

UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed July 16, 2014, 12:00 a.m. through August 01, 2014, 11:59 p.m.

Number 2014-16
August 15, 2014

Nancy L. Lancaster, Editor
Kenneth A. Hansen, Director
Kimberly K. Hood, Executive Director

The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah state government. The Division of Administrative Rules, part of the Department of Administrative Services, produces the *Bulletin* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Bulletin* is the official version. The PDF version of this issue is available at <http://www.rules.utah.gov/publicat/bulletin.htm>. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3764. Additional rulemaking information and electronic versions of all administrative rule publications are available at <http://www.rules.utah.gov/>.

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <http://www.rules.utah.gov/publicat/digest.htm> for additional information.

Division of Administrative Rules, Salt Lake City 84114

Unless otherwise noted, all information presented in this publication is in the public domain and may be reproduced, reprinted, and redistributed as desired. Materials incorporated by reference retain the copyright asserted by their respective authors. Citation to the source is requested.

Utah state bulletin.

Semimonthly.

1. Delegated legislation--Utah--Periodicals. 2. Administrative procedure--Utah--Periodicals.

I. Utah. Division of Administrative Rules.

KFU440.A73S7

348.792'025--DDC

85-643197

TABLE OF CONTENTS

SPECIAL NOTICES	1
Environmental Quality	
Air Quality	
Notice of Public Comment Period for Fireworks Exceptional Event on July 4, 2014.....	1
Health	
Health Care Financing, Coverage and Reimbursement Policy	
Notice for September 2014 Medicaid Rate Changes.....	1
NOTICES OF PROPOSED RULES	3
Auditor	
Administration	
No. 38721 (New Rule): R123-6 Allocation of Money in the Property Tax Valuation Agency Fund.....	4
Health	
Health Care Financing, Coverage and Reimbursement Policy	
No. 38705 (Amendment): R414-13 Psychology Services.....	5
No. 38706 (Repeal): R414-33B Substance Abuse Targeted Case Management.....	6
No. 38707 (Amendment): R414-33D Targeted Case Management by Community Mental Health Centers for Individuals with Serious Mental Illness.....	8
No. 38708 (Repeal): R414-34 Substance Abuse Services.....	11
No. 38709 (Repeal): R414-35 Mental Health Services for Children in State Custody.....	12
No. 38710 (Amendment): R414-36 Services by Community Mental Health Centers.....	14
No. 38703 (Amendment): R414-61-2 Incorporation by Reference.....	16
No. 38724 (Amendment): R414-304 Income and Budgeting.....	17
No. 38725 (Amendment): R414-305 Resources.....	20
Insurance	
Administration	
No. 38726 (Repeal): R590-263 Commonly Selected Health Benefit Plans.....	25
Pardons (Board Of)	
Administration	
No. 38713 (Amendment): R671-103-1 Attorneys.....	26
Public Safety	
Emergency Management	
No. 38704 (Repeal and Reenact): R704-1 Search and Rescue Financial Assistance Program.....	27
Workforce Services	
Administration	
No. 38714 (Amendment): R982-401 Energy Assistance: General Provisions.....	32
No. 38715 (Amendment): R982-402 Energy Assistance Programs Standards.....	34
No. 38716 (Amendment): R982-403 Energy Assistance Income Standards, Income Eligibility, and Payment Determination.....	37
No. 38717 (Amendment): R982-405 Energy Assistance: Program Benefits.....	40
No. 38718 (Amendment): R982-407 Energy Assistance: Records and Benefit Management.....	41
No. 38719 (Amendment): R982-408 Energy Assistance: Special State Programs.....	42
Employment Development	
No. 38720 (Amendment): R986-200-218 Exceptions to the Time Limit.....	43
NOTICES OF CHANGES IN PROPOSED RULES	47
Environmental Quality	
Drinking Water	
No. 38535: R309-545 Facility Design and Operation: Drinking Water Storage Tanks.....	48
No. 38536: R309-550 Facility Design and Operation: Transmission and Distribution Pipelines.....	52

TABLE OF CONTENTS

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION..... 59

- Agriculture and Food
 - Conservation Commission
 - No. 38712: R64-1 Agriculture Resource and Development Loans (ARDL)..... 59
- Natural Resources
 - Water Rights
 - No. 38723: R655-3 Reports of Water Rights Conveyance..... 59
 - No. 38722: R655-4 Water Wells..... 60
- Public Safety
 - Highway Patrol
 - No. 38711: R714-600 Performance Standards for Tow Truck Motor Carriers..... 61

NOTICES OF RULE EFFECTIVE DATES..... 63

RULES INDEX

BY AGENCY (CODE NUMBER)

AND

BY KEYWORD (SUBJECT)..... 65

SPECIAL NOTICES

Environmental Quality Air Quality

Notice of Public Comment Period for Fireworks Exceptional Event on July 4, 2014

Federal regulations, 40 Code of Federal Regulations (CFR) Part 50, allow states to exclude air quality data that exceed or violate a National Ambient Air Quality Standard (NAAQS) if they can demonstrate that an "exceptional event" has caused the exceedance or violation. Exceptional events are unusual or naturally occurring events that can affect air quality but are not reasonably controllable or preventable using techniques implemented to attain and maintain the NAAQS.

Exceptional events may be caused by human activity that is unlikely to recur at a particular location, or may be due to a natural event. The Environmental Protection Agency (EPA) defines a "natural event" as an event in which human activity plays little or no direct causal role to the event in question. For example, a natural event could include such things as high winds, wild fires, and seismic/volcanic activity. In addition, the EPA will allow states to exclude data from regulatory determinations on a case-by-case basis for monitoring stations that measure values that exceed or violate the NAAQS due to emissions from fireworks displays from cultural events. These events can be flagged as being affected by exceptional or natural events and then justified.

Federal regulations (40 CFR Part 50.14 (c) (3)(i)) require that all relevant flagged data, the reasons for the data being flagged, and a demonstration that the flagged data are caused by exceptional events be made available by the State for 30 days of public review and comment. These comments will be considered in the final demonstration of the event that is submitted to EPA. The following monitored value has been attributed to exceptional events:

July 4, 2014, Ogden Monitoring Station, 81.7 micrograms/m³ PM_{2.5}: Due to Fireworks Display Emissions

The documentation to support removing this data from use in regulatory determinations will be available by August 15, 2014, for public review and comment. It can be viewed at the following website http://www.airquality.utah.gov/Public-Interest/Public-Comment-Hearings/Exceptional_Events/Exceptional_Events.htm or available at the Multi Agency State Government Office Building located at 195 North 1950 West in Salt Lake City. In compliance with the American with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Brooke Baker, Office of Human Resources at 801-536-4412 (TDD 536-4414).

The comment period will close at 5:00 p.m. on September 15, 2014. Comments postmarked on or before that date will be accepted. Comments may be submitted by electronic mail to jkarmazyn@utah.gov or may be mailed to: Joel Karmazyn, ATTN: Fireworks Exceptional Events, Utah Division of Air Quality, PO Box 144820, 195 N 1950 W, Salt Lake City, UT 84114-4820

Health Health Care Financing, Coverage and Reimbursement Policy

Notice for September 2014 Medicaid Rate Changes

Effective September 1, 2014, Utah Medicaid will adjust its rates consistent with approved methodologies. Rate adjustments include new codes priced consistent with approved Medicaid methodologies, potential adjustments to existing codes, and nursing home rate changes to case mix components consistent with adopted payment methodology. All rate changes are posted to the web and can be viewed at: <http://health.utah.gov/medicaid/stplan/bcrp.htm>

End of the Special Notices Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 16, 2014, 12:00 a.m., and August 01, 2014, 11:59 p.m. are included in this, the August 15, 2014, 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 (example). Deletions made to existing rules are struck out with brackets surrounding them (~~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 usually printed. If a **PROPOSED RULE** is too long to print, the Division of Administrative Rules may 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 September 15, 2014. The agency may accept comment beyond this date and will indicate 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 hold a hearing on a specific **PROPOSED RULE**. Section 63G-3-302 requires that a hearing request be received by the agency proposing the rule "in writing not more than 15 days after the publication date of the proposed rule."

From the end of the public comment period through December 13, 2014, 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 OF A CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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 63G-3-301, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

Auditor, Administration
R123-6

Allocation of Money in the Property Tax
 Valuation Agency Fund

NOTICE OF PROPOSED RULE

(New Rule)
 DAR FILE NO.: 38721
 FILED: 07/31/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is required by Section 59-2-1603.

SUMMARY OF THE RULE OR CHANGE: This rule provides the formula for disbursing monies from the property tax valuation agency fund.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-2-1603

ANTICIPATED COST OR SAVINGS TO:

- ◆ THE STATE BUDGET: Based upon the authorizing statute, this rule only applies to fourth, fifth, or sixth class counties, and all costs will be a part of the regular duties of the State Auditor's Office.
- ◆ LOCAL GOVERNMENTS: There are minimal accounting costs incurred by the counties. Some paperwork may need to be filled out by accounting within a local governmental entity, which cost should be very minimal because the time will also be very minimal.
- ◆ SMALL BUSINESSES: There will be no impact. The State Auditor does not regulate small business.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: This should not affect anyone other than the above listed local governmental entities because based upon the authorizing statute, this rule only applies to fourth, fifth, or sixth class counties.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Some paperwork may need to be filled out by accounting within a local governmental entity, which cost should be very minimal because the time will also be very minimal.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no impact.

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

AUDITOR
 ADMINISTRATION
 ROOM E310 EAST BUILDING

420 N STATE ST
 SALT LAKE CITY, UT 84114-2310
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Paul Tonks by phone at 801-538-9501, or by Internet E-mail at ptonks@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Maria Fandl, Administrative Assistant

R123. Auditor, Administration.

R123-6. Allocation of Money in the Property Tax Valuation Agency Fund.

R123-6-1. Authority.

As required by Section 59-2-1603, this rule provides the formula for disbursing monies from the property tax valuation agency fund.

R123-6-2. Definitions.

1. "Combined levy" means the sum of the local levy and the multi-county levy.
2. "Local levy" means a property tax levied in accordance with Utah Code 59-2-1602(4).
3. "Multi-county levy" means a property tax levied in accordance with Utah Code 59-2-1602(2).
4. "Fund" means the Property Tax Valuation Agency Fund created in Utah Code 59-2-1602.

R123-6-3. Disbursements.

1. Subject to subsection (2), the disbursement of monies held in the fund shall be determined based on the following:
 - a. Fourth, fifth, or sixth class counties whose respective combined levy exceeds the mean of the combined levies of all counties shall receive an amount from the fund equal to 50% of the monies collected by the county in excess of that mean rate; and
 - b. a sixth class county shall not receive less than \$30,000 annually from the fund.
2. If available monies held in the fund are not sufficient to cover amounts calculated in subsection (1) the disbursement shall be reduced on a pro-rata basis.
3. The State Auditor shall authorize these disbursements on an annual basis.

KEY: counties, property tax.

Date of Enactment or Last Substantive Amendment: 2014 Authorizing, and Implemented or Interpreted Law: 59-2-1603

**Health, Health Care Financing,
Coverage and Reimbursement Policy
R414-13
Psychology Services**

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 38705
FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to remove sections of the rule specified in the summary provided below and to reflect the current Medicaid State Plan.

SUMMARY OF THE RULE OR CHANGE: This amendment removes sections in the rule text that specify reimbursement, eligibility, and service coverage, and defers to the scope of services found in the Psychology Services Utah Medicaid Provider Manual and in the Medicaid State Plan.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** There is no impact to the state budget because the services provided to Medicaid recipients remain unaffected by this change.
- ◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because the services provided to Medicaid recipients remain unaffected by this change.
- ◆ **SMALL BUSINESSES:** There is no impact to small businesses because the services provided to Medicaid recipients remain unaffected by this change.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no impact to Medicaid providers and to Medicaid recipients because the services provided to Medicaid recipients remain unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid recipient because this change only consolidates the scope of psychology services for Medicaid recipients.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because change will not alter current practice.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY

CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov
- ◆ Karen Ford by phone at 801-538-6637, by FAX at 801-538-6099, or by Internet E-mail at kford@utah.gov
- ◆ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-13. Psychology Services.

R414-13-1. Introduction.

~~Psychologists may provide services for Medicaid recipients in accordance with the Psychology Services Utah Medicaid Provider Manual and Attachment 4.19-B of the Medicaid State Plan, as incorporated into Section R414-1-5.~~

[R414-13-1. Introduction and Authority.

~~The psychology program is an optional Medicaid service authorized by 42 USC, 1396d(a)(6), 1994 ed., and 42 CFR 440.60(a), October 1993 ed., which are adopted and incorporated by reference.~~

R414-13-2. Definitions.

~~The definitions in R414-1 apply to this rule.~~

R414-13-3. Client Eligibility Requirements.

~~Evaluation, psychological testing, and individual and group therapy may be furnished only to individuals who are eligible for services under the federally mandated program of early and periodic screening, diagnosis, and treatment for children under the age of 21.~~

R414-13-4. Program Access Requirements.

~~(1) A licensed independent psychologist practicing within the scope of his licensure in accordance with Title 58 may provide psychology services in a setting other than in an inpatient hospital setting or an intermediate care facility for the mentally retarded. Psychology services provided to hospital inpatients shall be covered under the hospital diagnostic related groups, and therefore are not eligible for reimbursement under this rule.~~

~~(2) After November 14, 1994, Medicaid may not authorize psychology services for Medicaid recipients over age 20.~~

~~(3) Through December 31, 1994, Medicaid may reimburse for psychology services authorized before November 14, 1994 for Medicaid recipients over age 20.~~

~~(4) Through December 31, 1994, Medicaid may reimburse for evaluation services that do not require prior authorization for Medicaid recipients over age 20.~~

R414-13-5. Service Coverage.

~~(1) Psychology services covered may include:~~

- ~~(a) evaluation;~~
- ~~(b) psychological testing;~~
- ~~(c) individual therapy; and~~
- ~~(d) group therapy.~~

~~(2) Evaluations that are not medically necessary or are only for court determinations on issues such as custody or visitation are not covered.~~

~~(3) Unless the provider satisfies the division that additional services are medically necessary, the division may only reimburse for the following services in a 12-month period:~~

- ~~(a) one evaluation;~~
- ~~(b) one psychological test or battery of tests;~~
- ~~(c) 12 sessions of individual therapy; and~~
- ~~(d) 24 sessions of group therapy.~~

]KEY: [m]Medicaid

Date of Enactment or Last Substantive Amendment: [1994]2014

Notice of Continuation: November 14, 2012

Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-18-3

Health, Health Care Financing,
Coverage and Reimbursement Policy
R414-33B
Substance Abuse Targeted Case
Management

NOTICE OF PROPOSED RULE

(Repeal)

DAR FILE NO.: 38706

FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule repeal is to consolidate the scope of substance abuse targeted case management services for Medicaid recipients into Rule R414-33D and the corresponding provider manual (Targeted Case Management for Individuals with Serious Mental Illness Utah Medicaid Provider Manual). (DAR NOTE: The proposed amendment to Rule R414-33D is under DAR No. 38707 in this issue, August 15, 2014, of the Bulletin.)

SUMMARY OF THE RULE OR CHANGE: This rule is repealed in its entirety.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** There is no impact to the state budget because the services provided to Medicaid recipients remain unaffected by this change.

◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because the services provided to Medicaid recipients remain unaffected by this change.

◆ **SMALL BUSINESSES:** There is no impact to the small businesses because the services provided to Medicaid recipients remain unaffected by this change.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no impact to Medicaid providers and to Medicaid recipients because the services provided to Medicaid recipients remain unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid recipient because the services that are repealed in this rule are consolidated in the corresponding provider manual.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because change will not alter current practice.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

◆ Karen Ford by phone at 801-538-6637, by FAX at 801-538-6099, or by Internet E-mail at kford@utah.gov

◆ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

[R414-33B. Substance Abuse Targeted Case Management.

R414-33B-1. Introduction and Authority.

(1) This rule outlines targeted case management services available to Medicaid clients diagnosed with a substance abuse disorder.

(2) This rule is authorized under UCA 26-18-3 and governs the services allowed under 42 USC section 1396n(g) which authorizes targeted case management services.

R414-33B-2. Definitions.

In this rule, "Substance abuse disorder" means diagnoses listed in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition-Text Revision (DSM-IV-TR), in the range of 291.00-291.99, 292.00-292.99, 303.00-303.99, 304.00-304.99 and 305.00-305.99

R414-33B-3. Client Eligibility Requirements.

