Title 63C, Chapter 11, general provisions codified in Sections R859-1-101 through R859-1-512 apply to all contests or exhibitions of "unarmed combat," as that term is defined in Subsection 63C-11-302(23). The provisions of Sections R859-1-601 through R859-1-623 shall apply only to contests of boxing, as defined in Subsection R859-1-102(1). The provisions of Sections R859-1-701 through R859-1-702 shall apply only to elimination tournaments, as defined in R859-1-102(4). The provisions of Section R859-1-801 shall apply only to martial arts contest and exhibitions. The provisions of Section 859-1-901 shall apply only to "White-Collar Contests". The provisions of Sections R859-1-[9]1001 through R859-1-[9]1004 shall apply only to grants for amateur boxing.

R859-1-901. "White-Collar Contests".

Pursuant to Section 63C-11-302 (26), the Commission adopts the following rules for "White-Collar Contests":

- (1) Contestants shall be at least 21 years old on the day of the contest.
- (2) Competing contestants shall be of the same gender.
- (3) The heaviest contestant's weight shall be no greater than 15 percent more than their opponent.

R859-1-[9]1001. Authority - Purpose.

These rules are adopted to enable the Commission to implement the provisions of Section 63C-11-311 to facilitate the distribution of General Fund monies to Organizations Which Promote Amateur Boxing in the State.

R859-1-[9]1002. Definitions.

Pursuant to Section 63C-11-311, the Commission adopts the following definitions:

- (1) For purposes of Subsection 63C-11-311, "amateur boxing" means a live boxing contest conducted in accordance with the standards and regulations of USA Boxing, Inc., and in which the contestants participate for a non-cash purse.
- (2) "Applicant" means an Organization Which Promotes Amateur Boxing in the State as defined in this section.
- (3) "Grant" means the Commission's distribution of monies as authorized under Section 63C-11-311(3).
- (4) "Organization Which Promotes Amateur Boxing in the State" means an amateur boxing club located within the state, registered with USA Boxing Incorporated.
- (5) "State Fiscal Year" means the annual financial reporting period of the State of Utah, beginning July 1 and ending June 30.

R859-1-[9]1003. Qualifications for Applications for Grants for Amateur Boxing.

- (1) In accordance with Section 63C-11-311, each applicant for a grant shall:

- (a) submit an application in a form prescribed by the Commission;
- (b) provide documentation that the applicant is an "organization which promotes amateur boxing in the State";
- (c) Upon request from the Commission, document the following:
 - (i) the financial need for the grant;
 - (ii) how the funds requested will be used to promote amateur boxing; and
 - (iii) receipts for expenditures for which the applicant requests reimbursement.
- (2) Reimbursable Expenditures - The applicant may request reimbursement for the following types of eligible expenditures:
 - (a) costs of travel, including meals, lodging and transportation associated with participation in an amateur boxing contest for coaches and contestants;
 - (b) Maintenance costs; and
 - (c) Equipment costs.
- (3) Eligible Expenditures - In order for an expenditure to be eligible for reimbursement, an applicant must:
 - (a) submit documentation supporting such expenditure to the Commission showing that the expense was incurred during the State Fiscal Year at issue; and
 - (b) submit such documentation no later than June 30 of the current State Fiscal Year at issue.
 - (4) the Commission will review applicants and make a determination as to which one(s) will best promote amateur boxing in the State of Utah.

R859-1-[9]1004. Criteria for Awarding Grants.

The Commission may consider any of the following criteria in determining whether to award a grant:

- (1) whether any funds have been collected for purposes of amateur boxing grants under Section 63C-11-311;
- (2) the applicant's past participation in amateur boxing contests;
- (3) the scope of the applicant's current involvement in amateur boxing;
- (4) demonstrated need for the funding; or
- (5) the involvement of adolescents including rural and minority groups in the applicant's amateur boxing program.

KEY: licensing, boxing, unarmed combat[contests], white-collar contests

Date of Enactment or Last Substantive Amendment: [~~November 8, 2006~~2008]

Notice of Continuation: May 10, 2007

Authorizing, and Implemented or Interpreted Law: 63C-11-101 et seq.



Sports Authority (Utah), Pete Suazo
Utah Athletic Commission
R859-1-302
Renewal Cycle - Procedure

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31029

FILED: 02/27/2008, 17:05

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Under the current rule, all unarmed combat licenses expire on December 31 of each subsequent even-calendar year. Late fees are also collected for late renewals that are nearly the cost of a new license. Since all licenses expire at the same time and renewal notices are sent out to all active licensees, the administrative burden is very high at the end of an even calendar year.

SUMMARY OF THE RULE OR CHANGE: When unarmed combat licenses are issued, they will be valid for a full year, rather than expiring on December 31 of the even calendar year. This will minimize the administrative burden of reissuing all licenses at the beginning of every other calendar year.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 66C, Chapter 11

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: Revenue will be reduced by \$2 for contestant, second, manager, and officials licenses. Licenses will valid for one year after issuance, rather than until December 31 of the even calendar year after issuance. There would be a net fee increase of \$23 per each licensed renewed for a second year in odd-calendar years. The net impact would depend on the number of licenses issued only once and the number of licenses subsequently reissued. There will also be no need to collect late renewal fees which are currently assessed at \$20. The total anticipated positive or negative cost impact for all licensees would be less than \$5,000. Since licenses won't expire concurrently, additional staff or overtime will not be required to process all the concurrent license renewals. This should result in some cost savings.
- ❖ LOCAL GOVERNMENTS: None--Local government does not license or sanction unarmed combat events, contestants, and officials. This is a state responsibility through the Pete Suazo Utah Athletic Commission (PSUAC).
- ❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: None--Small businesses and persons other than businesses do not license or sanction unarmed combat events, contestants and officials. This is a state responsibility through the PSUAC.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The contestant, second, referee, manager, judge, and referee license fee will be reduced by \$2 per license. Licenses will valid for one year after issuance, rather than until December 31 of the even calendar year after issuance. There would be a net increase of \$23 for licensees renewing their license for a second year. However, there will be no late fees assessed after a license period expires. Promoters licensing for a second year will pay an additional \$100 license fee. However, late renewal penalties will no longer be assessed.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Anticipating a fiscal impact on business is difficult, inasmuch as knowing before hand how many promoters and contestants will be applying for new or renewed licenses difficult. However, changing the license term to one year simplifies the administrative details for the PSUAC and, arguably, simplifies the process for promoters and contestants. Alan Dayton, Chair, Pete Suazo Utah Athletic Commission (PSUAC)

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

SPORTS AUTHORITY (UTAH)
PETE SUAZO UTAH ATHLETIC COMMISSION
Room 500
324 S STATE ST
STE 500
SALT LAKE CITY UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Bill Colbert at the above address, by phone at 801-538-8876, by FAX at 801-538-8888, or by Internet E-mail at bcolbert@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/15/2008

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 3/21/2008 at 1:00 PM, PSUAC, 324 S State ST, STE 500, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 05/01/2008

AUTHORIZED BY: Bill Colbert, Secretary, PSUAC

R859. Sports Authority (Utah), Pete Suazo Utah Athletic Commission.**R859-1. Pete Suazo Utah Athletic Commission Act Rule.****R859-1-302. ~~Licensing~~[Renewal Cycle]- Procedure.**

~~[(4)]~~In accordance with the authority granted in Section 63C-11-309, the ~~[renewal]~~expiration date for licenses issued by the Commission shall be ~~[December 31st of even numbered years]~~one year from the date of issuance. [

~~—(2) Expiration of licensure due to failure to renew in accordance with this Section is not an adjudicative proceeding under Title 63, Chapter 46b, Administrative Procedures Act.~~

~~—(3)(a) The Commission shall notify each licensee that the licensee's license is due for renewal and that unless an application for renewal is received by the Commission by the expiration date shown on the license, together with the appropriate renewal fee and documentation showing completion of or compliance with renewal qualifications, the license will not be renewed.~~

~~—(b) The application procedures and requirements specified in Section 63C-11-308 apply to renewals.~~

~~—(4)(a) A renewed license shall be issued to applicants who submit a complete application, unless it is apparent to the Commission that the applicant no longer meets the qualifications for continued licensure.~~

~~—(b) The Commission may evaluate or verify documentation showing completion of or compliance with renewal requirements. If necessary, the Commission may complete its evaluation or verification subsequent to renewal and, if appropriate, pursue action to suspend or revoke the license of a licensee who no longer meets the qualifications for continued licensure.~~

~~—(5) Any license that is not renewed may be reinstated at any time within two years after nonrenewal upon submission of an application for reinstatement, payment of the renewal fee together with the reinstatement fee determined by the Department under Section 63-38-3-2, and upon submission of documentation showing completion of or compliance with renewal qualifications.~~

~~—(6) If not reinstated within two years, the holder may obtain a license only if he meets the requirements for a new license.]~~

KEY: licensing, boxing, unarmed combat[contests], white-collar contests

Date of Enactment or Last Substantive Amendment: [~~November 8, 2006~~]2008

Notice of Continuation: May 10, 2007

Authorizing, and Implemented or Interpreted Law: 63C-11-101 et seq.



**Workforce Services, Employment
Development
R986-200
Family Employment Program**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE No.: 31032

FILED: 02/29/2008, 14:41

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose for this amendment is to provide for approval of basic education training providers.

SUMMARY OF THE RULE OR CHANGE: This proposal provides a method for approving training providers receiving department funds for basic education courses for our clients. It is similar to the process for approval for occupational training providers in Rule R986-600. Providers will have to submit an application and other information as needed to ensure quality services to our customers.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 35A-1-104(4) and 35A-3-302(5)(b)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This applies to federally-funded programs so there are no costs or savings to the state budget.

❖ **LOCAL GOVERNMENTS:** This applies to federally-funded programs so there are no costs or savings to local government.

❖ **SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES:** These proposed changes will have no impact on small businesses except to require an application to receive basic education training dollars. There will be a fee for individuals to obtain a criminal background check but it is essential because of the vulnerable population in basic education courses.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to comply with this procedure except as noted in "small businesses and persons other than businesses" above. This fee is minimal.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no compliance costs associated with this change. There are no fees associated with this change. The only compliance cost will be to individual tutors to obtain a criminal background check which is a minimal fee and essential to ensure the safety of the youth population served. There will be no fiscal impact on any business. Kristen Cox, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

**WORKFORCE SERVICES
EMPLOYMENT DEVELOPMENT
140 E 300 S
SALT LAKE CITY UT 84111-2333, or
at the Division of Administrative Rules.**

DIRECT QUESTIONS REGARDING THIS RULE TO:

Suzan Pixton at the above address, by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Kristen Cox, Executive Director

R986. Workforce Services, Employment Development.

R986-200. Family Employment Program.

R986-200-250. Basic Education Training Provider.

(1) Basic education funds can only be provided to training providers approved by the Department.

(2) This section applies to basic education providers receiving funds from the Department including WIA funds under R986-600.

R986-200-251. Types of Basic Education Training Providers and Approval Requirements.

(1) Public schools governed by the Utah State Office of Education (USOE) must complete and submit Application "A" to the Department.

(2) Individuals offering youth tutoring personally, and not as an employee of another business or school, must be over 18 years of age, submit Application "B" and provide all of the following:

(a) a birth certificate,
(b) a current BCI background check results for Utah, from the Utah Department of Public Safety, paid for by the individual. The BCI report cannot contain:

(i) any matters involving an alleged sexual offense;
(ii) any matters involving an alleged felony or class A misdemeanor drug offense; or
(iii) any matters involving an alleged offense against the person under Utah State Code Title 76 Chapter 5, Offenses Against the Person.

(c) a resume with tutoring-related work history or subject matter knowledge.

(d) three letters of recommendation addressing suitability as a tutor, and

(e) an approved grievance procedure for clients to use in making complaints.

(3) All other providers must submit Application "C" and:

(a) have been in business in Utah for at least one year;

(b) meet all state and local licensing requirements;

(c) have a satisfactory record with the Better Business Bureau;

(d) submit evidence of financial stability prepared by a certified public accountant (CPA) using generally accepted accounting principles. The evidence must include at least one of the following:

(i) balance sheet, income statement and a statement of changes in financial position;

(ii) copy of the most recent annual business audit; or

(iii) copies of each owner's most recent personal income tax return.

(e) submit a current Utah Business License showing at least one year in business, and

(f) submit an approved grievance procedure for clients to use in making complaints.

(g) ESL training providers must also submit documentation of registration as a Postsecondary Proprietary School with the Utah Division of Consumer Protection or show an exemption from such registration.

(h) Providers offering high school credit must also provide documentation of accreditation through Utah State Office of Education and Northwest Association of Accredited Schools.

(4) Training providers submitting Application "B" or "C" must provide the following information for each training program for which the provider is seeking approval:

(a) program completion rates for all individuals enrolled;

(b) the type of certification students completing the program will obtain;

(c) the percentage rate of certification attained by program graduates; and

(d) program costs including tuition, fees and refund policy.

(5) A training provider approved under R986-600-652 can be approved for its basic education curriculum upon submission and approval of the information required in subsection (4) of this section.

However, public schools governed by Title IV of the Higher Education Act of 1965 (20 USCA 1070 et seq.) or the Utah State Office of Education (USOE) approved as providers under R986-600-652 do not need to submit the information required in subsection (4) of this section.

R986-200-252. Renewal and Revocation of Approval for Training Providers.

(1) Once a provider has been approved, the Department will establish a review date for that provider and notify the provider of the review date. The Department will determine at the time of the review if the provider is still eligible for approved provider status and notify the provider of that determination. At the time of review, the provider is required to provide any and all information requested by the Department which the Department has determined is necessary to allow the provider to continue to be an approved provider. This may include completing necessary forms, providing documentation and verification, and returning the Department's telephone calls. The requests for information must be completed within the time frame specified by the Department. If the Department determines as a result of the review that the provider is no longer eligible for approved provider status, the provider will be removed from the approved provider list.

(2) Providers must retain participant program records for three years from the date the participant completes the program.

(3) A provider who is not on the Department's approved provider list is not eligible for receipt of Department funds. A provider will be removed from the eligible provider list if the provider:

(a) does not meet the performance levels established by the Department including providing training services in a professional and timely manner;

(b) has committed fraud or violated applicable state or federal law, rule, or regulation;

(c) intentionally supplies inaccurate student or program performance information;

(d) fails to complete the review process; or

(e) has lost approval, accreditation, licensing, or certification from any of the following:

(i) Utah Division of Consumer Protection,

(ii) USOE,

(iii) Northwest Association of Accredited Schools, or

(iv) any other required approval, accrediting, licensing, or certification body.

(4) Some providers who have been removed from the eligible provider list may be eligible to be placed back on the list as follows:

(a) a provider who was removed for failure to meet performance levels may reapply for approval if the provider can prove it can meet performance levels;

(b) there is a lifetime ban for a provider who has committed fraud as a provider;

(c) providers removed for other violations of state or federal law will be suspended;

(i) until the provider can prove it is no longer in violation of the law for minor violations;

(ii) for a period of two years for serious violations or supplying inaccurate student or program performance information; or

(iii) for the lifetime of the provider for egregious violations.

The seriousness of the violation will be determined by the Department.

R986-200-253. Training Provider's Right to Appeal a Denial or Revocation of Approval.

(1) Training providers will be notified in writing of a decision to deny an application for approval as a basic education training provider or a decision to revoke prior approval. The notice will

inform the provider of its right to file a written appeal, where the appeal should be sent, and the deadline for filing an appeal.

(2) A hearing on the appeal will be held by the Department's Appeals Unit following the procedure in R986-100.

KEY: family employment program

Date of Enactment or Last Substantive Amendment: [~~October 25, 2007~~2008]

Notice of Continuation: September 14, 2005

Authorizing, and Implemented or Interpreted Law: 35A-3-301 et seq.



**Workforce Services, Employment
Development
R986-400-406
Failure to Comply with the
Requirements of an Employment Plan**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31034

FILED: 02/29/2008, 15:26

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to clarify Primary Care Network (PCN) policy.

SUMMARY OF THE RULE OR CHANGE: If a client applies for General Assistance but fails to obtain PCN, the client's case will be closed and the client will not be eligible until PCN or other coverage is obtained. This is true even if it is during a period where PCN enrollment is closed.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: There will be no costs or savings to the state budget and there are no costs associated with this rule. This rule change is how policy has been interpreted for some time.
- ❖ LOCAL GOVERNMENTS: This is a state program and there are no costs or savings to local government.
- ❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: This program has no impact on small businesses or persons other than businesses because there are no costs or fees associated with this change. This proposed change only applies to those individuals otherwise eligible for General Assistance benefits.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to affected persons associated with these changes because there are no costs or fees associated with this change.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no compliance costs associated with this change. There are no fees associated with this change. There will be no cost to anyone to comply with these changes. There will be no fiscal impact on any business. Kristen Cox, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

WORKFORCE SERVICES
EMPLOYMENT DEVELOPMENT
140 E 300 S
SALT LAKE CITY UT 84111-2333, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Suzan Pixton at the above address, by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Kristen Cox, Executive Director

**R986. Workforce Services, Employment Development.
R986-400. General Assistance and Working Toward
Employment.
R986-400-406. Failure to Comply with the Requirements of an
Employment Plan.**

(1) If a client fails to comply with the requirements of the employment plan without reasonable cause, financial assistance will be terminated immediately. Reasonable cause under this section means the client was prevented from participating through no fault of his or her own or failed to participate for reasons that are reasonable and compelling and may include reasons like verified illness or extraordinary transportation problems.

(2) If a client's financial assistance has been terminated under this section, the client is not eligible for further assistance as follows:

(a) the first time financial assistance is terminated, the client must ~~reapply~~ resolve the reason for the termination and participate to the maximum extent possible in all of the required activities of the employment plan. The client does not need to reapply if he or she resolves the reason for termination by the end of the month following the termination;

(b) the second time financial assistance is terminated, the client will be ineligible for financial assistance for a minimum of one month and can only become eligible again upon completing a new application and participating to the maximum extent possible in the required employment activity; and

(c) the third and subsequent time financial assistance is terminated, the client will be ineligible for a minimum of six months and can only become eligible again upon completing a new application and actively participating in the required employment activity.