(1) Targeted case management is available to Medicaid clients with substance abuse disorders who meet the categorically and medically needy eligibility categories and who are enrolled in the Traditional Medicaid Plan.

(2) Targeted case management is available to the children of Medicaid clients who are at risk of developing a substance abuse disorder due to the client's history of substance abuse and current substance abuse.

R414-33B-4. Program Access Requirements.

(1) Targeted case management services must be provided by or through a substance abuse program that is under contract with or directly operated by a local county substance abuse authority.

(2) Targeted case management may be provided to a Medicaid client who is diagnosed with a substance abuse disorder for whom a needs assessment completed by a qualified targeted case manager documents that:

(a) the individual requires treatment or services from a variety of agencies and providers to meet his documented medical, social, educational, and other needs; and

(b) there is reasonable indication that the individual will access needed services only if assisted by a qualified targeted case manager who, in accordance with an individualized case management service plan, locates, coordinates, and regularly monitors the service.

(3) Targeted case management may be provided to a child of a Medicaid client for whom a needs assessment completed by a qualified targeted case manager documents that:

(a) the child is at risk of developing a substance abuse disorder due to parental history of substance of substance abuse or current substance abuse.

(b) the child requires treatment or services from a variety of agencies and providers to meet his documented medical, social, educational, and other needs; and

(c) there is reasonable indication that the child will access needed services only if assisted by a qualified targeted case manager who, in accordance with an individualized case management service plan, locates, coordinates, and regularly monitors the service.

R414-33B-5. Service Coverage.

(1) Medicaid covers:

(a) client assessment to determine service needs, including activities that focus on needs identification to determine the need for any medical, educational, social, or other services. Assessment activities include taking client history, identifying the needs of the client and completing related documentation, gathering information from other sources such as family members, medical providers, social workers, and educators, if necessary, to form a complete assessment of the client;

(b) development of a written, individualized, coordinated case management service plan based on information collected through an assessment that specifies the goals and actions to address the client's medical, social, educational and other service needs. This includes input from the client, the client's authorized health care decision maker, family, and other agencies knowledgeable about the client, to develop goals and identify a course of action to respond to the client's assessed needs;

(c) referral and related activities to help the client obtain needed services, including activities that help link the client with medical, social, educational providers or other programs and services that are capable of providing needed services, such as making referrals to providers for needed services and scheduling appointments for the client;

(d) coordinating the delivery of services to the client, including CHEC screening and follow-up;

(e) client assistance to establish and maintain eligibility for entitlements other than Medicaid;

(f) monitoring and follow-up activities, including activities and contacts that are necessary to ensure the targeted case management service plan is effectively implemented and adequately addressing the needs of the client, which activities may be with the client, family members, providers or other entities, and conducted as frequently as necessary to help determine whether services are furnished in accordance with the client's case management service plan, whether the services in the case management service plan are adequate, whether there are changes in the needs or status of the client, and if so, making necessary adjustments in the case management service plan and service arrangements with providers;

(g) contacting non-eligible or non-targeted individuals when the purpose of the contact is directly related to the management of the eligible individual's care. For example, family members may be able to help identify needs and supports, assist the client to obtain services, and provide case managers with useful feedback to alert them to changes in the client's status or needs;

(h) instructing the client or caretaker, as appropriate, in independently accessing needed services; and

(i) monitoring the client's progress and continued need for targeted case management and other services.

(2) The agency may bill Medicaid for the above activities only if:

(a) the activities are identified in the case management service plan and the time spent in the activity involves a face-to-face encounter, telephone or written communication with the client, family, caretaker, service provider, or other individual with a direct involvement in providing or assuring the client obtains the necessary services documented in the service plan; and

(b) there are no other third parties liable to pay for services, including reimbursement under a medical, social, educational, or other program.

~~_____ (3) Covered case management service provided to a hospital or nursing facility patient is limited to a maximum of five hours per admission.~~

~~_____ (4) Medicaid does not cover:~~

~~_____ (a) documenting targeted case management services with the exception of time spent developing the written case management needs assessment, service plans, and 180-day service plan reviews;~~

~~_____ (b) teaching, tutoring, training, instructing, or educating the client or others, except when the activity is specifically designed to assist the client, parent, or caretaker to independently obtain client services. For example, Medicaid does not cover client assistance in completing a homework assignment or instructing a client or family member on nutrition, budgeting, cooking, parenting skills, or other skills development;~~

~~_____ (c) directly assisting with personal care or daily living activities that include bathing, hair or skin care, eating, shopping, laundry, home repairs, apartment hunting, moving residences, or acting as a protective payee;~~

~~_____ (d) routine courier services. For example, running errands or picking up and delivering food stamps or entitlement checks;~~

~~_____ (e) direct delivery of an underlying medical, educational, social, or other service to which an eligible individual has been referred. For example, providing medical and psychosocial evaluations, treatment, therapy and counseling, otherwise billable to Medicaid under other categories of service;~~

~~_____ (f) direct delivery of foster care services that include research gathering and completion of documentation, assessing adoption placements, recruiting or interviewing potential foster care placements, serving legal papers, home investigations, providing transportation, administering foster care subsidies, or making foster care placement arrangements;~~

~~_____ (g) traveling to the client's home or other location where a covered case management activity occurs, nor time spent transporting a client or a client's family member;~~

~~_____ (h) services for or on behalf of a non-Medicaid eligible or a non-targeted individual if services relate directly to the identification and management of the non-eligible or non-targeted individual's needs and care. For example, Medicaid does not cover counseling the client's sibling or helping the client's parent obtain a mental health service;~~

~~_____ (i) activities for the proper and efficient administration of the Medicaid State Plan that include client assistance to establish and maintain Medicaid eligibility. For example, locating, completing and delivering documents to a Medicaid eligibility worker;~~

~~_____ (j) recruitment activities in which the mental health center or case manager attempts to contact potential service recipients;~~

~~_____ (k) time spent assisting the client to gather evidence for a Medicaid hearing or participating in a hearing as a witness; and~~

~~_____ (l) time spent coordinating between case management team members for a client.~~

~~R414-33B-6. Qualified Providers:~~

~~_____ Targeted case management services must be provided by an individual who is:~~

~~_____ (1) a licensed physician, a licensed psychologist, a licensed clinical social worker, a licensed certified social worker, a licensed~~

~~social service worker, a licensed advanced practice registered nurse, a licensed registered nurse, a licensed professional counselor, a licensed substance abuse counselor, a licensed marriage and family counselor; or~~

~~_____ (2) an individual working toward licensure in one of the professions identified in subsection (a); or~~

~~_____ (3) a licensed practical nurse or a non-licensed individual working under the supervision of one of the individuals identified in subsection (1) or (2).~~

~~R414-33B-7. Reimbursement Methodology:~~

~~_____ The Department pays the lower of the amount billed and the rate on the fee schedule. The fee schedule was initially established after consultation with provider representatives. A provider shall not charge the Department a fee that exceeds the provider's usual and customary charges for the provider's private pay patients.~~

~~KEY: Medicaid~~

~~Date of Enactment or Last Substantive Amendment: September 30, 2009~~

~~Notice of Continuation: October 14, 2009~~

~~Authorizing, and Implemented or Interpreted Law: 26-18-3~~

**Health, Health Care Financing,
Coverage and Reimbursement Policy
R414-33D
Targeted Case Management by
Community Mental Health Centers for
Individuals with Serious Mental Illness**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38707

FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to remove sections of the rule specified in the summary provided below and to reflect the current Medicaid State Plan.

SUMMARY OF THE RULE OR CHANGE: This amendment removes sections in the rule text that specify reimbursement, eligibility, and service coverage, and defers to the scope of services found in the Targeted Case Management for Individuals with Serious Mental Illness Utah Medicaid Provider Manual and in the Medicaid State Plan. This amendment also removes "by community mental health centers" from the title of the rule text.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

- ◆ THE STATE BUDGET: There is no impact to the state budget because the services provided to Medicaid recipients are unaffected by this change.
- ◆ LOCAL GOVERNMENTS: There is no impact to local governments because the services provided to Medicaid recipients are unaffected by this change.
- ◆ SMALL BUSINESSES: There is no impact to small businesses because the services provided to Medicaid recipients are unaffected by this change.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There is no impact to Medicaid providers and to Medicaid recipients because the services provided to Medicaid recipients are unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid recipient because this change only consolidates the scope of targeted case management services for Medicaid recipients.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because change will not alter current practice.

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

HEALTH
 HEALTH CARE FINANCING,
 COVERAGE AND REIMBURSEMENT POLICY
 CANNON HEALTH BLDG
 288 N 1460 W
 SALT LAKE CITY, UT 84116-3231
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov
- ◆ Karen Ford by phone at 801-538-6637, by FAX at 801-538-6099, or by Internet E-mail at kford@utah.gov
- ◆ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-33D. Targeted Case Management [by Community Mental Health Centers] for Individuals with Serious Mental Illness.

R414-33D-1. Introduction.

Targeted Case Management may be provided to Medicaid recipients with serious mental illness in accordance with the Targeted Case Management for Individuals with Serious Mental Illness Utah Medicaid Provider Manual and Attachment 4.19-B of the Medicaid State Plan, as incorporated into Section R414-1-5.

[R414-33D-1. Introduction and Authority.

~~_____ (1) This rule outlines targeted case management services provided to individuals with serious mental illness to assist in gaining access to needed medical, educational, social, and other services.~~

~~_____ (2) This rule implements 42 USC 1396n(g), which authorizes targeted case management services and is authorized under UCA 26-18-3.~~

R414-33D-2. Definitions.

~~_____ "Serious mental illness" means a serious and often persistent mental illness in an adult or a serious emotional disorder in a child that severely limits the individual's welfare and development or functioning.~~

R414-33D-3. Client Eligibility Requirements.

~~_____ Targeted case management is available for individuals with serious mental illness who are categorically or medically needy.~~

R414-33D-4. Program Access Requirements.

~~_____ (1) Targeted case management is provided to individuals with serious mental illness for whom a case management needs assessment completed by a qualified targeted case manager documents that:~~

~~_____ (a) the individual requires a comprehensive coordinated system of care and treatment or services from a variety of agencies and providers to meet his documented medical, social, educational, and other needs; and~~

~~_____ (b) there is reasonable indication that the individual will access needed services only if assisted by a qualified targeted case manager who in accordance with an individualized case management service plan, locates, coordinates, and regularly monitors the service.~~

~~_____ (2) Targeted case management services are at the option of the individual in the target population.~~

~~_____ (3) Targeted case management services may not restrict an individual's free choice of providers of case management services or other Medicaid services.~~

R414-33D-5. Service Coverage.

~~_____ (1) Medicaid covers:~~

~~_____ (a) client assessment to determine service needs, including activities that focus on needs identification to determine the need for any medical, educational, social, or other services. Assessment activities include taking client history, identifying the needs of the client and completing related documentation, gathering information from other sources such as family members, medical providers, social workers, and educators, if necessary, to form a complete assessment of the client;~~

~~(b) development of a written, individualized, and coordinated case management service plan based on information collected through an assessment that specifies the goals and actions to address the client's medical, social, educational and other service needs. This includes input from the client, the client's authorized health care decision maker, family, and other agencies knowledgeable about the client, to develop goals and identify a course of action to respond to the client's assessed needs;~~

~~(c) referral and related activities to help the client obtain needed services, including activities that help link the client with medical, social, educational providers or other programs and services that are capable of providing needed services, such as making referrals to providers for needed services and scheduling appointments for the client;~~

~~(d) coordinating the delivery of services to the client, including CHEC screening and follow-up;~~

~~(e) client assistance to establish and maintain eligibility for entitlements other than Medicaid;~~

~~(f) monitoring and follow-up activities, including activities and contacts that are necessary to ensure the targeted case management service plan is effectively implemented and adequately addressing the needs of the client, which activities may be with the client, family members, providers or other entities, and conducted as frequently as necessary to help determine whether services are furnished in accordance with the client's case management service plan, whether the services in the case management service plan are adequate, whether there are changes in the needs or status of the client, and if so, making necessary adjustments in the case management service plan and service arrangements with providers;~~

~~(g) contacting non-eligible or non-targeted individuals when the purpose of the contact is directly related to the management of the eligible individual's care. For example, family members may be able to help identify needs and supports, assist the client to obtain services, and provide case managers with useful feedback to alert them to changes in the client's status or needs;~~

~~(h) instructing the client or caretaker, as appropriate, in independently accessing needed services; and~~

~~(i) monitoring the client's progress and continued need for targeted case management and other services.~~

~~(2) The agency may bill Medicaid for the above activities only if:~~

~~(a) the activities are identified in the case management service plan and the time spent in the activity involves a face-to-face encounter, telephone or written communication with the client, family, caretaker, service provider, or other individual with a direct involvement in providing or assuring the client obtains the necessary services documented in the service plan; and~~

~~(b) there are no other third parties liable to pay for services, including reimbursement under a medical, social, educational, or other program.~~

~~(3) Covered case management service provided to a hospital or nursing facility patient is limited to a maximum of five hours per admission in the 30-day period before the patient's discharge into the community. This provision does not apply to a patient who resides in the Utah State Hospital.~~

~~(4) Medicaid does not cover:~~

~~(a) documenting targeted case management services with the exception of time spent developing the written case management needs assessment, service plans, and 180-day service plan reviews;~~

~~(b) teaching, tutoring, training, instructing, or educating the client or others, except when the activity is specifically designed to assist the client, parent, or caretaker to independently obtain client services. For example, Medicaid does not cover client assistance in completing a homework assignment or instructing a client or family member on nutrition, budgeting, cooking, parenting skills, or other skills development;~~

~~(c) directly assisting with personal care or daily living activities that include bathing, hair or skin care, eating, shopping, laundry, home repairs, apartment hunting, moving residences, or acting as a protective payee;~~

~~(d) routine courier services. For example, running errands or picking up and delivering food stamps or entitlement checks;~~

~~(e) direct delivery of an underlying medical, educational, social, or other service to which an eligible individual has been referred. For example, providing medical and psychosocial evaluations, treatment, therapy and counseling, otherwise billable to Medicaid under other categories of service;~~

~~(f) direct delivery of foster care services that include research gathering and completion of documentation, assessing adoption placements, recruiting or interviewing potential foster care placements, serving legal papers, home investigations, providing transportation, administering foster care subsidies, or making foster care placement arrangements;~~

~~(g) traveling to the client's home or other location where a covered case management activity occurs, nor time spent transporting a client or a client's family member;~~

~~(h) services for or on behalf of a non-Medicaid eligible or a non-targeted individual if services relate directly to the identification and management of the non-eligible or non-targeted individual's needs and care. For example, Medicaid does not cover counseling the client's sibling or helping the client's parent obtain a mental health service;~~

~~(i) activities for the proper and efficient administration of the Medicaid State Plan that include client assistance to establish and maintain Medicaid eligibility. For example, locating, completing and delivering documents to a Medicaid eligibility worker;~~

~~(j) recruitment activities in which the mental health center or case manager attempts to contact potential service recipients;~~

~~(k) time spent assisting the client to gather evidence for a Medicaid hearing or participating in a hearing as a witness; and~~

~~(l) time spent coordinating between case management team members for a client.~~

R414-33D-6. Qualified Providers.

~~Targeted case management for individuals with serious mental illness must be provided by an individual employed by community mental health centers who is:~~

~~(1) a licensed physician, a licensed psychologist, a licensed clinical social worker, a licensed certified social worker, a licensed social service worker, a licensed advanced practice registered nurse, a licensed registered nurse, a licensed professional counselor, a licensed marriage and family counselor; or~~

~~(2) an individual working toward licensure in one of the professions identified in subsection (1) to the extent permitted by Utah Code Title 58; or~~

~~(3) a licensed practical nurse or a non-licensed individual who has met the State Division of Substance Abuse and Mental Health's training standards for case managers and who is working~~

~~under the supervision of one of the individuals identified in subsection (1) or (2).~~

R414-33D-7. Reimbursement Methodology.