3. If a client has had his or her financial assistance terminated because the client did not enroll in PCN, the client will not be eligible for GA until the client enrolls in PCN or obtains other medical coverage. This is true even if the client cannot enroll in PCN because there is no open enrollment.

4. An application for GA will be denied if the applicant's employment plan requires the applicant to enroll in PCN but he or she fails to do so during the application period. However, if there is no open enrollment during the application period, the PCN requirement will be waived until the next open enrollment period.

KEY: general assistance, working toward employment

Date of Enactment or Last Substantive Amendment: [~~December 27, 2007~~2008]

Notice of Continuation: September 14, 2005

Authorizing, and Implemented or Interpreted Law: 35A-3-401; 35A-3-402

◆ ————— ◆

**Workforce Services, Employment
Development
R986-700
Child Care Assistance**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 31033

FILED: 02/29/2008, 15:19

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment applies changes to reflect policy.

SUMMARY OF THE RULE OR CHANGE: Child care assistance can be provided for court-appointed guardians and custodians if both parents are absent from the home. The changes clarify that child care is not available for individuals caring for their own children unless they work in a center; provide providers with information about when the client's child care subsidy needs to be renewed; provide that relative child care can only be allowed if the provider is related to at least one child in the home; require cooperation on overpayments; disallow child care to providers living in the child's home with some exceptions; clarify whose income is counted in determining child care eligibility; and provide nighttime care only for sleep time and only for six hours with some exceptions.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 35A-1-104(4) and 35A-3-310(3)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This is a federally-funded program so there are no costs or savings to the state budget. There are no anticipated costs associated with these changes.

❖ LOCAL GOVERNMENTS: This is a federally-funded program so there are no costs or savings to the local government.

❖ SMALL BUSINESSES AND PERSONS OTHER THAN BUSINESSES: There will be no costs to small businesses to comply with these changes because this is a federally-funded program. There will be no costs of any persons to comply with these changes because there are no costs or fees associated with these proposed changes.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs associated with these changes for any persons because this is a federally-funded program and there are no fees or costs associated with these proposed changes.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no compliance costs associated with this change. There are no fees associated with this change. There will be no cost to anyone to comply with these changes. There will be no fiscal impact on any business. Kristen Cox, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

WORKFORCE SERVICES
EMPLOYMENT DEVELOPMENT
140 E 300 S
SALT LAKE CITY UT 84111-2333, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Suzan Pixton at the above address, by phone at 801-526-9645, by FAX at 801-526-9211, or by Internet E-mail at spixton@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 04/14/2008.

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2008

AUTHORIZED BY: Kristen Cox, Executive Director

R986. Workforce Services, Employment Development.

R986-700. Child Care Assistance.

R986-700-702. General Provisions.

(1) CC is provided to support employment.

(2) CC is available, as funding permits, to the following clients who are employed or are participating in activities that lead to employment:

(a) parents;

(b) specified relatives; or

(c) clients who have been awarded custody or appointed guardian of the child by court order and both parents are absent from the home. If there is no court order, an exception can be made on a case by case basis in unusual circumstances by the Department program specialist.

(3) Child care is provided only for children living in the home and only during hours when neither parent is available to provide care for the children.

(4) If a client is eligible to receive CC, the following children, living in the household unit, are eligible:

- (a) children under the age of 13; and
- (b) children up to the age of 18 years if the child;
 - (i) meets the requirements of rule R986-700-717, and/or
 - (ii) is under court supervision.

(5) Clients who qualify for child care services will be paid if and as funding is available. When the child care needs of eligible applicants exceed available funding, applicants will be placed on a waiting list. Eligible applicants on the list will be served as funding becomes available. Special needs children, homeless children and FEP or FEPTP eligible children will be prioritized at the top of the list and will be served first. "Special needs child" is defined in rule R986-700-717.

(6) The amount of CC might not cover the entire cost of care.

(7) A client is only eligible for CC if the client has no other options available for child care. The client is encouraged to obtain child care at no cost from a parent, sibling, relative, or other suitable provider. If suitable child care is available to the client at no cost from another source, CC cannot be provided.

(8) CC can only be provided for an eligible provider and will not be provided for illegal or unsafe child care. Illegal child care is care provided by any person or facility required to be licensed or certified but where the provider has not fulfilled the requirements necessary to obtain the license or certification.

(9) CC will not be paid to a client for the care of his or her own child(ren) unless the client is working for an approved child care center.

~~(9)10~~ Neither the Department nor the state of Utah ~~are~~ is liable for injuries that may occur when a child is placed in child care even if the parent receives a subsidy from the Department.

~~(10)1~~ Foster care parents receiving payment from the Department of Human Services are not eligible to receive CC for the foster children.

~~(11)2~~ Once eligibility for CC has been established, eligibility must be reviewed at least once every six months. The review is not complete until the ~~the~~ client has completed, signed and returned all necessary review forms to the local office. All requested verifications must be provided at the time of the review. If the Department has reason to believe the client's circumstances have changed, affecting either eligibility or payment amount, the Department will reduce or terminate CC even if the certification period has not expired.

R986-700-703. Client Rights and Responsibilities.

In addition to the client rights and responsibilities found in R986-100, the following client rights and responsibilities apply:

(1) A client has the right to select the type of child care which best meets the family's needs.

(2) If a client requests help in selecting a provider, the Department will refer the client to the local Child Care Resource and Referral agency.

(3) A client is responsible for monitoring the child care provider. The Department will not monitor the provider.

(4) A client is responsible to pay all costs of care charged by the provider. If the child care assistance payment provided by the Department is less than the amount charged by the provider, the client is responsible for paying the provider the difference.

(5) The only changes a client must report to the Department within ten days of the change occurring are:

(a) that the household's gross monthly income exceeds the percentage of the state median income as determined by the Department in R986-700-710(3);

(b) that the client is no longer in an approved training or educational program;

(c) if the client's and/or child's schedule changes so that child care is no longer needed during the hours of approved employment and/or training activities;

(d) that the client does not meet the minimum work requirements of an average of 15 hours per week or 15 and 30 hours per week when two parents are in the household and it is expected to continue;

(e) the client is separated from his or her employment;

(f) a change of address;

(g) any of the following changes in household composition; a parent, stepparent, spouse, or former spouse moves into the home, a child receiving child care moves out of the home, or the client gets married; or

(h) a change in the child care provider, including when care is provided at no cost.

(6) If a material change which would result in a decrease in the amount of the CC payment is reported within 10 days, the decrease will be made effective beginning the next month and sums received in the month in which the change occurred will not be treated as an overpayment. If it is too late to make the change to the next month's CC payment, the client is responsible for repayment even if the 10 days for reporting the change has not expired. If the client fails to report the change within 10 days, the decrease will occur as soon as the Department learns of the change and the overpayment will be assessed back to the date of the change.

(7) A client is responsible for payment to the Department of any overpayment made in CC.

(8) If the client has failed to provide all necessary information and the child care provider requests information about payment of CC to the client, the Department is authorized to inform the provider that further information is needed before payment can be determined.

(9) The Department may also release the following information to the designated provider:

(a) limited information regarding the status of a CC payment including that no payment was issued or services were denied;

(b) information contained on the Form 980;

(c) the date the child care subsidy was issued;

(d) the subsidy amount for that provider;

(e) the subsidy deduction amount;

(f) the date a two party check was mailed to the client; ~~and~~

(g) a copy of the two party check on a need to know basis; and
(h) the month the client is scheduled for review or reestablishment.

(10) If child care funds are issued on the Horizon Card (electronic benefit transfer) unused child care funds will be removed from the Horizon Card 60 days after the last child care transaction/transfer occurred ("aged off") and will no longer be available to the client.

R986-700-705. Eligible Providers and Provider Settings.

(1) The Department will only pay CC to clients who select eligible providers. The only eligible providers are:

(a) licensed and accredited providers;

(i) licensed homes;

(ii) licensed family group homes; and
 (iii) licensed child care centers.
 (b) license exempt providers who are not required by law to be licensed and are either:
 (i) license exempt centers; or
 (ii) related to ~~[the client and/or the child]~~ at least one of the children for whom CC is provided. Related under this paragraph means: siblings who are at least 18 years of age and who live in a different residence than the parent, grandparents, step grandparents, aunts, step aunts, uncles, step uncles or people of prior generations of grandparents, aunts, or uncles, as designated by the prefix grand[]or, great, ~~[great-great, or great-great-great]~~ or persons who meet any of the above relationships even if the marriage has been terminated.

(c) homes with a Residential Certificate obtained from the Bureau of Licensing.

(2) ~~[If a new client has a provider who is providing child care at the time the client applies for CC or has provided child care in the past and has an established relationship with the child(ren), but the provider is not currently eligible, the client may receive CC for a period not to exceed three months if the provider is willing to become an eligible provider and actively pursues eligibility.~~

~~—(3)—~~ The Department may, on a case by case basis, grant an exception and pay for CC when an eligible provider is not available:

(a) within a reasonable distance from the client's home. A reasonable distance, for the purpose of this exception only, will be determined by the transportation situation of the parent and child care availability in the community where the parent resides; ~~[-or]~~

(b) because a child in the home has special needs which cannot be otherwise accommodated; or

(c) which will accommodate the hours when the client needs child care; ~~[-or]~~

(d) ~~[if the provider lives in an area where the Department of Health lacks jurisdiction, which includes tribal lands, to provide licensing or certification; or]~~ However, the child's sibling, living in the same home, can never be approved even under the exceptions in this subsection.