~~———— (1) For fee-for-service community mental health centers, the Department pays the lower of the amount billed or the rate on the mental health center's fee schedule. The fee schedule was initially established after consultation with provider representatives. A provider shall not charge the Department a fee that exceeds the provider's usual and customary charges for the provider's private-pay patients.~~

~~———— (2) For capitated community mental health centers, the Department pays monthly premiums to the centers for all mental health services, including targeted case management.]~~

KEY: Medicaid

Date of Enactment or Last Substantive Amendment: [~~August 31, 2010~~]2014

Notice of Continuation: June 7, 2010

Authorizing, and Implemented or Interpreted Law: 26-1-5; 26-18-3

**Health, Health Care Financing,
Coverage and Reimbursement Policy
R414-34
Substance Abuse Services**

**NOTICE OF PROPOSED RULE
(Repeal)**

DAR FILE NO.: 38708
FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule repeal is to consolidate the scope of substance use disorder services for Medicaid recipients into Rule R414-36 and the corresponding provider manual (Rehabilitative Mental Health and Substance Use Disorder Services Utah Medicaid Provider Manual). (DAR NOTE: The proposed amendment to Rule R414-36 is under DAR No. 38710 in this issue, August 15, 2014, of the Bulletin.)

SUMMARY OF THE RULE OR CHANGE: This rule is repealed in its entirety.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

♦ **THE STATE BUDGET:** There is no impact to the state budget because the services provided to Medicaid recipients remain unaffected by this change.

♦ **LOCAL GOVERNMENTS:** There is no impact to local governments because the services provided to Medicaid recipients remain unaffected by this change.

♦ **SMALL BUSINESSES:** There is no impact to small businesses because the services provided to Medicaid recipients remain unaffected by this change.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no impact to Medicaid providers and to Medicaid recipients because the services provided to Medicaid recipients remain unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is no impact to a single Medicaid provider or to a Medicaid recipient because the services that are repealed in this rule are consolidated in the corresponding provider manual.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because change will not alter current practice.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov
- ♦ Karen Ford by phone at 801-538-6637, by FAX at 801-538-6099, or by Internet E-mail at kford@utah.gov
- ♦ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

[R414-34. Substance Abuse Services:

R414-34-1. Introduction and Authority:

~~———— (1) This rule outlines the program designed to evaluate and treat individuals with substance abuse disorders.~~

~~———— (2) This rule is authorized under UCA 26-18-3 and governs the services allowed under 42 CFR 440.130, Oct. 2003 ed.~~

R414-34-2. Definitions.

~~———— In this rule:~~

_____ (a) "Diagnostic services" means any medical procedure recommended by a physician or other licensed mental health therapist to enable him to identify the existence, nature, or extent of substance abuse disorder in a client.

_____ (b) "Rehabilitative services" means any medical or remedial services recommended by a physician or other licensed mental health therapist for maximum reduction of a client's substance abuse disorder and restoration of the client to his best possible functional level.

_____ (c) "Substance abuse disorder" means diagnoses listed in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition-Text Revision (DSM-IV-TR), in the range of 291.00-291.99, 292.00-292.99, 303.00-303.99, 304.00-304.99 and 305.00-305.99.

R414-34-3. Client Eligibility Requirements.

_____ Substance abuse treatment is available to any categorically or medically needy Medicaid client.

R414-34-4. Program Access Requirements.

_____ (1) Diagnostic and rehabilitative substance abuse services must be provided by or through a substance abuse program that is under contract with or directly operated by a local county substance abuse authority.

_____ (2) The substance abuse treatment program must evaluate the client to determine if:

_____ (a) the client carries a primary diagnosis of a substance abuse disorder and requires substance abuse treatment services; or

_____ (b) the client's child requires services to reduce the child's risk of developing a substance abuser disorder.

R414-34-5. Service Coverage.

_____ (1) Services must be recommended by a licensed mental health therapist.

_____ (2) The scope of diagnostic and rehabilitative substance abuse services includes the following:

_____ (a) psychiatric diagnostic interview examination;

_____ (b) alcohol and drug assessment by a non-physician;

_____ (c) psychological testing;

_____ (d) individual psychotherapy;

_____ (e) group psychotherapy;

_____ (f) individual psychotherapy with medical evaluation and management services;

_____ (g) family psychotherapy with client present;

_____ (h) family psychotherapy without client present;

_____ (i) therapeutic behavioral services;

_____ (j) pharmacologic management;

_____ (k) individual skills training and development;

_____ (l) psychosocial rehabilitative services; and

_____ (m) intensive psychosocial rehabilitative services for children through the month of their thirteenth birthday.

_____ (3) Medicaid adult clients in the Non-Traditional Medicaid Plan have the following service exclusions:

_____ (a) hypnosis, occupational, and recreational therapy; and

_____ (b) office calls in conjunction with medication management for repetitive therapeutic injections; and

_____ (4) Psychiatric diagnosis interview examinations for legal purposes only, such as for custodial or visitation rights are excluded from coverage for all Medicaid clients.

R414-34-6. Qualified Providers.

_____ Diagnostic and rehabilitative services must be provided by an individual, as limited by the scope of his license, who is:

_____ (1) a licensed physician, a licensed psychologist, a licensed clinical social worker, a licensed certified social worker, a licensed social service worker, a licensed advanced practice registered nurse specializing in mental health nursing, a licensed registered nurse, a licensed professional counselor, a licensed substance abuse counselor, or a licensed marriage and family counselor; or

_____ (2) an individual working toward licensure in one of the professions identified in subsection (1) to the extent permitted by Utah Code Title 58; or

_____ (3) a licensed practical nurse or other trained staff working under the supervision of one of the individuals identified in subsections (1) or (2).

R414-34-7. Reimbursement Methodology.

_____ The Department pays the lower of the amount billed or the rate on the substance abuse treatment providers' fee schedule. The fee schedule was initially established after consultation with provider representatives. A provider shall not charge the Department a fee that exceeds the provider's usual and customary charges for the provider's private pay patients.

KEY: Medicaid

Date of Enactment or Last Substantive Amendment: February 1, 2005

Notice of Continuation: October 14, 2009

Authorizing and Implemented or Interpreted Law: 26-18-3]

Health, Health Care Financing, Coverage and Reimbursement Policy

R414-35

Mental Health Services for Children in State Custody

NOTICE OF PROPOSED RULE

(Repeal)

DAR FILE NO.: 38709

FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule repeal is to consolidate the scope of mental health services for children in state custody into Rule R414-36 and the corresponding provider manual (Rehabilitative Mental Health and Substance Use Disorder Services Utah Medicaid Provider Manual). (DAR NOTE: The proposed amendment to Rule R414-36 is under DAR No. 38710 in this issue, August 15, 2014, of the Bulletin.)

SUMMARY OF THE RULE OR CHANGE: This rule is repealed in its entirety.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** There is no impact to the state budget because the services provided to Medicaid recipients remain unaffected by this change.
- ◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because the services provided to Medicaid recipients remain unaffected by this change.
- ◆ **SMALL BUSINESSES:** There is no impact to small businesses because the services provided to Medicaid recipients remain unaffected by this change.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no impact to Medicaid providers and to Medicaid recipients because the services provided to Medicaid recipients remain unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is no impact to a single Medicaid provider or to a Medicaid recipient because the services that are repealed in this rule are consolidated in the corresponding provider manual.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because change will not alter current practice.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov
- ◆ Karen Ford by phone at 801-538-6637, by FAX at 801-538-6099, or by Internet E-mail at kford@utah.gov
- ◆ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

[R414-35. Mental Health Services for Children in State Custody.

R414-35-1. Introduction and Authority.

~~_____ (1) This rule outlines the diagnostic and rehabilitative outpatient mental health services provided to CHEC (EPSDT)-eligible Medicaid clients in the custody of Department of Human Services (DHS).~~

~~_____ (2) This rule is authorized under UCA 26-18-3 and governs the services allowed under 42 CFR 440.130, Oct. 2003 ed.~~

R414-35-2. Definitions.

~~_____ In this rule:~~

~~_____ "CHEC" means Utah's version of the federally-mandated Early and Periodic Screening Diagnosis and Treatment (EPSDT) program. The CHEC program is designed to ensure access to needed medical care for Medicaid clients from birth through the month of the client's 21st birthday.~~

~~_____ "Diagnostic services" means any medical procedure recommended by a physician or other licensed mental health therapist to enable him to identify the existence, nature, or extent of a mental health disorder in a client.~~

~~_____ "Rehabilitative services" means any medical or remedial services recommended by a physician or other licensed mental health therapist for maximum reduction of a client's mental health disorder and restoration of the client to his best possible functional level.~~

R414-35-3. Client Eligibility Requirements.

~~_____ Diagnostic and rehabilitative outpatient mental health services are available to CHEC-eligible children in the custody of DHS.~~

R414-35-4. Program Access Requirements.

~~_____ Diagnostic and rehabilitative outpatient mental health services must be provided by a licensed mental health therapist under contract with DHS, a psychosocial rehabilitative treatment program operated by or under contract with DHS or a community mental health center.~~

R414-35-5. Service Coverage.

~~_____ (1) Services must be recommended by a licensed mental health therapist.~~

~~_____ (2) The scope of diagnostic and rehabilitative mental health services includes:~~

~~_____ (a) psychiatric diagnostic interview examination;~~

~~_____ (b) psychological testing;~~

~~_____ (c) individual psychotherapy;~~

~~_____ (d) group psychotherapy;~~

~~_____ (e) family psychotherapy with patient present;~~

~~_____ (f) family psychotherapy without patient present;~~

~~_____ (g) pharmacologic management;~~

~~_____ (h) psychosocial rehabilitative services;~~

~~_____ (i) intensive psychosocial rehabilitative services for children ages 0 through the month of their 13th birthday; and~~

~~_____ (j) residential treatment services including:~~

~~_____ (i) psychiatric health facility;~~

~~_____ (ii) comprehensive community support services; and~~

~~_____ (iii) foster care, therapeutic, child.~~

R414-35-6. Qualified Providers:

~~Diagnostic and rehabilitative services must be provided by an individual, as limited by the scope of his license, who is:~~

~~(1) a licensed physician, a licensed psychologist, a licensed clinical social worker, a licensed certified social worker, a licensed social service worker, a licensed advanced practice registered nurse specializing in mental health nursing, a licensed registered nurse, a licensed professional counselor, a licensed marriage and family therapist or a licensed substance abuse counselor; or~~

~~(2) an individual working toward licensure in one of the professions identified in subsection (1) to the extent permitted by Title 58 of the Utah Code; or~~

~~(3) a licensed practical nurse or other trained staff working under the supervision of one of the individuals identified in subsection (1) or (2).~~

R414-35-7. Reimbursement Methodology:

~~The Department pays the lower of the amount billed or the rate on the DHS contractors' fee schedule. The fee schedule was initially established after consultation with DHS. A provider shall not charge the Department a fee that exceeds the provider's usual and customary charges for the provider's private pay patients.~~

KEY: Medicaid

~~Date of Enactment or Last Substantive Amendment: December 16, 2004~~

~~Notice of Continuation: November 2, 2009~~

~~Authorizing, and Implemented or Interpreted Law: 26-18-3]~~

Health, Health Care Financing,
Coverage and Reimbursement Policy
R414-36
Services by Community Mental Health
Centers

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38710

FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to remove sections of the rule specified in the summary provided below and to consolidate Rules R414-34 and R414-35 into Rule R414-36. (DAR NOTE: The proposed repeal of Rule R414-34 is under DAR No. 38708 and the proposed repeal of Rule R414-35 is under DAR No. 38708 in this issue, August 15, 2014, of the Bulletin.)

SUMMARY OF THE RULE OR CHANGE: This amendment removes sections in the rule text that specify reimbursement, eligibility, and service coverage, and defers to the scope of services found in the Rehabilitative Mental Health and Substance Use Disorder Services Utah Medicaid Provider

Manual and in the Medicaid State Plan. This amendment also changes the title of the rule to "Rehabilitative Mental Health and Substance Use Disorder Services."

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** There is no impact to the state budget because the services provided to Medicaid recipients remain unaffected by this change.

◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because the services provided to Medicaid recipients remain unaffected by this change.

◆ **SMALL BUSINESSES:** There is no impact to small businesses because the services provided to Medicaid recipients remain unaffected by this change.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no impact to Medicaid providers and to Medicaid recipients because the services provided to Medicaid recipients remain unaffected by this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs to a single Medicaid provider or to a Medicaid recipient because this change only consolidates the scope of rehabilitative mental health and substance use disorder services for Medicaid recipients.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because change will not alter current practice.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

◆ Karen Ford by phone at 801-538-6637, by FAX at 801-538-6099, or by Internet E-mail at kford@utah.gov

◆ Nina Baker by phone at 801-538-9127, by FAX at 801-538-6412, or by Internet E-mail at nabaker@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-36. ~~[Services by Community Mental Health Centers.]~~ Rehabilitative Mental Health and Substance Use Disorder Services.

R414-36-1. Introduction.

Rehabilitative mental health and substance use disorder services may be provided to Medicaid recipients in accordance with the Rehabilitative Mental Health and Substance Use Disorder Services Utah Medicaid Provider Manual and Attachment 4.19-B of the Medicaid State Plan, as incorporated into Section R414-1-5.

[R414-36-1. Introduction and Authority:

~~(1) This rule outlines the diagnostic and rehabilitative mental health services provided to Medicaid clients by community mental health centers.~~

~~(2) This rule is authorized under UCA 26-18-3 and governs the services allowed under 42 CFR 440.130, Oct. 2003 ed., and implements waivers authorized under federal waiver authority in subsections 1902(a)(1), 1915(b)(3) and 1915(b)(4) of the Social Security Act.~~

R414-36-2. Definitions:

~~In this rule:~~

~~"Diagnostic services" means any medical procedure recommended by a physician or other licensed mental health therapist to enable him to identify the existence, nature, or extent of a mental health disorder in a client.~~

~~"Prepaid Mental Health Plan" means the prepaid, capitated program through which the Department pays contracted community mental health centers to provide all needed inpatient and outpatient mental health services to residents of the community mental health center's catchment area who are enrolled in the plan.~~

~~"Rehabilitative services" means any medical or remedial services recommended by a physician or other licensed mental health therapist for maximum reduction of a client's mental health disorder and restoration of the client to his best possible functional level.~~

R414-36-3. Client Eligibility Requirements:

~~Diagnostic and rehabilitative mental health services are available to any Categorically or Medically Needy Medicaid client, except that~~

~~(1) Medicaid clients who reside at the Utah State Hospital and the Utah Developmental Center are not covered under the Prepaid Mental Health Plan;~~

~~(2) children in State custody are enrolled in the Prepaid Mental Health Plan only for inpatient mental health services;~~

~~(3) Medicaid clients who enroll in the UNI HOME Program are disenrolled from the Prepaid Mental Health Plan;~~

~~(4) state subsidized adoptive children who have been exempted from the Prepaid Mental Health Plan by parent request are enrolled in the Prepaid Mental Health Plan only for inpatient mental health services.~~

R414-36-4. Program Access Requirements:

~~(1) Diagnostic and rehabilitative mental health services must be provided by or through a community mental health center that~~

~~is under contract with or directly operated by a local county mental health authority.~~

~~(2) The community mental health center must evaluate the client to determine if the client has a mental health disorder that requires mental health services.~~

R414-36-5. Service Coverage:

~~(1) Services must be recommended by a licensed mental health therapist.~~

~~(2) The scope of diagnostic and rehabilitative mental health services includes:~~

~~(a) psychiatric diagnostic interview examination;~~

~~(b) mental health assessment by non-physician;~~

~~(c) psychological testing;~~

~~(d) individual psychotherapy;~~

~~(e) group psychotherapy;~~

~~(f) individual psychotherapy with medical evaluation and management services;~~

~~(g) family psychotherapy with patient present;~~

~~(h) family psychotherapy without patient present;~~

~~(i) therapeutic behavioral services;~~

~~(j) pharmacologic management;~~

~~(k) individual skills training and development;~~

~~(l) psychosocial rehabilitative services; and~~

~~(m) intensive psychosocial rehabilitative services for children ages 0 through the month of their 13th birthday.~~

~~(3) Medicaid clients who reside in counties covered by a Prepaid Mental Health Plan contractor are automatically enrolled in the Prepaid Mental Health Plan for that county. A Medicaid client covered by a Prepaid Mental Health Plan may receive additional services approved by CMS under the Social Security Act section 1915(b)(3) waiver authority.~~

~~(4) Medicaid adult recipients ages 19 and over in the TANF and Medically Needy eligibility categories who are enrolled in the Non-Traditional Medicaid Plan have the following service limitations:~~

~~(a) inpatient mental health care is limited to a maximum of 30 days per year;~~

~~(b) outpatient mental health services are limited to a maximum of 30 outpatient mental health treatment services or visits per year~~

~~(c) targeted case management services under R414-33A for the chronically mentally ill also count toward the maximum of 30 outpatient mental health services.~~

~~(4) Medicaid clients enrolled in the Non-Traditional Medicaid Plan also have the following service exclusions:~~

~~(a) services for conditions without manifest psychiatric diagnoses;~~

~~(b) hypnosis, occupational, or recreational therapy; and~~

~~(c) office calls in conjunction with medication management for repetitive therapeutic injections.~~

~~(4) Psychiatric diagnosis interview examinations for legal purposes only, such as for custodial or visitation rights are excluded from coverage for all Medicaid clients.~~

R414-36-6. Qualified Providers:

~~Diagnostic and rehabilitative services must be provided by an individual, as limited by the scope of his license, who is:~~

~~(1) a licensed physician, a licensed psychologist, a licensed clinical social worker, a licensed-certified social worker, a licensed~~

~~social service worker, a licensed advanced practice registered nurse specializing in mental health nursing, a licensed registered nurse, a licensed professional counselor, or a licensed marriage and family counselor; or~~

~~(2) an individual working toward licensure in one of the professions identified in subsection (a) to the extent permitted by Utah Code Title 58; or~~

~~(3) a licensed practical nurse or other trained staff working under the supervision of one of the individuals identified in subsections (1) or (2).~~

R414-36-7. Reimbursement Methodology.