~~(4)~~ If an eligible provider is available, an exception may be granted in the event of unusual or extraordinary circumstances but only with the approval of a Department supervisor.

~~(5)~~ If an exception is granted under paragraph ~~(3)~~ or ~~(4)~~ above, the exception will be reviewed at each of the client's review dates to determine if an exception is still appropriate.

~~(6)~~ License exempt providers must register with the Department and agree to maintain minimal health and safety criteria by signing a certification before payment to the client can be approved. The minimum criteria are that:

(a) the provider be at least 18 years of age and physically and mentally capable of providing care to children;

(b) the provider's home is equipped with hot and cold running water, toilet facilities, and is clean and safe from hazardous items which could cause injury to a child. This applies to outdoor areas as well;

(c) there are working smoke detectors and fire extinguishers on all floors of the house where children are provided care;

(d) there are no individuals residing in the home who have a conviction for a misdemeanor which is an offense against a person, or any felony conviction, or have been subject to a supported finding of child abuse or neglect by the Utah Department of Human Services, Division of Child and Family Services or a court;

(e) there is a telephone in operating condition with a list of emergency numbers located next to the phone which includes the phone numbers for poison control and for the parents of each child in care;

(f) food will be provided to the child in care of sufficient amount and nutritional value to provide the average daily nutrient intake required. Food supplies will be maintained to prevent spoilage or contamination. Any allergies will be noted and care given to ensure that the child in care is protected from exposure to those items; and

(g) the child in care will be immunized as required for children in licensed day care and;

(h) good hand washing practices will be maintained to discourage infection and contamination.

~~(7)~~ The following providers are not eligible for receipt of a CC payment:

(a) a member of a household assistance unit who is receiving one or more of the following assistance payments: FEP, FEPTP, diversion assistance or food stamps for any child in that household assistance unit. The person may, however, be paid as a provider for a child in a different household assistance unit;

(b) a sibling of the child living in the home;

(c) household members whose income must be counted in determining eligibility for CC;

(d) a parent, foster care parent, stepparent or former stepparent, even if living in another residence;

(e) illegal aliens;

(f) persons under age 18;

(g) a provider providing care for the child in another state;

(h) a provider who has committed fraud as a provider, as determined by the Department or by a court; ~~[-and]~~

(i) any provider disqualified under R986-700-718;

(j) a provider who does not cooperate with a Department investigation of a potential overpayment

(k) a provider living in the same home as the client unless one of the exceptions in subsection (2) of this section are met.

R986-700-710. Income Limits for ES CC.

(1) Rule R986-200 is used to determine:

(a) who must be included in the household assistance unit for determining whose income must be counted to establish eligibility. In some circumstances, determining household composition for a ES CC household is different from determining household composition for a FEP or FEPTP household. ES CC follows the parent and the child, not just the child so, for example, if a parent in the household is ineligible, the entire ES CC household is ineligible. A specified relative may not opt out of the household assistance unit when determining eligibility for CC. The income of the specified relatives needing ES CC in the household must be counted. ~~[The income of some household members in multi-generational households is counted in full instead of being deemed as in FEP or FEPTP;]~~ For ES CC, only the income of the parent/client is counted in determining eligibility regardless of who else lives in the household. If both parents are living in the household, the income of both parents is counted.

(b) what is counted as income except:

(i) the earned income of a minor child who is not a parent is not counted; and

(ii) child support, including in kind child support payments, is counted as unearned income, even if it exceeds the court or ORS ordered amount of child support, if the payments are made directly to the client. If the child support payments are paid to a third party, only the amount up to the court or ORS ordered child support amount is counted.

(c) how to estimate income.

(2) The following income deductions are the only deductions allowed on a monthly basis:

(a) the first \$50 of child support received by the family;

(b) court ordered and verified child support and alimony paid out by the household;

(c) \$100 for each person with countable earned income; and

(d) a \$100 medical deduction. The medical deduction is automatic and does not require proof of expenditure.

(3) The household's countable income, less applicable deductions in paragraph (2) above, must be at, or below, a percentage of the state median income as determined by the Department. The Department will make adjustments to the percentage of the state median income as funding permits. The percentage currently in use is available at the Department's administrative office.

(4) Charts establishing income limits and the subsidy deduction amounts are available at all local Department offices.

(5) An independent living grant paid by DHS to a minor parent is not counted as income.

R986-700-716. CC in Unusual Circumstances.

(1) CC may be provided for study time, to support clients in education or training activities if the parent has classes scheduled in such a way that it is not feasible or practical to pick up the child between classes. For example, if a client has one class from 8:00 a.m. to 9:00 a.m. and a second class from 11:00 a.m. to noon it might not be practical to remove the child from care between 9:00 a.m. and 11:00 a.m.

(2) An away-from-home study hall or lab may be required as part of the class course. A client who takes courses with this requirement must verify study hall or lab class attendance. The Department will not approve more study hall hours or lab hours in this setting than hours for which the client is enrolled in school. For example: A client enrolled for ten hours of classes each week may not receive more than ten hours of this type of study hall or lab.

(3) CC will not be provided for private kindergarten or preschool activities when a publicly funded education program is available.

(4) CC may be authorized to support employment for clients who work graveyard shifts and need child care services during the day for sleep time. If no other child care options are available, child care services may be authorized for the graveyard shift or during the day, but not for both. A maximum of six hours per day will be approved for sleep time.

(5) CC may be authorized to support employment for clients who work at home, provided the client makes at least minimum wage from the at home work, and the client has a need for child care services. The client must choose a provider setting outside the home.

(6) CC with an provider that is not licensed, accredited, certified, or a licensed exempt center will not be approved between the hours of 9 p.m. and 6 a.m. except:

(a) for a child under the age of 24 months old,

(b) to accommodate a special needs child, or

(c) under unusual circumstances and then only if approved by the Department program specialist on a case by case basis.

KEY: child care

Date of Enactment or Last Substantive Amendment: ~~July 31, 2007~~2008

Notice of Continuation: September 14, 2005

Authorizing, and Implemented or Interpreted Law: 35A-3-310

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End of the Notices of Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

Upon reviewing a rule, an agency may: repeal the rule by filing a PROPOSED RULE; continue the rule as it is by filing a NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (NOTICE); or amend the rule by filing a PROPOSED RULE and by filing a NOTICE. By filing a NOTICE, the agency indicates that the rule is still necessary.

NOTICES are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. NOTICES are effective when filed. NOTICES are governed by *Utah Code* Section 63-46a-9 (1998).

Human Services, Administration, Administrative Services, Licensing **R501-16** Intermediate Secure Treatment Programs for Minors

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 31017
FILED: 02/22/2008, 11:10

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 62A-2-101, 62A-4a-101, and 62A-2-106 authorize the Office of Licensing to make rules to establish basic standards for licensees.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: In the past five years, the Office of Licensing has received no written comments on this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is to be continued to ensure that Intermediate Secure Care facilities provide the required minimum standards. In reviewing this rule, the division recognizes that there are some updates for re-formatting, citations, and typographical errors that need to be corrected and will be done soon.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HUMAN SERVICES
ADMINISTRATION, ADMINISTRATIVE SERVICES,
LICENSING
120 N 200 W
SALT LAKE CITY UT 84103-1500, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Jan Bohi or Ken Stettler at the above address, by phone at 801-538-4153 or 801-538-4235, by FAX at 801-538-4553 or 801-538-4553, or by Internet E-mail at janbohi@utah.gov or kstettler@utah.gov

AUTHORIZED BY: Ken Stettler, Director

EFFECTIVE: 02/22/2008



Human Services, Administration, Administrative Services, Licensing **R501-17** Adult Foster Care

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 31026
FILED: 02/27/2008, 14:26

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 62A-2-101 and 62A-2-106 authorize the Office of Licensing to make rules to establish basic standards for licensees.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: In the past five years, the Office of Licensing has received no written comments of this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is to be continued to ensure that Adult Foster Care facilities provide the required minimum standards. In reviewing this rule, the division recognizes that there are some updates for re-formatting,

citations and typographical errors that need to be corrected and will be soon.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HUMAN SERVICES
 ADMINISTRATION, ADMINISTRATIVE SERVICES,
 LICENSING
 120 N 200 W
 SALT LAKE CITY UT 84103-1500, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Jan Bohi or Ken Stettler at the above address, by phone at 801-538-4153 or 801-538-4235, by FAX at 801-538-4553 or 801-538-4553, or by Internet E-mail at janbohi@utah.gov or kstettler@utah.gov

AUTHORIZED BY: Ken Stettler, Director

EFFECTIVE: 02/27/2008



**Human Services, Aging and Adult
 Services**
R510-105
**"Out and About" Homebound
 Transportation Assistance Fund Rules**