~~(1) Two community mental health centers are not under contract with the Department as Prepaid Mental Health Plan contractors. The Department reimburses these two community mental health centers on a fee-for-service basis. The Department pays the lower of the amount billed or the Medicaid fee schedule. The fee schedule was initially established after consultation with provider representatives. A provider shall not charge the Department a fee that exceeds the provider's usual and customary charges for the provider's private pay clients.~~

~~(2) The Department pays Prepaid Mental Health Plan contractors a capitated monthly premium to cover all inpatient and outpatient mental health services needed by Medicaid clients. The premiums are developed and certified as actuarially sound by independent actuaries who meet the qualification standards established by the American Academy of Actuaries.]~~

KEY: Medicaid

Date of Enactment or Last Substantive Amendment: [February 1, 2005]2014

Notice of Continuation: October 21, 2009

Authorizing, and Implemented or Interpreted Law: 26-18-3

Health, Health Care Financing, Coverage and Reimbursement Policy

R414-61-2

Incorporation by Reference

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38703

FILED: 07/21/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to incorporate by reference changes to the Waiver for Individuals with Acquired Brain Injuries, effective 07/01/2014.

SUMMARY OF THE RULE OR CHANGE: This amendment incorporates by reference changes to the Waiver for Individuals with Acquired Brain Injuries (ABI), effective 07/01/2014. These changes implement new quality

assurance standards that revise all performance measures within the ABI waiver to further safeguard waiver participants.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 1915(c) and Section 26-1-5 and Section 26-18-3

MATERIALS INCORPORATED BY REFERENCES:

- ◆ Updates Waiver for Individuals with Acquired Brain Injuries, published by Centers for Medicare and Medicaid Services, 07/01/2014

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The Department does not anticipate any impact to the state budget because waiver services remain unaffected by this update.

◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because they do not fund or provide waiver services for Medicaid recipients.

◆ **SMALL BUSINESSES:** The Department does not anticipate any impact to small businesses because waiver services remain unaffected by this update.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The Department does not anticipate any impact to Medicaid providers and to Medicaid recipients because waiver services remain unaffected by this update.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Department does not anticipate any compliance costs to a single Medicaid provider or to a Medicaid recipient because waiver services remain unaffected by this update.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on business because there is no change in the program eligibility and operations.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-61. Home and Community-Based Services Waivers.

R414-61-2. Incorporation by Reference.

The Department incorporates by reference the following home and community-based services waivers:

- (1) Waiver for Technology Dependent/Medically Fragile Individuals, effective July 1, 2013;
- (2) Waiver for Individuals Age 65 or Older, effective July 1, 2010;
- (3) Waiver for Individuals with Acquired Brain Injuries, effective July 1, 20[09]14;
- (4) Waiver for Individuals with Physical Disabilities, effective July 1, 2011;
- (5) Community Supports Waiver for Individuals with Intellectual Disabilities and Other Related Conditions, effective July 1, 2010;
- (6) New Choices Waiver, effective July 1, 2010.

These documents are available for public inspection during business hours at the Utah Department of Health, Division of Medicaid and Health Financing, located at 288 North 1460 West, Salt Lake City, UT, 84114-3102.

KEY: Medicaid

Date of Enactment or Last Substantive Amendment: [~~April 21,~~ 2014

Notice of Continuation: February 24, 2010

Authorizing, and Implemented or Interpreted Law: 26-18-3

**Health, Health Care Financing,
Coverage and Reimbursement Policy**

R414-304

Income and Budgeting

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38724

FILED: 08/01/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to clarify when payments for individuals from a long-term care partnership insurance policy do not count as income.

SUMMARY OF THE RULE OR CHANGE: This amendment clarifies when payments for individuals from a long-term care partnership insurance policy do not count as income.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

♦ **THE STATE BUDGET:** While there may be may be savings to the state budget based on third party payments to providers of long-term care services, there is no data to estimate the quantity of savings or the number of individuals who will purchase a long-term care partnership insurance policy.

♦ **LOCAL GOVERNMENTS:** There is no impact to local governments because they neither determine Medicaid eligibility nor fund services provided to Medicaid recipients.

♦ **SMALL BUSINESSES:** This amendment does not impose new costs or requirements on small businesses. Some businesses may see an increase in revenue through the partnership insurance policy, but there is no data to estimate how much revenue, or the number of individuals who will purchase a long-term care partnership insurance policy.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This amendment does not impose new costs or requirements on Medicaid providers. Some providers may see an increase in revenue, but there is no data to estimate how much revenue, or the number of individuals who will purchase a long-term care partnership insurance policy. Medicaid recipients who purchase this insurance policy may see long-term care savings, but the quantity of savings is unknown at this time.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This amendment does not impose new costs or requirements on a single Medicaid provider or on a Medicaid recipient because it can only increase revenue and savings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This should have no adverse impact on business because it expands the eligibility for benefits.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-304. Income and Budgeting.

R414-304-3. Aged, Blind and Disabled Non-Institutional and Institutional Medicaid Unearned Income Provisions.

(1) The Department adopts and incorporates by reference 42 CFR 435.811 and 435.831, October 1, 2012 ed., and 20 CFR 416.1102, 416.1103, 416.1120 through 416.1124, 416.1140 through 416.1148, 416.1150, 416.1151, 416.1157, 416.1163 through 416.1166, and Appendix to Subpart K of 416, April 1, 2012 ed. The Department also adopts and incorporates by reference Subsections 404(h)(4) and 1612(b)(24) and (25) of the Compilation of the Social Security Laws in effect January 1, 2013, to determine income and income deductions for Medicaid eligibility. The Department may not count as income any payments from sources that federal laws specifically prohibit from being counted as income to determine eligibility for federally-funded medical assistance programs.

(2) The following definitions apply to this section:

(3) The eligibility agency may not count Veteran's Administration (VA) payments for aid and attendance or the portion of a VA payment that an individual makes because of unusual medical expenses. Other VA income based on need is countable income, but is not subject to the \$20 general income disregard.

(4) The eligibility agency may only count as income the portion of a VA check to which the client is legally entitled. If the payment includes an amount for a dependent family member as determined by the VA, that amount counts as income for the dependent. If the dependent does not live with the veteran or surviving spouse, the portion for the dependent counts as the dependent's income unless the dependent applies to VA to receive the payment directly, VA denies that request, and the dependent does not receive the payment. In that case, the eligibility agency shall also count the amount for a dependent as income of the veteran or surviving spouse who receives the payment.

(5) The eligibility agency may not count as income Social Security Administration (SSA) reimbursements of Medicare premiums.

(6) The eligibility agency may not count as income the value of special circumstance items if the items are paid for by donors.

(7) For aged, blind and disabled Medicaid, the eligibility agency shall count as income two-thirds of current child support that an individual receives in a month for the disabled child. It does not matter if the payments are voluntary or court-ordered. It does not matter if the child support is received in cash or in-kind. If there is more than one child for whom the payment is made, the amount is divided equally among the children unless a court order indicates a different division.

(8) The eligibility agency shall count as income of the child, child support payments received from a parent or guardian for past months or years.

(9) The agency shall use countable income of the parent to determine the amount of income that will be deemed from the parent to the child to determine the child's eligibility.

(10) For aged, blind and disabled Institutional Medicaid, court-ordered child support payments collected by the Office of Recovery Services (ORS) for a child who resides out-of-home in a

Medicaid 24-hour care facility are not counted as income to the child. If ORS allows the parent to retain up to the amount of the personal needs allowance for the child's personal needs, that amount is counted as income for the child. All other current child support payments received by the child or guardian that are not subject to collection by ORS count as unearned income to the child.

(11) The eligibility agency shall count as unearned income the interest earned from a sales contract on either or both the lump sum and installment payments when the interest is received or made available to the client.

(12) If the client, or the client and spouse do not live with an in-kind support donor, in-kind support and maintenance is the lesser of the value or the presumed maximum value of food or shelter received. If the client, or the client and spouse live with an in-kind support donor and do not pay a prorated share of household operating expenses, in-kind support and maintenance is the difference between the prorated share of household operating expenses and the amount the client, or the client and spouse actually pay, or the presumed maximum value, whichever is less.

(13) Payments under a contract that provide for payments at set intervals or after completion of the contract period are not lump sum payments. The payments are subject to regular income counting rules. Retroactive payments from SSI and SSA reimbursements of Medicare premiums are not lump sum payments.

(14) The eligibility agency may not count as income educational loans, grants, and scholarships received from Title IV programs of the Higher Education Act or from Bureau of Indian Affairs educational programs, and may not count any other grants, scholarships, fellowships, or gifts that a client uses to pay for education. The eligibility agency shall count as income, in the month that the client receives them, any amount of grants, scholarships, fellowships, or gifts that the client uses to pay for non-educational expenses. Allowable educational expenses include:

- (a) tuition;
- (b) fees;
- (c) books;
- (d) equipment;
- (e) special clothing needed for classes;
- (f) travel to and from school at a rate of 21 cents a mile, unless the grant identifies a larger amount; and
- (g) child care necessary for school attendance.

(15) The eligibility agency may not count as income payments from a qualified long-term care insurance partnership plan as defined in 42 U.S.C. 1396p(b)(1)(C)(iii), paid directly to a long-term care provider or collected by the Office of Recovery Services as a third-party liability source.

(16) Except for an individual eligible for the Medicaid Work Incentive (MWI) program, the following provisions apply to non-institutional medical assistance:

(a) For aged, blind and disabled Medicaid, the eligibility agency may not count income of a spouse or a parent to determine Medicaid eligibility of a person who receives SSI or meets 1619(b) criteria. SSI recipients and 1619(b) status individuals who meet all other Medicaid eligibility factors are eligible for Medicaid without spending down.

(b) If an ineligible spouse of an aged, blind or disabled person has more income after deductions than the allocation for a spouse, the eligibility agency shall deem the spouse's income to the aged, blind or disabled spouse to determine eligibility.

(c) The eligibility agency shall determine household size and whose income counts for aged, blind and disabled Medicaid as described below.

(i) If only one spouse is aged, blind or disabled:

(A) The eligibility agency shall deem income of the ineligible spouse to the eligible spouse when that income exceeds the allocation for a spouse. The eligibility agency shall compare the combined income to 100% of the federal poverty guideline for a two-person household. If the combined income exceeds that amount, the eligibility agency shall compare the combined income, after allowable deductions, to the BMS for two to calculate the spenddown.

(B) If the ineligible spouse's income does not exceed the allocation for a spouse, the eligibility agency may not count the ineligible spouse's income and may not include the ineligible spouse in the household size. Only the eligible spouse's income is compared to 100% of the federal poverty guideline for one. If the income exceeds that amount, it is compared, after allowable deductions, to the BMS for one to calculate the spenddown.

(ii) If both spouses are either aged, blind or disabled, the eligibility agency shall combine the income of both spouses and compare to 100% of the federal poverty guideline for a two-person household. SSI income is not counted.

(A) If the combined income exceeds that amount and one spouse receives SSI, the eligibility agency may only compare the income of the non-SSI spouse, after allowable deductions, to the BMS for a one-person household to calculate the spenddown.

(B) If neither spouse receives SSI and their combined income exceeds 100% of the federal poverty guideline, the eligibility agency shall compare the income of both spouses, after allowable deductions, to the BMS for a two-person household to calculate the spenddown.

(C) If neither spouse receives SSI and only one spouse will be covered under the applicable program, the eligibility agency shall deem income of the non-covered spouse to the covered spouse when that income exceeds the spousal allocation. If the non-covered spouse's income does not exceed the spousal allocation, the eligibility agency may only count the covered spouse's income. In both cases, the countable income is compared to 100% of the two-person poverty guideline. If the countable income exceeds the limit, the eligibility agency shall compare the income, after allowable deductions, to the BMS.

(I) If the non-covered spouse has income to deem to the covered spouse, the eligibility agency shall compare the countable income, after allowable deductions, to a two-person BMS to calculate a spenddown.

(II) If the non-covered spouse does not have income to deem to the covered spouse, the eligibility agency may only compare the covered spouse's income, after allowable deductions, to a one-person BMS to calculate the spenddown.

(iii) In determining eligibility under (c) for an aged or disabled person whose spouse is blind, both spouses' income is combined.

(A) If the combined income after allowable deductions is under 100% of the federal poverty guideline, the aged or disabled spouse will be eligible under the 100% poverty group defined in 1902(a)(10)(A)(ii) of the Social Security Act, and the blind spouse is eligible without a spenddown under the medically needy group defined in 42 CFR 435.301.

(B) If the combined income after allowable deductions is over 100% of poverty, both spouses are eligible with a spenddown under the medically needy group defined in 42 CFR 435.301.

(iv) If one spouse is disabled and working, the other is aged, blind or disabled and not working, and neither spouse is an SSI recipient nor a 1619(b) eligible individual, the working disabled spouse may choose to receive coverage under the MWI program. If both spouses want coverage, however, the eligibility agency shall first determine eligibility for them as a couple. If a spenddown is owed for them as a couple, they must meet the spenddown to receive coverage for both of them.

(d) Except when determining countable income for the 100% poverty-related Aged and Disabled Medicaid programs, the eligibility agency shall not deem income from a spouse who meets 1619(b) protected group criteria.

(e) The eligibility agency shall determine household size and whose income counts for QMB, SLMB, and QI assistance as described below:

(i) If both spouses receive Part A Medicare and both want coverage, the eligibility agency shall combine income of both spouses and compare it to the applicable percentage of the poverty guideline for a two-person household.

(ii) If one spouse receives Part A Medicare and the other spouse is aged, blind or disabled and does not receive Part A Medicare or does not want coverage, then the eligibility agency shall deem income of the ineligible spouse to the eligible spouse when that income exceeds the allocation for a spouse. If the income of the ineligible spouse does not exceed the allocation for a spouse, then only the income of the eligible spouse is counted. In both cases, the eligibility agency shall compare the countable income to the applicable percentage of the federal poverty guideline for a two-person household.

(iii) If one spouse receives Part A Medicare and the other spouse is not aged, blind or disabled, the eligibility agency shall deem income of the ineligible spouse to the eligible spouse when that income exceeds the allocation for a spouse. The agency shall combine countable income to the applicable percentage of the federal poverty guideline for a two-person household. If the deemed income of the ineligible spouse does not exceed the allocation for a spouse, only the eligible spouse's income is counted and compared to the applicable percentage of the poverty guideline for a one-person household.

(iv) The eligibility agency may not count SSI income to determine eligibility for QMB, SLMB or QI assistance.

(f) If any parent in the home receives SSI or is eligible for 1619(b) protected group coverage, the eligibility agency may not count the income of either parent to determine a child's eligibility for B or D Medicaid.

(g) Payments for providing foster care to a child are countable income. The portion of the payment that represents a reimbursement for the expenses related to providing foster care is not countable income.

([+6]17) For Institutional Medicaid, the eligibility agency may only count the client in the household size. Only the client's income and deemed income from an alien client's sponsor is counted to determine the cost of care contribution. The provisions in Rule R414-307 govern who to include in the household size and whose income is counted to determine eligibility for home and community-based waiver services and the cost-of-care contribution.