**FIVE YEAR NOTICE OF REVIEW AND
 STATEMENT OF CONTINUATION**

DAR FILE No.: 31027
 FILED: 02/27/2008, 15:15

**NOTICE OF REVIEW AND
 STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS

AUTHORIZE OR REQUIRE THE RULE: This rule is authorized by Section 62A-3-104 in order to administer the program authorized by Section 62A-3-110. In addition, the following statutes require the rule: Sections 53-3-214.8, 62A-5-101, and 17A-2-1004. This rule will need to be amended to add the rulemaking authority.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No written comments have been received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to provide guidelines for the equitable distribution of funds collected as a result of the special revenue fund created in Section 62A-3-110 to provide public transportation assistance for seniors or people with disabilities. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

HUMAN SERVICES
 AGING AND ADULT SERVICES
 Room 325
 120 N 200 W
 SALT LAKE CITY UT 84103-1500, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Nels Holmgren at the above address, by phone at 801-538-3921, by FAX at 801-538-4395, or by Internet E-mail at NHOLMGREN@utah.gov

AUTHORIZED BY: Alan Ormsby, Director

EFFECTIVE: 02/27/2008



End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF FIVE-YEAR REVIEW EXTENSIONS

Rulewriting agencies are required by law to review each of their administrative rules within five years of the date of the rule's original enactment or the date of last review (Section 63-46a-9). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file an extension with the Division of Administrative Rules. The extension permits the agency to file the review up to 120 days beyond the anniversary date.

Agencies have filed extensions for the rules listed below. The "Extended Due Date" is 120 days after the anniversary date. The five-year review extension is governed by Subsection 63-46a-9(4) and (5).

Health

Center for Health Data, Health Care Statistics

No. 31021: R428-11. Health Data Authority Ambulatory Surgical Data Reporting Rule.

ENACTED OR LAST REVIEWED: 03/10/2003 (No. 26080, 5YR, filed 03/10/2003 at 4:12 p.m., published 04/01/2003).

EXTENDED DUE DATE: 07/08/2008

No. 31022: R428-13. Health Data Authority. Audit and Reporting of HMO Performance Measures.

ENACTED OR LAST REVIEWED: 03/10/2003 (No. 26079, 5YR, filed 03/10/2003 at 4:02 p.m., published 04/01/2003).

EXTENDED DUE DATE: 07/08/2008

End of the Notices of Five-Year Review Extensions Section

NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. Statute permits an agency to make a rule effective "on any date specified by the agency that is no fewer than seven calendar days after the close of the public comment period . . . , nor more than 120 days after the publication date." Subsection 63-46a-4(9).

Abbreviations

AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal and Reenact
REP = Repeal

Capitol Preservation Board (State)

Administration

No. 30591 (AMD): R131-1. Procurement of Architectural and Engineering Services.
Published: November 1, 2007
Effective: February 29, 2008

No. 30590 (R&R): R131-4. Procurement of Construction.
Published: November 1, 2007
Effective: February 29, 2008

Commerce

Occupational and Professional Licensing

No. 30853 (AMD): R156-47b. Massage Therapy Practice Act Rules.
Published: January 15, 2008
Effective: February 21, 2008

Natural Resources

Water Resources

No. 30855 (NEW): R653-2. Financial Assistance from the Board of Water Resources.
Published: January 15, 2008
Effective: February 25, 2008

Public Safety

Fire Marshal

No. 30862 (AMD): R710-6. Liquefied Petroleum Gas Rules.
Published: January 15, 2008
Effective: February 21, 2008

Tax Commission

Administration

No. 30838 (AMD): R861-1A-40. Waiver of Requirement to Post Security Prior to Judicial Review Pursuant to Utah Code Ann. Section 59-1-611.
Published: January 1, 2008
Effective: February 25, 2008

No. 30835 (AMD): R861-1A-42. Waiver of Penalty and Interest for Reasonable Cause Pursuant to Utah Code Ann. Section 59-1-401.
Published: January 1, 2008
Effective: February 25, 2008

Auditing

No. 30842 (AMD): R865-6F-37. Disclosure of Reportable Transactions and Material Advisor List Pursuant to Utah Code Ann. Sections 59-1-1301 through 59-1-1309.
Published: January 1, 2008
Effective: February 25, 2008

No. 30849 (AMD): R865-9I-53. Disclosure of Reportable Transactions and Material Advisor List Pursuant to Utah Code Ann. Sections 59-1-1301 through 59-1-1309.
Published: January 1, 2008
Effective: February 25, 2008

No. 30841 (AMD): R865-19S-121. Sales and Use Tax Exemptions for Certain Purchases by a Mining Facility Pursuant to Utah Code Ann. Section 59-12-104.
Published: January 1, 2008
Effective: February 25, 2008

Motor Vehicle

No. 30844 (AMD): R873-22M-34. Rule for Denial of Personalized License Plate Requests Pursuant to Utah Code Ann. Sections 41-1a-104 and 41-1a-411.
Published: January 1, 2008
Effective: February 25, 2008

Workforce Services

Employment Development

No. 30864 (AMD): R986-200-214. Assistance for Specified Relatives.
Published: January 15, 2008
Effective: February 26, 2008

RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective from January 2, 2008, including notices of effective date received through February 29, 2008, the effective dates of which are no later than March 15, 2008. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *Index of Changes*. Nonsubstantive changes, while not published in the *Bulletin*, do become part of the *Utah Administrative Code (Code)* and are included in this *Index*, as well as 120-Day (Emergency) rules that do not become part of the *Code*. The rules are indexed by Agency (Code Number) and Keyword (Subject).

DAR NOTE: The index may contain inaccurate page number references. Also the index is incomplete in the sense that index entries for Changes in Proposed Rules (CPRs) are not preceded by entries for their parent Proposed Rules. Bulletin issue information and effective date information presented in the index are, to the best of our knowledge, complete and accurate. If you have any questions regarding the index and the information it contains, please contact Nancy Lancaster (801 538-3218), Mike Broschinsky (801 538-3003), or Kenneth A. Hansen (801 538-3777).

A copy of the *Rules Index* is available for public inspection at the Division of Administrative Rules (4120 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (<http://www.rules.utah.gov/>).

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

| | |
|--------------------------------|----------------------------------|
| AMD = Amendment | NSC = Nonsubstantive rule change |
| CPR = Change in proposed rule | REP = Repeal |
| EMR = Emergency rule (120 day) | R&R = Repeal and reenact |
| NEW = New rule | 5YR = Five-Year Review |
| EXD = Expired | |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
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| Administrative Services | | | | | |
| <u>Fleet Operations</u> | | | | | |
| R27-4 | Vehicle Replacement and Expansion of State Fleet | 30618 | AMD | 03/06/2008 | 2007-22/9 |
| Agriculture and Food | | | | | |
| <u>Marketing and Development</u> | | | | | |
| R65-2 | Utah Cherry Marketing Order | 31007 | 5YR | 02/15/2008 | 2008-5/38 |
| R65-5 | Utah Red Tart and Sour Cherry Marketing Order | 31008 | 5YR | 02/15/2008 | 2008-5/38 |
| <u>Plant Industry</u> | | | | | |
| R68-5 | Grain Inspection | 31006 | 5YR | 02/15/2008 | 2008-5/39 |
| R68-7 | Utah Pesticide Control Act | 30611 | AMD | 01/07/2008 | 2007-22/11 |