(~~17~~18) The eligibility agency shall deem any unearned and earned income from an alien's sponsor and the sponsor's spouse when the sponsor signs an Affidavit of Support pursuant to Section 213A of the Immigration and Nationality Act after December 18, 1997.

(a) The eligibility agency shall end sponsor deeming when the alien becomes a naturalized United States (U.S.) citizen, or has worked 40 qualifying quarters as defined under Title II of the Social Security Act, or can be credited with 40 qualifying work quarters. After December 31, 1996, a creditable qualifying work quarter is one during which the alien did not receive any federal means-tested public benefit.

(b) The eligibility agency may not apply sponsor deeming to applicants who are eligible for Medicaid for emergency services only.

(~~18~~19) If retirement income has been divided between divorced spouses by the divorce decree pursuant to a Qualified Domestic Relations Order, the eligibility agency may only count as income the amount that is paid to the individual.

(~~19~~20) The eligibility agency may not count as income any payments that an individual receives pursuant to the Individual Indian Money Account Litigation Settlement under the Claims Resettlement Act of 2010, Pub. L. No. 111 291, 124 Stat. 3064.

(~~20~~21) The eligibility agency may not count as income any federal tax refund and refundable credit that an individual receives in accordance with the requirements of Sec. 6409, Pub. L. 112 240.

(~~21~~22) The eligibility agency may not count income that is derived from an ownership interest in certain property and rights of federally-recognized American Indians and Alaska Natives including:

(a) certain tribal lands held in trust which are located on or near a reservation, or allotted lands located on a previous reservation;

(b) ownership interests in rents, leases, royalties, or usage rights related to natural resources that include extraction of natural resources; and

(c) ownership interests and usage rights in personal property which has unique religious, spiritual, traditional, or cultural significance, and rights that support subsistence or traditional lifestyles, as defined in Section 5006(b)(1) of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111 5, 123 Stat. 115.

R414-304-4. Medicaid Work Incentive Program Unearned Income Provisions.

(1) The Department adopts and incorporates by reference 20 CFR 416.1102, 416.1103, 416.1120 through 416.1124, 416.1140 through 416.1148, 416.1150, 416.1151, 416.1157, and Appendix to Subpart K of 416, October 1, 2012 ed. The Department also adopts and incorporates by reference Subsections 404(h)(4) and 1612(b)(24) and (25) of the Compilation of the Social Security Laws, effective January 1, 2013. The eligibility agency may not count as income any payments from sources that federal laws specifically prohibit from being counted as income to determine eligibility for federally-funded medical assistance programs.

(2) The eligibility agency shall allow the provisions found in Subsection R414-304-3(3) through (14), and (~~17~~18) through (~~21~~22).

(3) The eligibility agency shall determine income from an ineligible spouse or parent by the total of the earned and unearned income using the appropriate exclusions in 20 CFR 416.1161, except that court ordered support payments are not allowed as an income deduction.

(4) For the MWI program, the income of a spouse or parent is not considered in determining eligibility of a person who receives SSI. SSI recipients who meet all other MWI program eligibility factors are eligible without paying a Medicaid buy-in premium.

(5) The eligibility agency shall determine household size and whose income counts for the MWI program as described below:

(a) If the MWI program individual is an adult and is not living with a spouse, the eligibility agency may only count the income of the individual. The eligibility agency shall include in the household size, any children of the individual who are under 18 years of age, or who are 18, 19, or 20 years of age and are full-time students. These children must be living in the home or be temporarily absent. After allowable deductions, the eligibility agency shall compare the countable income to 250% of the federal poverty guideline for the household size involved.

(b) If the MWI program individual is living with a spouse, the eligibility agency shall combine their income before allowing any deductions. The eligibility agency shall include in the household size the spouse and any children of the individual or spouse under 18 years of age, or who are 18, 19, or 20 years of age and are full-time students. These children must be living in the home or be temporarily absent. After allowable deductions, the eligibility agency shall compare the countable income of the MWI program individual and spouse to 250% of the federal poverty guideline for the household size involved.

(c) If the MWI program individual is a child living with a parent, the eligibility agency shall combine the income of the MWI program individual and the parents before allowing any deductions. The eligibility agency shall include in the household size the parents, any minor siblings, and siblings who are age 18, 19, or 20 and are full-time students, who are living in the home or temporarily absent. After allowable deductions, the eligibility agency shall compare the countable income of the MWI program individual and the individual's parents to 250% of the federal poverty guideline for the household size involved.

KEY: financial disclosures, income, budgeting

Date of Enactment or Last Substantive Amendment: [~~April 21,~~ 2014

Notice of Continuation: January 23, 2013

Authorizing, and Implemented or Interpreted Law: 26-18-3

Health, Health Care Financing, Coverage and Reimbursement Policy **R414-305** Resources

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 38725

FILED: 08/01/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this change is to implement a resource disregard when determining eligibility for an

individual who is a beneficiary under a qualified long-term care partnership insurance policy.

SUMMARY OF THE RULE OR CHANGE: This amendment includes a resource disregard when determining eligibility for long-term care Medicaid equal to the amount of benefits paid to or for the benefit of an individual who is a beneficiary under a qualified long-term care partnership insurance policy. This change also allows for reciprocity for plans purchased in other partnership states under certain conditions.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-1-5 and Section 26-18-3

MATERIALS INCORPORATED BY REFERENCES:

- ◆ Adds Section 1917(b) of the Compilation of the Social Security Laws, published by Social Security Administration, 01/01/2013

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** There is no impact to the state budget because the resource disregard under this amendment is equal to the benefits the individual receives from the long-term care insurance policy.
- ◆ **LOCAL GOVERNMENTS:** There is no impact to local governments because they neither determine Medicaid eligibility nor fund services provided to Medicaid recipients.
- ◆ **SMALL BUSINESSES:** There is no impact to local governments because they neither determine Medicaid eligibility nor fund services provided to Medicaid recipients.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This amendment does not impose new costs or requirements on Medicaid providers. Some providers may see an increase in revenue, but there is no data to estimate how much revenue, or the number of individuals who will purchase a long-term care partnership insurance policy. Medicaid recipients who purchase this insurance policy may see long-term care savings, but the quantity of savings is unknown at this time.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This amendment does not impose new costs or requirements on a single Medicaid provider or on a Medicaid recipient because it can only increase revenue and savings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This should have no adverse impact on business because it expands the eligibility for benefits.

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

HEALTH
HEALTH CARE FINANCING,
COVERAGE AND REIMBURSEMENT POLICY
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY, UT 84116-3231

or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at cdevashrayee@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 10/01/2014

AUTHORIZED BY: David Patton, PhD, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.

R414-305. Resources.

R414-305-3. Aged, Blind and Disabled Non-Institutional and Institutional Medicaid Resource Provisions.

(1) To determine resource eligibility of an individual on the basis of being aged, blind or disabled, the Department adopts and incorporates by reference 42 CFR 435.840, 435.845, October 1, 2012 ed., and 20 CFR 416.1201, 416.1202, 416.1205 through 416.1224, 416.1229 through 416.1239, and 416.1247 through 416.1250, April 1, 2012 ed. The Department also adopts and incorporates by reference Section 1917(b)(d), (e), (f) and (g) of the Compilation of the Social Security Laws in effect January 1, 2013. The eligibility agency may not count as an available resource any assets that are prohibited under other federal laws from being counted as a resource to determine eligibility for federally-funded medical assistance programs. In addition, the eligibility agency applies the following rules.

(2) A resource is available when the individual owns it or has the legal right to sell or dispose of the resource for the individual's own benefit.

(3) Except for the Medicaid Work Incentive Program, the resource limit for aged, blind or disabled Medicaid is \$2,000 for a one-person household and \$3,000 for a two-person household.

(4) For an individual who meets the criteria for the Medicaid Work Incentive Program, the resource limit is \$15,000. This limit applies whether the household size is one or more than one.

(5) The eligibility agency shall base non-institutional and institutional Medicaid eligibility on all available resources owned by the individual, or considered available to the individual from a spouse or parent. The eligibility agency may not grant eligibility based upon the individual's intent to or action of disposing of non-liquid resources as described in 20 CFR 416.1240, April 1, 2012 ed., unless Social Security is excluding the resources for an SSI recipient while the recipient takes steps to dispose of the excess resources.

(6) The eligibility agency may not count any resource or the interest from a resource held within the rules of the Uniform Transfers to Minors Act. Any money from the resource that is given to the child as unearned income is a countable resource that begins the month after the child receives it.

(7) The eligibility agency shall count the resources of a ward that are controlled by a legal guardian as the ward's resources.

(8) The eligibility agency may not count lump sum payments that an individual receives on a sales contract for the sale of

an exempt home if the entire proceeds are used to purchase a new exempt home within three calendar months of when the property is sold. The eligibility agency shall grant the individual one three-month extension if more than three months is needed to complete the actual purchase. Proceeds are defined as all payments made on the principal of the contract. Proceeds do not include interest earned on the principal.

(9) If a resource is available, but a legal impediment exists, the eligibility agency may not count the resource until it becomes available. The individual must take appropriate steps to make the resource available unless one of the following conditions as determined by a person with established expertise relevant to the resource exists:

(a) Reasonable action does not allow the resource to become available; and

(b) The cost of making the resource available exceeds its value.

(10) Water rights attached to the home and the lot on which the home sits are exempt as long as the home is the individual's principal place of residence.

(11) For an institutionalized individual, the eligibility agency may not consider a home or life estate to be an exempt resource.

(12) To determine eligibility for nursing facility or other long-term care services, the eligibility agency shall exclude the value of the individual's principal home or life estate from countable resources if one of the following conditions is met:

(a) the individual intends to return to the home;

(b) the individual's spouse resides in the home;

(c) the individual's child who is under the age of 21, or who is blind or disabled resides in the home; or

(d) a reliant relative of the individual resides in the home.

(13) Even if the conditions in Subsection R414-305-3(12) are met, an individual is ineligible to receive nursing facility services or other long-term care services if the full equity value of the individual's home or life estate exceeds \$500,000, or increased value according to the provisions of 42 U.S.C. 1396p(f)(1)(C) unless the individual's spouse, or the individual's child who is under the age of 21 or is blind or permanently disabled lawfully resides in the home. The individual may only qualify for Medicaid to cover ancillary services.

(14) For [~~A, B and D~~] **Aged, Blind and Disabled** Medicaid, the eligibility agency may not count up to \$6,000 of equity value of non-business property used to produce goods or services essential to home use daily activities.

(15) The eligibility agency may retroactively designate for burial a previously unreported resource that meets the criteria for burial funds found in 20 CFR 416.1231. The effective date of the exclusion cannot be earlier than the first day of the month after the month in which the funds were designated for burial or intended for burial, were separated from non-burial funds, and the client was eligible for Medicaid. The eligibility agency shall treat the resources as funds set aside for burial and the amount exempted cannot exceed the limit established for the SSI program.

(16) One vehicle is exempt if it is used for regular transportation needs of the individual or a household member.

(17) The eligibility agency may not count resources of an SSI recipient who has a plan for achieving self-support approved by the Social Security Administration when the resources are set aside

under the plan to purchase work-related equipment or meet self-support goals.

(18) The eligibility agency may not count an irrevocable burial trust as a resource. Nevertheless, if the owner is institutionalized or on home and community-based waiver Medicaid, the value of the trust, which exceeds \$7,000, is considered a transferred resource.

(19) The eligibility agency may not count business resources that are required for employment or self-employment.

(20) For the Medicaid Work Incentive Program, the eligibility agency may not count the following additional resources of the eligible individual:

(a) Retirement funds held in an employer or union pension plan, retirement plan or account, including 401(k) plans, or an Individual Retirement Account, even if the funds are available to the individual.

(b) A second vehicle when it is used by a spouse or child of the eligible individual living in the household to get to work.

(21) After qualifying for the Medicaid Work Incentive Program, the eligibility agency may not count the resources described in Subsection R414-305-3(20) to allow the individual to qualify for other Medicaid programs for the aged, blind or disabled, and not solely the Medicaid Work Incentive, even if the individual ceases to have earned income or no longer meets the criteria for the Work Incentive Program.

(22) Assets of an alien's sponsor, and the sponsor's spouse, if any, when the sponsor has signed an Affidavit of Support pursuant to Section 213A of the Immigration and Nationality Act after December 18, 1997, are considered available to the alien. The eligibility agency shall stop counting assets from a sponsor when the alien becomes a naturalized United States (U.S.) citizen, or has worked 40 qualifying quarters as defined under Title II of the Social Security Act or can be credited with 40 qualifying work quarters. After December 31, 1996, a creditable qualifying work quarter is one during which the alien did not receive any federal means-tested public benefit.

(23) The eligibility agency shall not consider a sponsor's assets as being available to applicants who are eligible for Medicaid for emergency services only.

(24) The eligibility agency may not count as a resource any federal tax refund and refundable credit that an individual receives for 12 months after the month of receipt.

(25) The eligibility agency may not count as a resource, for one year after the date of receipt, any payments that an individual receives under the Individual Indian Money Account Litigation Settlement under the Claims Resettlement Act of 2010, Pub. L. No. 111 291, 124 Stat. 3064.

(26) The eligibility agency may not count certain property and rights of federally-recognized American Indians including certain tribal lands held in trust which are located on or near a reservation, or allotted lands located on a previous reservation; ownership interests in rents, leases, royalties or usage rights related to natural resources (including extraction of natural resources); and ownership interests and usage rights in personal property which has unique religious, spiritual, traditional or cultural significance, and rights that support subsistence or traditional lifestyles, as defined in Section 5006(b)(1) of the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111 5, 123 Stat. 115.

(27) The eligibility agency shall count only the portion of an asset such as a retirement plan that is legally available to an individual

when that asset has been divided between two divorced spouses pursuant to a qualified domestic relations order.

(28) Under the authority of Subsection 1902(r)(2) of the Social Security Act, to determine an individual's eligibility for Medicaid for long-term care services, the Department disregards otherwise countable assets or resources in an amount equal to the insurance benefit payments made to or on behalf of an individual who is a beneficiary under a qualified long-term care insurance partnership policy that meets the provisions found in 42 U.S.C. 1396p(b)(1)(C)(iii). The amount of the disregard applies to otherwise countable assets the client owns or that are deemed available to the client for the purpose of determining eligibility, and is equal to the amount of benefits the client has received from the partnership policy up through the month immediately before the month of application for long-term care assistance under Utah Medicaid.

(a) This resource disregard applies to aged, blind or disabled individuals who qualify for Medicaid under one of the following eligibility coverage groups found under:

(i) Subsection 1902(a)(10)(A)(ii)(V) of the Social Security Act; or

(ii) Subsection 1902(a)(10)(A)(ii)(VI) of the Social Security Act.

(b) The Department treats payments received after eligibility for long-term care services as a third-party liability that does not result in the disregard of additional resources.

(c) Assets disregarded under Section R414-305-3 are not subject to estate recovery authorized under Section 26-19-13.7, with the exception defined below in Subsection R414-305-3(28)(e).

(d) This disregard is not specific to any one asset. Any countable assets the individual owns or that are deemed available to the client are subject to the provisions defined in Section R414-305-9 regarding transfers of assets. The Department shall apply a penalty period or an overpayment proceeding for any transfer of assets that is less than fair market value. In the event the Department learns of an asset transfer at the time of an estate recovery action for which a penalty period is not assessed or an overpayment is not collected, the Department shall reduce the amount of assets in the estate that could otherwise be excluded from the estate recovery requirements by the value of the assets transferred for less than fair market value. The Department may also take legal steps to recover assets transferred for less than fair market value.

(e) Home equity in excess of the standard described in Subsection R414-305-3(13) is not a countable resource, so this disregard does not affect the application of Subsection R414-305-3(13).

(f) The Department recognizes long-term care insurance partnership policies purchased in other states under the reciprocity requirements of the statute. The beneficiary of the policy must have been a resident in a partnership state when coverage first became effective under the policy.

(29[8]) Life estates.

(a) For non-institutional Medicaid, the eligibility agency shall count life estates as resources only when a market exists for the sale of the life estate as established by knowledgeable sources.

(b) For Institutional Medicaid, the eligibility agency shall count life estates even if no market exists for the sale of the life estate, unless the life estate can be excluded as defined in Subsection R414-305-3(12).

(c) The individual may dispute the value of the life estate by verifying the property value to be less than the established value or by submitting proof based on the age and life expectancy of the life estate owner that the value of the life estate is lower. The value of a life estate shall be based upon the age of the individual and the current market value of the property.

(d) The following table lists the life estate figure corresponding to the individual's age. The eligibility agency uses this figure to establish the value of a life estate:

.....

R414-305-9. Transfer of Resources for Institutional Medicaid and Home and Community Based Services Waivers.

(1) The eligibility agency shall apply the provisions of 42 U.S.C. 1396p(c) and (e) to determine if a penalty period applies for a transfer of assets for less than fair market value.

(2) The transfer requirements of 42 U.S.C. 1396p(c) and (e) apply [f]if an individual or the individual's spouse transfers the home or life estate, assets are disregarded for eligibility purposes pursuant to Subsection R414-305-3(28), or for any other asset on or after the look-back date based on an application for long-term care Medicaid services[~~the transfer requirements of 42 U.S.C. 1396p(e) and (e) apply~~].

(3) If an individual or the individual's spouse transfers assets in more than one month after February 7, 2006, the uncompensated value of all transfers including fractional transfers are combined to determine the penalty period. The eligibility agency shall apply partial month penalty periods for transferred amounts that are less than the monthly average private pay rate for nursing home services.

(4) In accordance with 42 U.S.C. 1396p(c), the penalty period for a transfer of assets that occurs after February 7, 2006, begins the first day of the month during or after which assets are transferred, or the date on which the individual is eligible for Medicaid coverage and would otherwise receive institutional level care based on an approved application for Medicaid, but for the application of the penalty period, whichever is later.

(a) If a previous penalty period is in effect on the date that the new penalty period begins, the new penalty period begins immediately after the previous one ends.

(b) The eligibility agency shall apply penalty periods consecutively so that they do not overlap.

(5) If assets are transferred during any penalty period, the penalty period for those transfers does not begin until the previous penalty period expires.

(6) If a transfer occurs, or the eligibility agency discovers an unreported transfer after the agency approves an individual for Medicaid for nursing home or home and community-based services, the penalty period shall begin on the first day of the month after the month that the individual transfers the asset.

(7) The statewide average private-pay rate for nursing home care in Utah that the eligibility agency shall use to calculate the penalty period for transfers is \$4,526 per month.

(8) To determine if a resource is transferred for the sole benefit of a spouse, disabled or blind child, or disabled individual, a binding written agreement must be in place which establishes that the resource transferred may only be used to benefit the spouse, disabled child, or disabled individual, and must be actuarially sound. The

written agreement must specify the payment amounts and schedule. Any provisions in the agreement that benefit another person at any time nullify the sole benefit provision. An excluded trust established under 42 U.S.C. 1396p(d)(4) that meets the criteria in Section R414-305-7 does not have to meet the actuarially sound test.

(9) The eligibility agency may not impose a penalty period if the total value of a whole life insurance policy is:

- (a) irrevocably assigned to the State;
- (b) the recipient is the owner of and the insured in the policy; and
- (c) no further premium payments are necessary for the policy to remain in effect.

(d) When the individual dies, the State shall distribute the benefits of the policy as follows:

(i) The State may distribute up to \$7,000 to cover burial and funeral expenses. The total value of this distribution plus the value of any irrevocable burial trusts and the burial and funeral funds for the individual cannot exceed \$7,000;

(ii) The State may distribute an amount that does not exceed the total amount of previously unreimbursed medical assistance correctly paid on behalf of the individual;

(iii) The State may distribute to a remainder beneficiary named by the individual any amount that remains after payments are made as defined in Subsection R414-305-9(9)(d)(i) and Subsection R414-305-9(9)(d)(ii).

(10) If the eligibility agency determines that a penalty period applies for an otherwise eligible institutionalized person, the agency shall notify the individual that the Department may not pay the costs for nursing home or other long-term care services during the penalty period. The notice shall include when the penalty period begins and ends.

(a) The individual may request a waiver of the penalty period based on undue hardship.

(b) The individual must send a written request for a waiver of the penalty period due to undue hardship to the eligibility agency within 30 days of the date printed on the penalty period notice.

(c) The request must include an explanation of why the individual believes undue hardship exists.

(d) The eligibility agency shall make a decision on the undue hardship request within 30 days of receipt of the request.

(11) An individual who claims an undue hardship as a result of a penalty period for a transfer of resources must meet both of the following conditions:

(a) The individual or the person who transferred the resources may not access the asset immediately; however, the eligibility agency shall require the individual to exhaust all reasonable means including legal remedies to regain possession of the transferred resource;

(i) The agency may determine that it is unreasonable to require the individual to take action if a knowledgeable source confirms that the individual's efforts cannot succeed;

(ii) The agency may determine that it is unreasonable to require the individual to take action based on evidence that the individual's action is more costly than the value of the resource; and

(b) Application of the penalty period for a transfer of resources deprives the individual of medical care, endangers the individual's life or health, or deprives the individual of food, clothing, shelter, or other necessities of life.

(12) If the eligibility agency waives the penalty period based on undue hardship, the agency shall notify the individual. The Department shall provide Medicaid coverage on the condition that the individual takes all reasonable steps to regain the transferred assets. The eligibility agency shall notify the individual of the date that the individual must provide verifications of the steps taken. The individual must, within the time frames set by the agency, verify to the agency all reasonable actions. The agency shall review the undue hardship waiver and the actions of the individual to try to regain the transferred assets. The time period for the review may not exceed six months. Upon review, the agency shall decide whether:

(a) The individual must take additional steps and whether undue hardship still exists, in which case the agency shall notify the individual of the continuation of undue hardship and the need to take additional steps to recover the assets;

(b) The individual has taken all reasonable steps without success, in which case the agency shall notify the individual that it requires no further action. If the individual continues to meet eligibility criteria, the eligibility agency may not apply the penalty period; or

(c) The individual has not taken all reasonable steps, in which case the eligibility agency shall discontinue the undue hardship waiver. The eligibility agency shall then apply the penalty period and the individual is responsible to repay Medicaid for services and benefits that the individual received during the months that the undue hardship waiver was in place.

(13) Based on a review of the facts about what happened to the assets, whether the individual has taken reasonable steps to recover or regain the assets, the results of those steps, and the likelihood that additional steps will prove unsuccessful or too costly, the eligibility agency may determine that the individual cannot recover or regain the transferred resource. If the agency decides that the assets cannot be recovered and that applying the penalty period may result in undue hardship, the agency may not apply a penalty period or shall end a penalty period that has already begun.

(14) The eligibility agency shall base its decision that undue hardship exists upon the medical condition and the financial situation of the individual. The agency shall compare the income and resources of the individual, individual's spouse, and parents of an unemancipated individual to the cost of providing medical care and daily living expenses to decide whether the financial situation creates an undue hardship. The agency shall send written notice of its decision on the undue hardship request. The individual has 90 days from the date printed on the notice of decision to file a request for a fair hearing.

(15) The eligibility agency shall consider the portion of an irrevocable burial trust that exceeds \$7,000 a transfer of resources. The agency shall deduct the value of any fully paid burial plot from the burial trust first before determining the transferred amount.

KEY: Medicaid, resources

Date of Enactment or Last Substantive Amendment: [January 1,] 2014

Notice of Continuation: January 23, 2013

Authorizing, and Implemented or Interpreted Law: 26-18-3; 26-1-5

Insurance, Administration
R590-263
Commonly Selected Health Benefit Plans

NOTICE OF PROPOSED RULE

(Repeal)
 DAR FILE NO.: 38726
 FILED: 08/01/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being repealed because the requirement to provide the required plans has been eliminated from the law during the 2013 General Legislative Session in H.B. 47 due to the provisions of the Affordable Care Act.

SUMMARY OF THE RULE OR CHANGE: This rule is being repealed because Subsection 31A-30-205(1)(d)(iii) requiring the department to set a standard for carriers to determine the most commonly selected small employer group health benefit plan, has been deleted from the law. Therefore, this rule is repealed in its entirety.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 31A-30-205(1)(d)(iii)

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** There will be no fiscal impact on the department or the state's budget with the repeal of this rule. The rule did not require any action on the part of the department in regard to the maintenance of the standard or files by insurers, so there will be no change in the work load of the department.
- ◆ **LOCAL GOVERNMENTS:** The rule had no effect on local government since it deals with state insurance law and the relationship between the department and their licensees.
- ◆ **SMALL BUSINESSES:** There will be an insignificant reduction in the amount of administrative dollars for insurers because they will no longer need to identify the plans and make the required offerings.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There should be no impact on individuals and large businesses. Large insurers were never impacted by this law and employers of small groups will still have health insurance plans to choose from to cover their employees.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Any savings from the withdrawal of the requirement to maintain files will vary from insurer to insurer. In any case the saving will be insignificant.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The fiscal savings from the repeal of this rule will be negligible.

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 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Todd Kiser, Commissioner

R590. Insurance, Administration.

[R590-263. Commonly Selected Health Benefit Plans.

R590-263-1. Authority.

~~_____ This rule is promulgated pursuant to Subsection 31A-30-205(1)(d)(iii) wherein the commissioner is directed to adopt a rule.~~

R590-263-2. Purpose and Scope.

~~_____ (1) The purpose of this rule is to provide the standard for a carrier to determine the most commonly selected small employer group health benefit plans.~~

~~_____ (2) This rule applies to all carriers that offer a health benefit plan to a small employer in the defined contribution market.~~

R590-263-3. Most Commonly Selected.

~~_____ (1) As used in Subsection 31A-30-205(1)(d), the four most commonly selected small employer group health benefit plans to be offered as of January 1 each year are the carrier's four plans that are currently marketed to small employer groups that have the largest number of covered individuals as of the preceding July 1 or another date approved by the commissioner.~~

~~_____ (2) If a carrier removes one of the four most commonly selected plans from the market, the carrier shall again determine the four most commonly selected small employer group health benefit plans currently marketed by the carrier so that there are four plans at all times.~~

~~_____ (3) The carrier shall:~~

~~_____ (a) maintain the documentation used to determine the four plans in Subsection (1) for a period of the current calendar year plus three years; and~~

~~_____ (b) make the documentation available for review upon the commissioner's request.~~

~~R590-263-4. Penalties.~~

~~_____ A person found to be in violation of this rule shall be subject to penalties as provided under Section 31A-2-308.~~

~~R590-263-5. Enforcement Date.~~

~~_____ The commissioner will begin enforcing this rule January 1, 2012.~~

~~R590-263-6. Severability.~~

~~_____ If any provision of this rule or its application to any person or circumstances is for any reason held to be invalid, the remainder of the rule and the application of the provision to other persons or circumstances shall not be affected thereby.~~

KEY: insurance health benefit plans

Date of Enactment or Last Substantive Amendment: January 25, 2012

Authorizing, and Implemented or Interpreted Law: 31A-30-205(1)(d)(iii)]

**Pardons (Board of), Administration
R671-103-1
Attorneys**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38713

FILED: 07/28/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Board of Pardons and Parole (The Board) has jurisdiction over inmates committed to the Utah State prison and conducts hearings in regard to parole, parole violations, commutations, and pardons. A number of inmates and parolees retain counsel. According to the Rules of Judicial Administration Chapter 13: Rules of Professional Conduct Sections 1.11 and 1.12, an attorney is prohibited from representing a person when the attorney formerly served as a judge, adjudicative officer, law clerk, arbitrator, mediator, third party neutral, public officer, or state employee in connection with a matter involving the person.

SUMMARY OF THE RULE OR CHANGE: If the attorney previously served as a judge, adjudicative officer, law clerk, arbitrator, mediator, third party neutral, public officer, or state employee in connection with a matter involving the person then the attorney shall obtain a waiver from the person and the Board before representing the person in any Board matter.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 77-27-5 and Section 77-27-9

ANTICIPATED COST OR SAVINGS TO:

◆ THE STATE BUDGET: Processing waiver requests may involve a small increase in workload but any increase will be subsumed in existing resources.

◆ LOCAL GOVERNMENTS: Local governments are not involved with Board hearings or representing prison inmates or parolees.

◆ SMALL BUSINESSES: Attorneys that represent prison inmates and parolees will be required to submit a waiver if the attorney previously served in a different capacity as noted above. If the Board and the person do not agree to the waiver, the attorney would not be able to represent that person.

◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: Larger law firms have more than one attorney so any potential conflict could be eliminated by assigning another attorney.

COMPLIANCE COSTS FOR AFFECTED PERSONS:

Requesting a waiver from a potential client and filing the request with the Board may involve a small amount of time.

COMMENTS BY THE DEPARTMENT HEAD ON THE

FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:

Attorneys that represent prison inmates and parolees will be required to submit a waiver if the attorney previously served in a different capacity as noted above. If the Board and the person do not agree to the waiver, the attorney would not be able to represent that person.

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

PARDONS (BOARD OF)

ADMINISTRATION

ROOM 300

448 E 6400 S

SALT LAKE CITY, UT 84107-8530

or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Greg Johnson by phone at 801-261-6454, by FAX at 801-261-6481, or by Internet E-mail at gregjohnson@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

◆ 08/18/2014 08:00 AM, 448 E Winchester, Suite 300, Murray, UT

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Clark Harms

R671. Pardons (Board of), Administration.

R671-103. Attorneys.

R671-103-1. Attorneys.

(1) Only attorneys licensed to practice law in the State of Utah may appear and represent an inmate, offender, or petitioner before the Board.

(2) A person may not act as an attorney or represent any inmate, offender, or petitioner before the Board if:

(a) the person has been prohibited from doing so by Board order entered pursuant to the Board's inherent powers or this rule; or

(b) the person is disbarred or suspended from the practice of law in Utah or any other jurisdiction.

(3) An attorney may not represent anyone in connection with a matter in which the attorney participated personally and substantially as a judge or other adjudicative officer or law clerk to such a person, or as an arbitrator, mediator or other third party neutral unless all parties to the matter give informed consent.

(4) An attorney who has formally served as a public officer or employee of the government shall not otherwise represent a client in connection with a matter in which the attorney participated personally and substantially as a public officer or employee, unless the appropriate government agency gives its informed consent, confirmed in writing, to the representation.

KEY: parole, inmates, attorneys

Date of Enactment or Last Substantive Amendment: [December 7, 2010]2014

Authorizing, and Implemented or Interpreted Law: 77-27-5; 77-27-9; 78A-9-103

**Public Safety, Emergency Management
R704-1**

**Search and Rescue Financial
Assistance Program**

NOTICE OF PROPOSED RULE

(Repeal and Reenact)

DAR FILE NO.: 38704

FILED: 07/22/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to set forth the procedures for obtaining reimbursement from the program for costs and expenses related to search and rescue activities in accordance with Title 53, Chapter 2, Part 11.

SUMMARY OF THE RULE OR CHANGE: Rule R704-1 sets forth the process whereby the Division of Emergency Management (DEM) administers the Search and Rescue (SAR) Financial Assistance Program. The proposed repeal and reenactment of Rule R704-1 still sets forth the process whereby DEM administers the SAR program, but adds

clarification in regard to the procedures for obtaining reimbursement from the program for costs and expenses related to SAR activities. Specifically, the repeal and reenactment: updates statutory references; provides a clearer definition of SAR incident, SAR activity and maintenance; updates reimbursement applications procedures and timeframes; and clarifies what items are considered incidental to SAR activities.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53-2a-1102

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The changes to Rule R704-1 are procedural and administrative in nature and are not anticipated to have a cost or savings impact on the state budget.

◆ **LOCAL GOVERNMENTS:** The changes to Rule R704-1 are procedural and administrative in nature and are not anticipated to have a cost or savings impact on local government.

◆ **SMALL BUSINESSES:** The changes to Rule R704-1 are procedural and administrative in nature and are not anticipated to have a cost or savings impact on small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The changes to Rule R704-1 are procedural and administrative in nature and are not anticipated to have a cost or savings impact on persons other than small businesses, businesses, or local government entities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The changes to Rule R704-1 are procedural and administrative in nature and are not anticipated to contribute to any change in compliance costs for any of the affected persons.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rules and have found there to be no anticipated fiscal impact on businesses.

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

PUBLIC SAFETY
EMERGENCY MANAGEMENT
ROOM 1110 STATE OFFICE BUILDING
450 N STATE ST
SALT LAKE CITY, UT 84114-1201
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Jerriane Kolby by phone at 801-209-7513, or by Internet E-mail at jkolby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Kris Hamlet, Director

R704. Public Safety, Emergency Management.