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| Capitol Preservation Board (State) | | | | | |
| <u>Administration</u> | | | | | |
| R131-1 | Procurement of Architectural and Engineering Services | 30591 | AMD | 02/29/2008 | 2007-21/11 |
| R131-4 | Procurement of Construction | 30590 | R&R | 02/29/2008 | 2007-21/13 |
| Commerce | | | | | |
| <u>Corporations and Commercial Code</u> | | | | | |
| R154-10 | Utah Digital Signatures Act Rules | 30642 | REP | 03/03/2008 | 2007-22/16 |
| <u>Occupational and Professional Licensing</u> | | | | | |
| R156-1-102a | Global Definitions of Levels of Supervision | 30655 | AMD | 01/08/2008 | 2007-23/3 |
| R156-38a | Residence Lien Restriction and Lien Recovery Fund Rules | 30654 | AMD | 01/07/2008 | 2007-23/14 |
| R156-47b | Massage Therapy Practice Act Rules | 30853 | AMD | 02/21/2008 | 2008-2/4 |
| R156-55a | Utah Construction Trades Licensing Act Rule | 30892 | AMD | 03/11/2008 | 2008-3/3 |
| R156-56 | Utah Uniform Building Standard Act Rules | 30574 | AMD | 01/01/2008 | 2007-21/38 |
| R156-56-420 | Administration of Building Code Training Fund | 30573 | AMD | 01/01/2008 | 2007-21/57 |
| R156-76 | Professional Geologist Licensing Act Rules | 30694 | AMD | 01/08/2008 | 2007-23/17 |
| Community and Culture | | | | | |
| <u>Housing and Community Development</u> | | | | | |
| R199-8 | Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance | 30451 | AMD | 01/01/2008 | 2007-19/6 |
| Corrections | | | | | |
| <u>Administration</u> | | | | | |
| R251-112 | Americans With Disabilities Act Implementation and Complaint Process | 30713 | AMD | 03/11/2008 | 2007-23/19 |
| R251-114 | Offender Long-Term Health Care - Notice | 30803 | NEW | 03/11/2008 | 2008-1/6 |
| R251-304 | Contract Procedures | 30952 | 5YR | 02/05/2008 | 2008-5/39 |
| Crime Victim Reparations | | | | | |
| <u>Administration</u> | | | | | |
| R270-1-11 | Collateral Source | 30593 | AMD | 01/02/2008 | 2007-22/33 |
| Education | | | | | |
| <u>Administration</u> | | | | | |
| R277-423 | Delivery of Flow Through Money | 30845 | AMD | 02/07/2008 | 2008-1/8 |
| R277-469 | Instructional Materials Commission Operating Procedures | 30781 | AMD | 01/22/2008 | 2007-24/4 |
| R277-469 | Instructional Materials Commission Operating Procedures | 31035 | 5YR | 03/03/2008 | Not Printed |
| R277-470-7 | Timelines - Charter School Starting Date | 30846 | AMD | 02/07/2008 | 2008-1/9 |
| R277-483 | Persistently Dangerous Schools | 31036 | 5YR | 03/03/2008 | Not Printed |
| R277-485 | Loss of Enrollment | 31037 | 5YR | 03/03/2008 | Not Printed |
| R277-508 | Employment of Substitute Teachers | 31038 | 5YR | 03/03/2008 | Not Printed |
| R277-515-3 | Educator as a Role Model of Civic and Societal Responsibility | 30976 | NSC | 02/27/2008 | Not Printed |
| R277-518 | Applied Technology Education Licenses | 30878 | 5YR | 01/08/2008 | 2008-3/72 |
| R277-600 | Student Transportation Standards and Procedures | 30879 | 5YR | 01/08/2008 | 2008-3/72 |
| R277-605 | Coaching Standards and Athletic Clinics | 30880 | 5YR | 01/08/2008 | 2008-3/73 |

| CODE REFERENCE | TITLE | FILE NUMBER | ACTION | EFFECTIVE DATE | BULLETIN ISSUE/PAGE |
|------------------------------|--|-------------|--------|----------------|---------------------|
| R277-609 | Standards for School District Discipline Plans | 30847 | AMD | 02/07/2008 | 2008-1/10 |
| R277-609-5 | Parent/Guardian Notification and Court Referral | 30958 | NSC | 02/29/2008 | Not Printed |
| R277-610 | Released-Time Classes for Religious Instruction | 30881 | 5YR | 01/08/2008 | 2008-3/73 |
| R277-700 | The Elementary and Secondary School Core Curriculum | 30882 | 5YR | 01/08/2008 | 2008-3/74 |
| R277-702 | Procedures for the Utah General Educational Development Certificate | 30883 | 5YR | 01/08/2008 | 2008-3/74 |
| R277-703-6 | Funding Provisions | 30977 | NSC | 02/27/2008 | Not Printed |
| R277-709 | Education Programs Serving Youth in Custody | 30884 | 5YR | 01/08/2008 | 2008-3/75 |
| R277-718 | Utah Career Teaching Scholarship Program | 30885 | 5YR | 01/08/2008 | 2008-3/75 |
| R277-719 | Standards for Selling Foods Outside of the Reimbursable Meal in Schools | 30848 | NEW | 02/07/2008 | 2008-1/12 |
| R277-721 | Deadline for CACFP Sponsor Participation in Food Distribution Program | 30886 | 5YR | 01/08/2008 | 2008-3/76 |
| R277-722 | Withholding Payments and Commodities in the CACFP | 30887 | 5YR | 01/08/2008 | 2008-3/76 |
| R277-730 | Alternative High School Curriculum | 30888 | 5YR | 01/08/2008 | 2008-3/77 |
| R277-746 | Driver Education Programs for Utah Schools | 31039 | 5YR | 03/03/2008 | Not Printed |
| R277-747 | Private School Student Driver Education | 31040 | 5YR | 03/03/2008 | Not Printed |
| R277-751 | Special Education Extended School Year | 31041 | 5YR | 03/03/2008 | Not Printed |
| <u>Rehabilitation</u> | | | | | |
| R280-200 | Rehabilitation | 31042 | 5YR | 03/03/2008 | Not Printed |
| Environmental Quality | | | | | |
| <u>Administration</u> | | | | | |
| R305-3 | Emergency Meetings | 30766 | REP | 02/15/2008 | 2007-24/6 |
| R305-3 | Emergency Meeting (5YR EXTENSION) | 30506 | NSC | 02/15/2008 | Not Printed |
| <u>Air Quality</u> | | | | | |
| R307-101 | General Requirements | 30697 | AMD | 02/08/2008 | 2007-23/21 |
| R307-101 | General Requirements | 30959 | 5YR | 02/08/2008 | 2008-5/40 |
| R307-102 | General Requirements: Broadly Applicable Requirements | 30960 | 5YR | 02/08/2008 | 2008-5/40 |
| R307-115 | General Conformity | 30698 | AMD | 02/08/2008 | 2007-23/28 |
| R307-115 | General Conformity | 30961 | 5YR | 02/08/2008 | 2008-5/41 |
| R307-121-3 | Procedures for OEM Vehicles | 30889 | NSC | 01/30/2008 | Not Printed |
| R307-170 | Continuous Emission Monitoring Program | 30962 | 5YR | 02/08/2008 | 2008-5/41 |
| R307-170-7 | Performance Specification Audits | 30699 | AMD | 02/08/2008 | 2007-23/29 |
| R307-202 | Emission Standards: General Burning | 30963 | 5YR | 02/08/2008 | 2008-5/42 |
| R307-203 | Emission Standards: Sulfur Content of Fuels | 30964 | 5YR | 02/08/2008 | 2008-5/43 |
| R307-214 | National Emission Standards for Hazardous Air Pollutants | 30430 | AMD | 01/11/2008 | 2007-19/12 |
| R307-214 | National Emission Standards for Hazardous Air Pollutants | 30895 | 5YR | 01/11/2008 | 2008-3/77 |
| R307-215 | Acid Rain Requirements | 30700 | REP | 02/08/2008 | 2007-23/31 |
| R307-220 | Emission Standards: Plan for Designated Facilities | 30965 | 5YR | 02/08/2008 | 2008-5/43 |
| R307-221 | Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills | 30701 | AMD | 02/08/2008 | 2007-23/32 |
| R307-221 | Emission Standards: Emission Controls for Existing Municipal Solid Waste Landfills | 30966 | 5YR | 02/08/2008 | 2008-5/44 |
| R307-221-2 | Definitions and References | 30832 | NSC | 02/08/2008 | Not Printed |
| R307-222 | Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste | 30967 | 5YR | 02/08/2008 | 2008-5/44 |