[R704-1. Search and Rescue Financial Assistance Program.

R704-1-1. Authority.

~~This rule is authorized under Section 53-2-107 which requires the Division of Emergency Management to administer the Search and Rescue Financial Assistance Program, and, with the approval of the Search and Rescue Advisory Board, make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.~~

R704-1-2. Definitions.

~~Terms used in this rule shall be defined as follows:~~

~~(1) "Adjusted reimbursable expenses" means reimbursable expenses which have been adjusted by application of the formula set forth in Section R704-1-7.~~

~~(2) "Board" means the Search and Rescue ("SAR") Advisory Board created in Section 53-2-108.~~

~~(3) "Expense monies" means money in the SAR Fund used primarily to reimburse expenses under the program.~~

~~(4) "Outstanding reimbursable expenses" means the difference, after the first review, between a county's adjusted reimbursable expenses and its reimbursable expenses.~~

~~(5) "Program" means the Search and Rescue Financial Assistance Program.~~

~~(6) "Reimbursable expenses" means those expenses incidental to SAR activities, determined by the board to be reasonable under Section R704-1-6, for rental of fixed wing aircraft, helicopters, snowmobiles, boats and generators, and other equipment or expenses necessary or appropriate for conducting SAR activities. These expenses do not include any salary or overtime paid to any person on a regular or permanent payroll, including permanent part-time employees, of any agency or political subdivision of the state.~~

~~(7) "Reimbursable replacement costs" means those costs incidental to SAR activities determined by the board to be reasonable under Section R704-1-6, for replacement and upgrade of SAR equipment.~~

~~(8) "Reimbursable training costs" means those costs incidental to SAR activities determined by the board to be reasonable under Section R704-1-6, for training of SAR volunteers.~~

~~(9) "Reimbursement cap" means an artificial limit on the amount of reimbursement allowed to a county on first review of its application as determined by the board pursuant to Section R704-1-6B.~~

~~(10) "Replacement monies" means money in the SAR Fund used primarily to reimburse replacement costs under the program.~~

~~(11) "SAR Fund" means all funds generated under the Search and Rescue Financial Assistance Program.~~

~~(12) "Training monies" means money in the SAR Fund used primarily to reimburse training costs under the program.~~

R704-1-3. Purpose.

~~The purpose of this rule is to set forth the process whereby the Division of Emergency Management administers the Search and Rescue Financial Assistance Program in accordance with Title 53, Chapter 2, Part 1, "Emergency Management Act," as amended.~~

R704-1-4. Application Process.

~~(1) It is the purpose of this section to set forth the procedure for obtaining reimbursements of SAR costs and expenses from the program in accordance with Title 53, Chapter 2, Part 1.~~

~~(2) As soon as possible after each incident, but no later than March 31 of each year, each county sheriff seeking reimbursement of SAR costs and expenses under the program which were incurred during the first half of that fiscal year, shall submit to the director a separate application package for each SAR incident. The application package shall include:~~

~~(a) a completed "Utah Search and Rescue Financial Assistance Application" form provided by the division; and~~

~~(b) all receipts and other documentation supporting the costs and expenses.~~

~~(3) Not later than May 1 of each year, the board shall review all timely submitted applications, apply the formula set forth below, and determine a fair and equitable distribution of all monies then available in the fund.~~

~~(4) As soon as possible after each incident, but not later than July 20 of each year, each county sheriff seeking reimbursement of SAR costs and expenses under the program which were incurred during the second half of the previous fiscal year, shall submit to the director a separate primary application package for each SAR incident.~~

~~(5) Not later than July 31 of each year, the board shall review all timely submitted applications, apply the formula set forth in Section R704-1-5 below, and determine a fair and equitable distribution of all monies available in the fund at the close of the previous fiscal year.~~

R704-1-5. Distribution Process - Division Responsibilities.

~~(1) Prior to the time the board meets to determine distribution, the division shall organize all applications and shall provide them to the board, along with the following information required under Subsection 53-2-107(7)(c):~~

~~(a) the total amount of SAR funds available in the program from the first half of the fiscal year for applications received prior to April 1; and from the second half of the fiscal year for applications received prior to October 1. One-half of the money appropriated by the legislature as dedicated credit for the program shall be available for each application period;~~

~~(b) the total costs and expenses requested by each county;~~

~~(c) the total number of SAR incidents occurring per each county population. Said information shall be presented in the form of a ratio (i.e., 1 incident per 500 residents, written as 1:500);~~

~~(d) the number of victims residing outside of the subject county. Said information shall be presented in the form of a percentage (i.e., if 10 out of 20 victims resided outside of the county, it would be presented to the board as 50%);~~

~~(e) the number of volunteer hours spent in each county in emergency response and SAR related activities per county population. This information shall be presented in the form of a ratio (i.e., 1 volunteer hour per 25 residents, written as 1:25); and~~

~~(f) which applications were received after the deadline.~~

R704-1-6. Distribution Process - Determination of Reimbursable Expenses and Reimbursement Caps.

~~(1) Upon meeting to determine distribution, the board shall first make a determination which costs and expenses sought are~~

reimbursable expenses under the program. In so determining, the board shall consider whether the costs and expenses are:

- ~~(a) reasonable in light of the types of services and equipment provided and the existing market value of services and equipment;~~
- ~~(b) incidental to SAR activities;~~
- ~~(c) excludable as salary or overtime pay; and~~
- ~~(d) necessary or appropriate for conducting the type of SAR operations for which reimbursement is sought. For example, Wasatch County might apply for a total of \$45,000 for costs and expenses, but the board could determine that only \$40,000 met the criteria of reimbursable expenses.~~

~~(2) After determining the amount of reimbursable expenses for each county, the board shall determine reimbursement caps to provide a fair distribution of monies available in the fund:~~

- ~~(a) if the total amount of reimbursable expenses is less than the amount available in the fund, the board shall award each county the amount determined to be a reimbursable expense;~~
- ~~(b) if the total amount of reimbursable expenses is more than the amount available in the fund, the board shall apply the following formula in determining reimbursement caps:~~
 - ~~(i) from the total amount available in the fund for the subject application period, the board shall first set aside an amount of 10% for replacement costs, and 10% for training costs. For example, if \$280,000 were available, \$28,000 would be set aside as replacement monies, and \$28,000 would be set aside as training monies, leaving an available balance of \$224,000;~~
 - ~~(ii) from the remaining 80% of available funds, the board shall calculate reimbursement caps per county by dividing the available amount equally between the 29 counties. Using the above example, if \$224,000 were available, a first review maximum of \$7,724.14 would be available for each county. To determine how much of that maximum will be awarded, the board shall determine the adjusted reimbursable expenses based on the formula set forth in Section R704-1-7.~~

R704-1-7. Formula for Determining Adjusted Reimbursable Expenses.

~~(1) For the purpose of determining a fair and equitable distribution of monies available in the fund, on its first review of applications, the board shall adjust the amount of equitable expenses each county will be awarded by applying the following point system formula:~~

- ~~(a) to award full payment of a county's reimbursable expenses, the county would have to achieve all of the 100 percentage points possible. The formula is based on the criteria set forth in Subsection 53-2-107(7)(e). By applying this formula, the board shall determine adjusted reimbursable expenses by calculating a percentage point value for each county, and shall then award each county that percent of their reimbursable expenses up to the reimbursement cap set under Section R704-1-6. In calculating the percentage, the following point totals are possible:~~
 - ~~(i) each county which submits its application packages on time shall receive 25 points;~~
 - ~~(ii) there shall be a possible 25 points based on the number of SAR incidents occurring per county population;~~
 - ~~(iii) there shall be a possible 25 points based on the percentage of victims residing outside of the subject county; and~~

~~(iv) there shall be a possible 25 points based on the number of volunteer hours spent in each county in emergency response and SAR related activities per county population.~~

~~(b) The following ratios shall determine the points awarded based on the number of SAR incidents occurring per county population:~~

- ~~(i) 5 points if the ratio is greater than 1:1000 but less than 1:750;~~
- ~~(ii) 10 points if the ratio is equal to or greater than 1:750 but less than 1:500;~~
- ~~(iii) 15 points if the ratio is equal to or greater than 1:500 but less than 1:250;~~
- ~~(iv) 20 points if the ratio is equal to or greater than 1:250 but less than 1:100;~~
- ~~(v) 25 points if the ratio is equal to or greater than 1:100.~~

~~(c) The following ratios shall determine the points awarded based on the percentage of victims residing outside of the subject county:~~

- ~~(i) 5 points if up to 20% of the victims are from outside the county;~~
- ~~(ii) 10 points if between 20% and 40% of the victims are from outside the county;~~
- ~~(iii) 15 points if between 40% and 60% of the victims are from outside the county;~~
- ~~(iv) 20 points if between 60% and 80% of the victims are from outside the county;~~
- ~~(v) 25 points if more than 80% of the victims are from outside the county.~~

~~(d) The following ratios will determine the points awarded based on the number of volunteer hours spent in each county in emergency response and SAR related activities per county population:~~

- ~~(i) 5 points if the ratio is greater than 1:100 but less than 1:50;~~
- ~~(ii) 10 points if the ratio is equal to or greater than 1:50 but less than 1:25;~~
- ~~(iii) 15 points if the ratio is equal to or greater than 1:25 but less than 1:10;~~
- ~~(iv) 20 points if the ratio is equal to or greater than 1:10 but less than 1:5;~~
- ~~(v) 25 points if the ratio is equal to or greater than 1:5.~~

~~(e) The total awarded points shall be multiplied by the reimbursable expenses to determine the adjusted reimbursable expenses for each county. For example, if the board awarded 85 points to Wasatch County, the \$40,000 in reimbursable expenses would be adjusted to \$34,000 (\$40,000 x .85). Since the cap is \$7,724.14, Wasatch County would be entitled to only that amount on first review. However, on second review it could receive some or all of the remaining \$32,275.86.~~

R704-1-8. Second Review of Applications.

~~(1) When, after the first review and determination of the adjusted reimbursable expenses for each county, reduced as necessary to the reimbursement caps, there are expense funds remaining from that half of the fiscal year, the board shall throw out the reimbursement caps, and determine distribution as follows:~~

- ~~(a) when there are enough expense funds remaining to cover the outstanding reimbursable expenses of all counties, the board shall reimburse those amounts;~~

(b) when there are not enough expense funds to pay the outstanding reimbursable expenses, the board shall apply the same percentage point value established for each county under Section R704-1-7 to the outstanding reimbursable expenses. When there are enough expense monies remaining to cover all adjusted reimbursable expenses, the board shall reimburse those amounts;

(c) when there are not enough expense monies to cover all adjusted reimbursable expenses, the board shall determine by majority vote how the remaining expense funds are to be distributed among the counties.

(2) In so ruling, the board shall give consideration to the equities sought to be established by the percentage point values determined under the forgoing formula.

(3) The board may, by a majority vote, elect to utilize reimbursement and training monies to cover reimbursable expenses.

R704-1-9. Reimbursement of Replacement Costs.

(1) When determining distribution of any excess expense monies, these monies may be added to the funds set aside for reimbursement of replacement and upgrade of SAR equipment under Subsection 53-2-107(1)(b):

(2) The board shall then make a determination which replacement costs sought are reimbursable under the program. In so determining, the board shall consider whether these costs are:

(a) reasonable in light of the type and extent of replacement or upgrade sought and in light of the existing market value of costs;

(b) reasonably related to or caused by the utilization of the subject equipment in SAR activities; and

(c) not considered an unjust or improper enrichment of the owner of the subject equipment.

(3) The board shall then apply the same percentage point value established for each county under Section R704-1-7 to the replacement costs determined by the board to be reimbursable. When there are enough replacement monies to cover all reimbursable replacement costs, the board shall reimburse those amounts.

(4) When there are not enough replacement monies to cover all reimbursable replacement costs, the board shall determine by majority vote how the remaining replacement monies are to be distributed among the counties:

(a) In so ruling, the board shall give consideration to the equities sought to be established by the percentage point values determined under Section R704-1-7.

(b) The board may, by a majority vote, elect to utilize any training monies and remaining expense monies to cover replacement costs.

R704-1-10. Reimbursement of Training Costs.

(1) After determining distribution of expense and replacement monies, there are funds remaining, they may be added to the monies set aside for reimbursement of training costs under Subsection 53-2-107(1)(c):

(2) The board shall then make a determination which training costs sought are reimbursable under the program. The board shall consider whether these costs are:

(a) reasonable in light of the type and extent of training and the existing market value of costs;

(b) reasonably related to the training of SAR volunteers; and

(3) excludable as salary or overtime pay to instructors.

(a) The board shall then apply the same percentage point value established for each county under Section R704-1-7 to the training costs determined by the board to be reimbursable. When there are enough training monies to cover all reimbursable training costs sought, the board shall reimburse those amounts.

(b) When there are not enough training monies to cover all reimbursable training costs, the board shall determine by majority vote how the remaining training monies are to be distributed among the counties:

(i) The board shall give consideration to the equities sought to be established by the percentage point values determined under Section R704-1-7.

(ii) The board may, by a majority vote, elect to utilize any remaining expense and replacement monies to cover training costs.

(4) The board may also elect to carry over any monies remaining from the first half of the fiscal year to the second half. However, on review of the applications from the second half of the fiscal year, the board shall, pursuant to Subsection 53-2-109(1)(e), award all program monies remaining in the fund for that fiscal year.]

R704-1. Search and Rescue Financial Assistance Program.

R704-1-1. Purpose.

The purpose of this rule is to set forth the procedures for obtaining reimbursement from the program for costs and expenses related to SAR activities in accordance with Title 53, Chapter 2, Part 11.

R704-1-2. Authority.

This rule is authorized by Section 53-2a-1102 which requires the division, with the approval of the board, to make rules for the administration of the program.

R704-1-3. Definitions.

(1) Terms used in this rule include those found in Section 53-2a-1102.

(2) In addition:

(a) "board" means the Search and Rescue Advisory Board created in Section 53-2a-1103;

(b) "division" means the Utah Department of Public Safety, Division of Emergency Management created in Section 53-2a-103;

(c) "eligible expense" means the costs and expenses related to SAR activities that the board has determined are reimbursable expenses under Subsection 53-2a-1102(1) and are eligible for reimbursement from the program;

(d) "equipment" means items used by SAR personnel while conducting SAR activities;

(e) "maintenance" means materials and services that keeps equipment functional and continue its service life;

(f) "program" means the Search and Rescue Financial Assistance Program;

(g) "SAR" means search and rescue;

(h) "SAR activity" means all activities related to search and rescue including SAR training, the purchase or upgrade of SAR equipment, and the deployment to a SAR incident;

(i) "SAR incident" means an incident, not associated with criminal or law enforcement activity, for which a search and rescue team are deployed to search for and rescue victims;

(j) "training" means instruction that teaches or enhances skills directly related to SAR; and

(k) "upgrade" means materials and services that enhance the function of equipment.

R704-1-4. Application Process.

(1) A county seeking reimbursement for SAR costs and expenses paid by it for search and rescue activities shall submit a separate application packet for each SAR activity to the division.

(2) The application packet shall be submitted within 45 days from the date of a SAR activity in order to be considered timely.

(a) If the SAR activity occurred within 45 days prior to July 1st and the county anticipates that it will submit the application packet after July 1st, then the county shall submit a Notice to Seek Reimbursement form as soon as possible after the SAR activity.

(3) The application packet shall include:

(a) a completed Utah Search and Rescue Financial Assistance Application Form provided by the division; and

(b) documentation showing the costs and expenses paid by the county, including copies of invoices, checks, and receipts.

(i) If a county is unable to obtain a receipt or invoice within the 45 day application packet due date, then that period may be extended an additional 45 days. The county shall provide written notification in the application packet that it has been unable to obtain the receipt or invoice.

(4) The county sheriff shall sign the application with an original signature. A designee may sign the application in place of the sheriff in extenuating circumstances that shall be documented to the division.

R704-1-5. Review Process.

(1) The board shall meet as required in Section 53-2a-1104 to review the application packets which have been received by the division and determine whether the costs and expenses sought are eligible for reimbursement from the program.