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| R307-222 | Emission Standards: Existing Incinerators for Hospital, Medical, Infectious Waste | 30702 | AMD | 02/08/2008 | 2007-23/36 |
| R307-222-1 | Purpose and Applicability | 30833 | NSC | 02/08/2008 | Not Printed |
| R307-223 | Existing Incinerators for Hospital, Medical, Infectious Waste | 30703 | AMD | 02/08/2008 | 2007-23/38 |
| R307-223 | Emission Standards: Existing Small Municipal Waste Combustion Units | 30968 | 5YR | 02/08/2008 | 2008-5/45 |
| R307-224 | Mercury Emission Standards: Coal-Fired Electric Generating Units | 30969 | 5YR | 02/08/2008 | 2008-5/45 |
| R307-224-2 | Emission Guidelines and Compliance Times for Coal-Fired Electric Generating Units | 30704 | AMD | 02/08/2008 | 2007-23/39 |
| R307-250 | Western Backstop Sulfur Dioxide Trading Program | 30970 | 5YR | 02/08/2008 | 2008-5/46 |
| R307-310 | Salt Lake County: Trading of Emission Budgets for Transportation Conformity | 30971 | 5YR | 02/08/2008 | 2008-5/46 |
| R307-310-2 | Definitions | 30705 | AMD | 02/08/2008 | 2007-23/40 |
| R307-401-14 | Used Oil Fuel Burned for Energy Recovery | 30709 | AMD | 02/08/2008 | 2007-23/42 |
| R307-405 | Permits: Major Sources in Attainment or Unclassified Areas (PSD) | 30431 | AMD | 01/11/2008 | 2007-19/15 |
| R307-417 | Acid Rain Sources | 30706 | AMD | 02/08/2008 | 2007-23/43 |
| R307-801 | Asbestos | 30707 | AMD | 02/08/2008 | 2007-23/45 |
| R307-801 | Asbestos | 30972 | 5YR | 02/08/2008 | 2008-5/47 |
| R307-840 | Lead-Based Paint Accreditation, Certification and Work Practice Standards | 30708 | AMD | 02/08/2008 | 2007-23/48 |
| R307-840 | Lead-Based Paint Accreditation, Certification and Work Practice Standards | 30973 | 5YR | 02/08/2008 | 2008-5/47 |
| <u>Environmental Response and Remediation</u> | | | | | |
| R311-401-2 | Utah Hazardous Substances Priority List | 30567 | AMD | 01/02/2008 | 2007-21/59 |
| <u>Radiation Control</u> | | | | | |
| R313-15 | Standards for Protection Against Radiation | 30865 | AMD | 03/17/2008 | 2008-2/10 |
| <u>Solid and Hazardous Waste</u> | | | | | |
| R315-301 | Solid Waste Authority, Definitions, and General Requirements | 30990 | 5YR | 02/14/2008 | 2008-5/48 |
| R315-302 | Solid Waste Facility Location Standards, General Facility Requirements, and Closure Requirements | 30986 | 5YR | 02/14/2008 | 2008-5/49 |
| R315-303 | Landfilling Standards | 30992 | 5YR | 02/14/2008 | 2008-5/49 |
| R315-305 | Class IV and VI Landfill Requirements | 30991 | 5YR | 02/14/2008 | 2008-5/50 |
| R315-306 | Incinerator Standards | 30985 | 5YR | 02/14/2008 | 2008-5/51 |
| R315-307 | Landtreatment Disposal Standards | 30993 | 5YR | 02/14/2008 | 2008-5/51 |
| R315-308 | Ground Water Monitoring Requirements | 30995 | 5YR | 02/14/2008 | 2008-5/52 |
| R315-309 | Financial Assurance | 30994 | 5YR | 02/14/2008 | 2008-5/52 |
| R315-310 | Permit Requirements for Solid Waste Facilities | 30996 | 5YR | 02/14/2008 | 2008-5/53 |
| R315-311 | Permit Approval For Solid Waste Disposal, Waste Tire Storage, Energy Recovery, And Incinerator Facilities | 30983 | 5YR | 02/14/2008 | 2008-5/53 |
| R315-312 | Recycling and Composting Facility Standards | 30997 | 5YR | 02/14/2008 | 2008-5/54 |
| R315-313 | Transfer Stations and Drop Box Facilities | 30998 | 5YR | 02/14/2008 | 2008-5/54 |
| R315-314 | Facility Standards for Piles Used for Storage and Treatment | 30999 | 5YR | 02/14/2008 | 2008-5/55 |
| R315-315 | Special Waste Requirements | 30989 | 5YR | 02/14/2008 | 2008-5/55 |
| R315-316 | Infectious Waste Requirements | 30988 | 5YR | 02/14/2008 | 2008-5/56 |
| R315-317 | Other Processes, Variances, Violations, and Petition for Rule Change | 30984 | 5YR | 02/14/2008 | 2008-5/57 |
| R315-318 | Permit by Rule | 30987 | 5YR | 02/14/2008 | 2008-5/57 |

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| <u>Water Quality</u> | | | | | |
| R317-1-4 | Utilization and Isolation of Domestic Wastewater Treatment Works Effluent | 30639 | AMD | 02/04/2008 | 2007-22/52 |
| R317-3-11 | Land Application of Wastewater Effluents | 30638 | AMD | 02/04/2008 | 2007-22/57 |
| R317-9 | Administrative Procedures | 30948 | 5YR | 02/01/2008 | 2008-4/42 |
| R317-13 | Approvals and Permits for a Water Reuse Project | 30637 | NEW | 02/04/2008 | 2007-22/61 |
| R317-14 | Approval in Change in Point of Discharge of POTW | 30636 | NEW | 02/04/2008 | 2007-22/62 |
| Governor | | | | | |
| <u>Economic Development</u> | | | | | |
| R357-2 | Rural Broadband Service Fund | 30788 | NEW | 01/30/2008 | 2007-24/9 |
| R357-2-7 | Ranking and Approval of Applications | 30859 | NSC | 01/30/2008 | Not Printed |
| Health | | | | | |
| <u>Health Care Financing</u> | | | | | |
| R410-14-17 | Agency Review | 30981 | EMR | 02/15/2008 | 2008-5/36 |
| <u>Health Care Financing, Coverage and Reimbursement Policy</u> | | | | | |
| R414-21 | Physical and Occupational Therapy | 30653 | R&R | 01/10/2008 | 2007-23/50 |
| R414-27 | Medicare Nursing Home Certification | 30920 | 5YR | 01/17/2008 | 2008-4/42 |
| R414-52 | Optometry Services | 30775 | AMD | 02/01/2008 | 2007-24/12 |
| R414-53 | Eyeglasses Services | 30776 | AMD | 02/01/2008 | 2007-24/13 |
| R414-301 | Medicaid General Provisions | 30936 | 5YR | 01/31/2008 | 2008-4/43 |
| R414-302 | Eligibility Requirements | 30921 | 5YR | 01/25/2008 | 2008-4/43 |
| R414-303 | Coverage Groups | 30925 | 5YR | 01/25/2008 | 2008-4/44 |
| R414-304 | Income and Budgeting | 30924 | 5YR | 01/25/2008 | 2008-4/44 |
| R414-304 | Income and Budgeting | 30652 | AMD | 01/28/2008 | 2007-23/54 |
| R414-305 | Resources | 30937 | 5YR | 01/31/2008 | 2008-4/45 |
| R414-306 | Program Benefits | 30922 | 5YR | 01/25/2008 | 2008-4/45 |
| R414-308 | Application, Eligibility Determinations and Improper Medical Assistance | 30938 | 5YR | 01/31/2008 | 2008-4/46 |
| R414-510 | Intermediate Care Facility for Individuals with Mental Retardation Transition Program | 30917 | AMD | 03/10/2008 | 2008-3/30 |
| <u>Health Systems Improvement, Emergency Medical Services</u> | | | | | |
| R426-6 | Emergency Medical Services Competitive Grants Program Rules | 30758 | AMD | 02/07/2008 | 2007-24/14 |
| <u>Health Systems Improvement, Licensing</u> | | | | | |
| R432-16 | Hospice Inpatient Facility Construction | 30975 | 5YR | 02/11/2008 | 2008-5/58 |
| Human Resource Management | | | | | |
| <u>Administration</u> | | | | | |
| R477-8-5 | Overtime | 30778 | AMD | 01/22/2008 | 2007-24/16 |
| Human Services | | | | | |
| <u>Administration</u> | | | | | |
| R495-861 | Requirements for Local Discretionary Social Services Block Grant Funds | 30773 | AMD | 01/30/2008 | 2007-24/18 |
| <u>Administration, Administrative Services, Licensing</u> | | | | | |
| R501-16 | Intermediate Secure Treatment Programs for Minors | 31017 | 5YR | 02/22/2008 | 2008-6/25 |
| R501-17 | Adult Foster Care | 31026 | 5YR | 02/27/2008 | 2008-6/25 |

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| <u>Aging and Adult Services</u> | | | | | |
| R510-105 | "Out and About" Homebound Transportation Assistance Fund Rules | 31027 | 5YR | 02/27/2008 | 2008-6/26 |
| <u>Child and Family Services</u> | | | | | |
| R512-20 | Protective Payee for Recipients of Cash Assistance from the Department of Workforce Services (5YR EXTENSION) | 30720 | NSC | 01/07/2008 | Not Printed |
| R512-20 | Protective Payee for Recipients of Cash Assistance from the Department of Workforce Services | 30716 | REP | 01/07/2008 | 2007-23/58 |
| R512-50 | Fee Collection for Clients Served by Pre-School Day Treatment Contract (5YR EXTENSION) | 30721 | NSC | 01/07/2008 | Not Printed |
| R512-50 | Fee Collection for Clients Served by Pre-School Day Treatment Contract | 30718 | REP | 01/07/2008 | 2007-23/60 |
| <u>Recovery Services</u> | | | | | |
| R527-39 | Applicant/Recipient Cooperation | 30891 | 5YR | 01/10/2008 | 2008-3/78 |
| R527-56 | In-Kind support | 30939 | 5YR | 01/31/2008 | 2008-4/46 |
| R527-305 | High-Volume, Automated Administrative Enforcement in Interstate Child Support Cases | 30978 | 5YR | 02/12/2008 | 2008-5/58 |
| R527-430 | Administrative Notice of Lien-Levy Procedures | 30905 | 5YR | 01/14/2008 | 2008-3/78 |
| <u>Services for People with Disabilities</u> | | | | | |
| R539-1-8 | Non-Waiver Services for People with Brain Injury | 30926 | EMR | 01/28/2008 | 2008-4/38 |
| Insurance | | | | | |
| <u>Administration</u> | | | | | |
| R590-157 | Surplus Lines Insurance Premium Tax and Stamping Fee | 30890 | 5YR | 01/10/2008 | 2008-3/79 |
| R590-175 | Basic Health Care Plan Rule | 30508 | AMD | 02/08/2008 | 2007-20/24 |
| R590-218 | Permitted Language for Reservation of Discretion Clauses | 30897 | 5YR | 01/11/2008 | 2008-3/80 |
| R590-243 | Commercial Motor Vehicle Insurance Coverage | 30490 | NEW | 01/11/2008 | 2007-20/28 |
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| R602-2-4 | Attorney Fees | 30811 | AMD | 02/07/2008 | 2008-1/14 |
| R602-3-3 | Procedure for Requesting Approval | 30810 | AMD | 02/07/2008 | 2008-1/16 |
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| R610-3-4 | Filing Procedure and Commencement of Agency Action | 30876 | EMR | 01/03/2008 | 2008-3/70 |
| <u>Industrial Accidents</u> | | | | | |
| R612-4-2 | Premium Rates for the Uninsured Employers' Fund and the Employers' Reinsurance Fund | 30594 | AMD | 01/01/2008 | 2007-22/76 |
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| R634-1 | Americans With Disabilities Complaint Procedure | 30923 | 5YR | 01/25/2008 | 2008-4/47 |
| R634-1 | Americans with Disabilities Complaint Procedure (5YR EXTENSION) | 30875 | NSC | 01/25/2008 | Not Printed |
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| R638-2-6 | Investment Tax Credit, Eligible Costs for Commercial and Residential Systems, Active Solar Thermal | 30902 | AMD | 03/10/2008 | 2008-3/35 |

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| R651-301 | State Recreation Fiscal Assistance Programs | 30899 | AMD | 03/10/2008 | 2008-3/37 |
| R651-611 | Fee Schedule | 30621 | AMD | 01/01/2008 | 2007-22/80 |
| R651-611 | Fee Schedule | 30898 | AMD | 03/10/2008 | 2008-3/39 |
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| R653-2 | Financial Assistance from the Board of Water Resources | 30940 | NSC | 02/25/2008 | Not Printed |
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| R657-12 | Hunting and Fishing Accommodations for Disabled People | 30777 | AMD | 01/22/2008 | 2007-24/19 |
| R657-13 | Taking Fish and Crayfish | 30676 | AMD | 01/07/2008 | 2007-23/61 |
| R657-13-4 | Fishing Contests | 30904 | AMD | 03/10/2008 | 2008-3/43 |
| R657-23 | Utah Hunter Education Program | 30828 | AMD | 02/07/2008 | 2008-1/25 |
| R657-33 | Taking Bear | 30906 | AMD | 03/10/2008 | 2008-3/44 |
| R657-58 | Fishing Contests and Clinics | 30903 | NEW | 03/10/2008 | 2008-3/47 |
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| R710-9-6 | Amendments and Additions | 30919 | AMD | 03/10/2008 | 2008-3/52 |
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| R710-12 | Hazardous Materials Training and Certification | 30893 | NEW | 03/10/2008 | 2008-3/58 |
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| R746-330 | Rules for Water and Sewer Utilities Operating in Utah | 31044 | 5YR | 03/07/2008 | Not Printed |
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| R810-10 | Enforcement System | 30839 | AMD | 03/06/2008 | 2008-1/30 |
| R810-10 | Enforcement System | 30602 | AMD | 03/06/2008 | 2007-22/86 |
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| R861-1A-24 | Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-502.5, 63-46b-8, and 63-46b-10 | 30589 | AMD | 01/11/2008 | 2007-21/69 |
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| R865-9I-53 | Disclosure of Reportable Transactions and Material Advisor List Pursuant to Utah Code Ann. Sections 59-1-1301 through 59-1-1309 | 30849 | AMD | 02/25/2008 | 2008-1/36 |
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| R994-508 | Appeal Procedures | 30771 | AMD | 02/15/2008 | 2007-24/30 |
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ABBREVIATIONS

| | |
|--------------------------------|----------------------------------|
| AMD = Amendment | NSC = Nonsubstantive rule change |
| CPR = Change in proposed rule | REP = Repeal |
| EMR = Emergency rule (120 day) | R&R = Repeal and reenact |
| NEW = New rule | 5YR = Five-Year Review |
| EXD = Expired | |

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| <u>administrative procedures</u> | | | | | |
| Environmental Quality, Water Quality | 30948 | R317-9 | 5YR | 02/01/2008 | 2008-4/42 |
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| | 30810 | R602-3-3 | AMD | 02/07/2008 | 2008-1/16 |
| <u>adult education</u> | | | | | |
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| | 30889 | R307-121-3 | NSC | 01/30/2008 | Not Printed |
| | 30962 | R307-170 | 5YR | 02/08/2008 | 2008-5/41 |
| | 30699 | R307-170-7 | AMD | 02/08/2008 | 2007-23/29 |
| | 30963 | R307-202 | 5YR | 02/08/2008 | 2008-5/42 |
| | 30964 | R307-203 | 5YR | 02/08/2008 | 2008-5/43 |
| | 30430 | R307-214 | AMD | 01/11/2008 | 2007-19/12 |
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| | 30965 | R307-220 | 5YR | 02/08/2008 | 2008-5/43 |
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| | 30966 | R307-221 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30832 | R307-221-2 | NSC | 02/08/2008 | Not Printed |
| | 30702 | R307-222 | AMD | 02/08/2008 | 2007-23/36 |
| | 30967 | R307-222 | 5YR | 02/08/2008 | 2008-5/44 |
| | 30833 | R307-222-1 | NSC | 02/08/2008 | Not Printed |
| | 30703 | R307-223 | AMD | 02/08/2008 | 2007-23/38 |
| | 30968 | R307-223 | 5YR | 02/08/2008 | 2008-5/45 |
| | 30969 | R307-224 | 5YR | 02/08/2008 | 2008-5/45 |
| | 30704 | R307-224-2 | AMD | 02/08/2008 | 2007-23/39 |
| | 30970 | R307-250 | 5YR | 02/08/2008 | 2008-5/46 |
| | 30971 | R307-310 | 5YR | 02/08/2008 | 2008-5/46 |
| | 30705 | R307-310-2 | AMD | 02/08/2008 | 2007-23/40 |
| | 30709 | R307-401-14 | AMD | 02/08/2008 | 2007-23/42 |
| | 30431 | R307-405 | AMD | 01/11/2008 | 2007-19/15 |
| | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
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| | 30708 | R307-840 | AMD | 02/08/2008 | 2007-23/48 |
| <u>air quality</u> | | | | | |
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| | 30706 | R307-417 | AMD | 02/08/2008 | 2007-23/43 |
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| <u>alternative school</u> | | | | | |
| Education, Administration | 30888 | R277-730 | 5YR | 01/08/2008 | 2008-3/77 |
| <u>animal protection</u> | | | | | |
| Natural Resources, Wildlife Resources | 31047 | R657-3 | 5YR | 03/11/2008 | Not Printed |
| <u>appellate procedures</u> | | | | | |
| Workforce Services, Unemployment Insurance | 30771 | R994-508 | AMD | 02/15/2008 | 2007-24/30 |
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| <u>applied technology education</u> Education, Administration | 30878 | R277-518 | 5YR | 01/08/2008 | 2008-3/72 |
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| <u>architects</u> Capitol Preservation Board (State), Administration | 30591 | R131-1 | AMD | 02/29/2008 | 2007-21/11 |
| <u>asbestos</u> Environmental Quality, Air Quality | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
| | 30707 | R307-801 | AMD | 02/08/2008 | 2007-23/45 |
| <u>asbestos hazard emergency response</u> Environmental Quality, Air Quality | 30972 | R307-801 | 5YR | 02/08/2008 | 2008-5/47 |
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| <u>assistance</u> Natural Resources, Parks and Recreation | 30899 | R651-301 | AMD | 03/10/2008 | 2008-3/37 |
| <u>automatic fire sprinklers</u> Public Safety, Fire Marshal | 30896 | R710-5-1 | AMD | 03/10/2008 | 2008-3/51 |
| <u>bear</u> Natural Resources, Wildlife Resources | 30906 | R657-33 | AMD | 03/10/2008 | 2008-3/44 |
| <u>benefits</u> Health, Health Care Financing, Coverage and Reimbursement Policy | 30921 | R414-302 | 5YR | 01/25/2008 | 2008-4/43 |
| <u>big game seasons</u> Natural Resources, Wildlife Resources | 30829 | R657-5 | AMD | 02/07/2008 | 2008-1/18 |
| <u>board meetings</u> Environmental Quality, Administration | 30506 | R305-3 | NSC | 02/15/2008 | Not Printed |
| | 30766 | R305-3 | REP | 02/15/2008 | 2007-24/6 |
| <u>boating</u> Natural Resources, Parks and Recreation | 30900 | R651-205-17 | AMD | 03/10/2008 | 2008-3/36 |
| <u>bonds</u> Treasurer, Unclaimed Property | 30596 | R966-1-2 | AMD | 01/07/2008 | 2007-22/87 |
| <u>breaks</u> Human Resource Management, Administration | 30778 | R477-8-5 | AMD | 01/22/2008 | 2007-24/16 |
| <u>broadband</u> Governor, Economic Development | 30788 | R357-2 | NEW | 01/30/2008 | 2007-24/9 |
| | 30859 | R357-2-7 | NSC | 01/30/2008 | Not Printed |
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| | 30720 | R512-20 | NSC | 01/07/2008 | Not Printed |
| <u>child support</u> | | | | | |
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| | 30838 | R861-1A-40 | AMD | 02/25/2008 | 2008-1/32 |
| | 30835 | R861-1A-42 | AMD | 02/25/2008 | 2008-1/33 |
| | 30780 | R861-1A-43 | AMD | 01/25/2008 | 2007-24/24 |
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| | 31040 | R277-747 | 5YR | 03/03/2008 | Not Printed |
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| | 30884 | R277-709 | 5YR | 01/08/2008 | 2008-3/75 |

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