(2) When making this determination, the board shall consider whether the costs and expenses sought are:

(a) reasonable in light of the type of services or equipment provided;

(b) reasonable in light of the market value for the services or equipment provided;

(c) excludable as salary or overtime pay;

(d) necessary or appropriate for conducting the type of SAR activity for which reimbursement is sought;

(e) reasonably related to or caused by the utilization of the subject equipment in SAR activities;

(f) an unjust or improper enrichment of the owner of the subject equipment; and

(g) incidental to SAR activities:

(i) food is an eligible expense if used exclusively for SAR activities. If food is used for a specific SAR activity, it shall be considered an expense related to the activity. If food is purchased to restock supplies, it shall be considered an equipment purchase;

(ii) clothing is an eligible expense if it marks and readily identifies the wearer as SAR personnel or is an outer garment that serves a specialized function;

(iii) fuel is an eligible expense if used exclusively for SAR activities;

(iv) mileage is an eligible expense in place of fuel reimbursement if the miles driven were exclusively for a SAR activity.

The county shall provide documentation that justifies the mileage reimbursement requested;

(v) membership fees to SAR-related organizations is not an eligible expense; and

(vi) equipment maintenance is not an eligible expense.

R704-1-6. Distribution Process.

(1) After the conclusion of the fiscal year, the board shall meet to consider the following information for the prior fiscal year:

(a) the total amount of money available in the program;

(b) each county's eligible expenses;

(c) the total number of SAR incidents which occurred per each county population, described in the form of a ratio;

(d) the number of victims residing outside of each county, described in the form of a percentage;

(e) the number of volunteer hours spent in each county in emergency response and SAR activities per county population, described in the form of a ratio; and

(f) which applications were received in a timely manner.

(2) The following formula shall be applied to the eligible expenses to determine a fair and equitable distribution of money from the program:

(a) if the total amount of eligible expenses is less than the amount of money available in the program, all of the eligible expenses shall be reimbursed from the program; and

(b) if the total amount of eligible expenses is more than the amount of money available in the program, the eligible expenses shall be divided into the following categories and be reimbursed in the order in which they appear:

(i) costs and expenses related to SAR incidents;

(ii) SAR-related training; and

(iii) the purchase or upgrade of SAR equipment.

(3) If there is an insufficient amount of money available in the program to cover the eligible expenses in any one of the listed categories, the amount of money remaining in the program shall be divided by the total number of counties.

(4) A county may receive a percentage of the money that is allocated to each county as determined by calculating a percentage from the following point totals:

(a) each county shall receive up to 25 points for the timely submission of application packets, with one point to be deducted for each late application;

(b) each county may receive up to 25 points, based on the number of SAR incidents occurring per county population as determined by the following ratios:

(i) 5 points if the ratio is less than 1:750;

(ii) 10 points if the ratio is equal to or greater than 1:750 but less than 1:500;

(iii) 15 points if the ratio is equal to or greater than 1:500 but less than 1:250;

(iv) 20 points if the ratio is equal to or greater than 1:250 but less than 1:100; and

(v) 25 points if the ratio is equal to or greater than 1:100;

(c) each county may receive up to 25 points based on the percentage of victims residing outside of the subject county as determined by the following percentages:

(i) 5 points if the percentage is less than 20%;

(ii) 10 points if the percentage is 20% or greater but less than 40%;

(iii) 15 points if the percentage is 40% or greater but less than 60%;

(iv) 20 points if the percentage is 60% or greater but less than 80%; and

(v) 25 points if the percentage is 80% or greater; and

(d) each county may receive up to 25 points based on the number of volunteer hours spent in each county in emergency response and SAR activities per county population as determined by the following ratios:

(i) 5 points if the ratio is greater than 1:100 but less than 1:50;

(ii) 10 points if the ratio is equal to or greater than 1:50 but less than 1:25;

(iii) 15 points if the ratio is equal to or greater than 1:25 but less than 1:10;

(iv) 20 points if the ratio is equal to or greater than 1:10 but less than 1:5; and

(v) 25 points if the ratio is equal to or greater than 1:5.

(5) The formula in this rule shall be applied to each of the categories until the amount of money left in the program makes it impractical to continue.

(6) The remaining money in the program shall be used to:

(a) cover the board's costs and expenses; and

(b) reimburse eligible expenses in the next fiscal year.

KEY: search and rescue, financial reimbursement, expenses
Date of Enactment or Last Substantive Amendment: [~~August 19, 1999~~]**2014**

Notice of Continuation: July 29, 2009

Authorizing, and Implemented or Interpreted Law: 53-2a-~~[407]~~**1102**

Workforce Services, Administration **R982-401** Energy Assistance: General Provisions

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38714

FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Home Energy Assistance Target (HEAT) program rules are being updated to reflect changes made in federal regulations and changes to the Utah HEAT Program policies and procedures.

SUMMARY OF THE RULE OR CHANGE: These changes reflect current practice, state law, and regulation. There are no significant changes to the HEAT program or how it operates.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-8-1403 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to the state budget.

◆ **LOCAL GOVERNMENTS:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any local government.

◆ **SMALL BUSINESSES:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any small business.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses or local government entities 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 for this change to anyone, including persons affected by 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.

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

WORKFORCE SERVICES
ADMINISTRATION
140 E BROADWAY
SALT LAKE CITY, UT 84111-2333
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Suzan Pixton 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

**R982. Workforce Services, Administration.
R982-401. Energy Assistance: General Provisions.
R982-401-1. Purpose.**

The Home Energy Assistance Target (HEAT) program serves to provide assistance in meeting home energy costs for certain low-income families and individuals.

R982-401-2. Authority.

These rules are authorized by Section 35A-8-1403.

R982-401-3. Definitions.

~~[1-]~~The following definitions apply to R982-401-1 through R982-401-8:

~~[a-]~~(1) "Applicant" means any person requesting assistance under the program discussed.

~~[b-]~~(2) "Assistance" means payments made to individuals under the program discussed.

~~[c-]~~(3) "Assistance unit" or "household" means any individual or group of individuals who are living together as one economic unit and for whom residential heating is customarily purchased in common or who make payments for heat in the form of rent.

~~[d-]~~(4) "Department" means the Department of Workforce Services.

~~[e-]~~(5) "Recipient" or "client" means any individual receiving assistance under the program discussed.

~~[f-]~~(6) "Confidential information" means information that has limited access as provided in Chapter 63G-2.

~~[g-]~~(7) "HEAT" means Home Energy Assistance Target program.

~~[h-]~~(8) "IRS" means Internal Revenue Service.

~~[i-]~~(9) "Moratorium" means a period of time in which involuntary termination for nonpayment by residential customers of essential utility bills is prohibited.

~~[j-]~~(10) "Vulnerability" means having to pay a home heating cost.

R982-401-4. Client Rights and Responsibilities.

~~[1-]~~(1) Any client may apply or reapply for HEAT assistance any time during the HEAT season, which runs from November 1 to April 30 or until funds run out whichever comes sooner, ~~[at any time for the HEAT program]~~ by completing and signing an application and turning it in at the ~~[correct]~~ the applicant's local HEAT office.

~~[2-]~~(2) If the client needs help to apply, help will be given by the local HEAT office staff.

~~3. HEAT workers will identify themselves.~~

~~4. The client will be treated with courtesy, dignity and respect.~~

~~5. Verification and information will be requested clearly and courteously.~~

~~6. If the client must be visited after working hours, an appointment will be made.] Clients will be notified of eligibility decisions in writing and will be provided with a reason if denied.~~

~~[7-]~~(3) The client's home will not be entered without permission.

~~[8-]~~(4) Clients may have contact a supervisor or manager to resolve a dispute. ~~[an agency conference to talk about their case.]~~

~~[9-]~~(5) Clients ~~[may look at information concerning their case except confidential information]~~ have the right to have confidential, personal information safeguarded.

~~[10-]~~(6) Anyone may look at a copy of the program manuals located at any local HEAT office or the State energy Assistance Lifeline web site.

~~[11-]~~(7) The client must give complete and correct information and verification.

~~[12-]~~(8) The client must immediately report any address change while under the protection of the moratorium.

~~[13-]~~(9) The client is responsible for repaying any overpayments of assistance.

R982-401-5. Information.

~~(1)~~ The department ~~[shall require compliance]~~ will comply with with Chapter 63G-2.

~~[1-]~~(2) Client may review and copy anything in their case record unless it is confidential or information obtained by a third party.

~~[a-]~~(a) The Client requests for release of information shall be in writing and include:

~~[i-]~~(i) the date;

~~[ii-]~~(ii) the name of the person receiving the information;

~~[iii-]~~(iii) the time period covered by the information.

~~[b-]~~(b) Information classified as confidential shall not be used in a hearing.

~~[c-]~~(c) Information classified as confidential shall not be used to close, deny or reduce benefits.

~~[d-]~~(d) Clients may request a copy of information from their file. Up to ten pages are free. If the client wants more than ten copies, the client must pay the cost of making the extra copies.

~~[e-]~~(e) The client cannot take the case record from the office.

~~[2-]~~(3) Releasing information to sources other than the client.

(a) If the client wants information released to an authorized representative, the representative must be designated in writing by the client.

~~[a-]~~(b) Information will not be released when it is to be used for a commercial or political purpose.

~~[b-]~~(c) The client's permission will be obtained before sharing any information regarding their case record.

~~[i-]~~(i) Information may be released without the client's permission if the outside source making the request has comparable rules for safeguarding information.

~~[ii-]~~(ii) Information may be released in an emergency. The director or designee will decide what constitutes an emergency.

~~[3-]~~(4) Information released without the client's permission.

~~[a-]~~ Information, with the exception of confidential information, may be released without the client's permission when that information is to be used in:

~~[i-]~~(i) The administration of any federal or state means-tested program.

~~[ii-]~~(ii) Any audit or review of expenditures in connection with the HEAT or Moratorium program.

~~[iii-]~~(iii) Any investigation, prosecution, criminal or civil proceeding connected with the administration of the HEAT or Moratorium programs.

~~[4-]~~(5) If a case file is subpoenaed by an outside source, the State HEAT Program Manager is contacted immediately. The State Program manager will consult with the legal counsel for the Housing and Community Development Division (HCD).

~~R982-401-6. Complaints and Conciliation.~~

- ~~1. Complaints~~
 - ~~a. The client may make a complaint in person, by phone, or in writing to the local HEAT office.~~
 - ~~b. Complaints shall be resolved as quickly as possible.~~
 - ~~c. Responses to complaints shall be made in person, by phone or in writing.~~
- ~~2. Conciliation~~
 - ~~a. The agency conference will be the conciliation mechanism.~~
 - ~~b. Some or all of the following steps may be involved in the agency conference:~~
 - ~~i. Contacting the client to identify the issue and barriers which may be preventing client progress.~~
 - ~~ii. Reviewing and explaining rules which apply to the issues. These include rules about client rights and responsibilities.~~
 - ~~iii. Exploring any alternative actions which may resolve the issues.~~
 - ~~c. If the client fails to respond, or chooses not to cooperate in this process, documentation in the case file of attempts made to follow these steps will be considered as compliance with the requirement to attempt conciliation.~~

~~R982-401-7. Hearings.~~

~~[The department shall require compliance with Chapter 63G-4.~~

- ~~1. Current HCD practices:~~
 - ~~a. HEAT conducts hearings informally.~~
 - ~~b. Hearings are held before a state agency.~~
 - ~~c. Hearings may be conducted by telephone when the applicant or recipient agrees to the procedure.~~
 - ~~d. Requests for a hearing must be in writing. Only a clear expression by the claimant to the effect that they want an opportunity to present their case is required.~~
 - ~~e. The applicant or recipient has the option of appealing a hearing decision to either the director of the Department, his or her designee or to the District Court.~~
 - ~~f. Final administrative action shall be taken within 90 days from the request for the hearing unless the client asks for a postponement of a scheduled hearing. The period of postponement can be added to the 90 days.]Department rules R986-100-122 through R986-100-133 and rule R986-100-135 apply to the HEAT program including any alleged overpayment except all requests for a fair hearing on a HEAT issue must be in writing.~~

KEY: client rights, hearings, confidentiality of information

Date of Enactment or Last Substantive Amendment: ~~[July 9, 2012]~~2014

Authorizing, and Implemented or Interpreted Law: 35A-8-1403

Workforce Services, Administration
R982-402
 Energy Assistance Programs
 Standards

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38715

FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Home Energy Assistance Target (HEAT) program rules are being updated to reflect changes made in federal regulations and changes to the Utah HEAT Program policies and procedures.

SUMMARY OF THE RULE OR CHANGE: These proposed amendments change references to the outdated INS forms and regulations and updates the information with references to the current U.S. Citizenship and Immigration Services references in keeping with changes in federal law. Additionally, these changes reflect current policy of not helping with energy bills for persons living in tents or automobiles. Other changes are made to comply with federal regulation and current Department practice.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-8-1403 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to the state budget.

◆ **LOCAL GOVERNMENTS:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any local government.

◆ **SMALL BUSINESSES:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any small business.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses, or local government entities 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 for this change to anyone, including persons affected by 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.

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

WORKFORCE SERVICES
ADMINISTRATION
140 E BROADWAY
SALT LAKE CITY, UT 84111-2333
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Suzan Pixton 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 NO
LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

R982. Workforce Services, Administration.

R982-402. Energy Assistance Programs Standards.

R982-402-1. Opening and Closing Dates for HEAT Program.

[+](1) Each November 1, or the first working day thereafter, the HEAT Program opens for the general population.

2 The HEAT Program closes the following April 30, or the last business day of the month, or when federal LIHEAP funds are exhausted, whichever comes first. If federal LIHEAP funds are yet available, the program may be extended beyond April 30 and through to September 30 with the approval of the State HEAT Program Manager. Applications taken on or before the program closing date may be processed after the program closing date. If funds are exhausted before all applications are processed, notice of non-payment will be sent to the remaining unprocessed applications.

R982-402-2. U.S. Residence.

[+](1) To be eligible for HEAT assistance, a person must meet at least one of the criteria for US residence listed below:

a Be a US born or naturalized citizen as evidenced by any document verifying the individual was born in the US or naturalization papers.

b Be lawfully admitted into the US for permanent residence as evidenced by a ~~an~~ valid U. S. Citizenship and Immigration Services (USCIS) Permanent Resident Card (form I-551) ~~Immigration and Naturalization Service (INS) form I-151 or I-551~~.

[e](c) Be lawfully admitted into the US with a valid USCIS Employment Authorization Card (form I-766) with one of the following categories: A3, A4, A5, A10, C11, C25, RE1, RE2, RE3, RE4, RE5 ~~as a Refugee as evidenced by an INS form I-94 stamped "Admitted under the Refugee Act of 1980"~~.

d Be lawfully admitted into the US with a valid USCIS Arrival/Departure Record (Form I-94) with a Customs and Border Protection endorsement stamp marked with one of the following: I-551, 203A7, 207, 208, 212D5, RE1, RE2, RE3, RE4, RE5 ~~as a conditional entrant as evidenced by an INS form I-94 stamped "Conditional Entrant"~~.

[e](c) Be lawfully admitted into the US with a valid USCIS Approval Notice (Form I-797A) issued with one of the following classes: I-551, 203A7, 207, 208, or 212D5, RE1, RE2, RE3, RE4, RE5 ~~as a special agricultural worker as evidenced by a green colored INS form I-688 stamped PL 99-603 Sec. 210~~.

2 Persons not eligible to participate in the HEAT program are:

a Persons who hold ~~INS~~ a USCIS I-94 who are admitted as temporary entrants.

b Persons who have none of the documents listed in subsection 1 of this section or whose documents are expired ~~hold an INS I-688 Sec. 210A (RAWS)~~.

~~c. Persons who hold an INS I-688 Sec. 245A (AMNESTY).~~

~~d. Persons who hold an INS I-688A Sec. 210, 210A, or 245A (SAWS, RAWS, and AMNESTY).~~

~~e. Persons who have no registration card.~~

R982-402-3. Utah Residence.

There is no length of residency requirement. Individuals must be living in Utah voluntarily and not for a temporary purpose.

R982-402-4. Local Residence.

~~1. A household's completed HEAT application must be maintained in the office in the area where they reside.~~

[2](1) Native American Residents of Daggett, Duchesne, and Uintah Counties who are enrolled in any federally recognized Indian Tribe have a choice of applying for utility assistance through the state HEAT program or through the Ute Tribal LIHEAP Program. Clients cannot receive assistance from both programs in the same program year.

[3](2) Native American Residents of Washington, Iron, Millard, and Sevier Counties have a choice of receiving utility assistance through the state HEAT program or through the Paiute Tribal LIHEAP Program. Clients cannot receive assistance from both programs in the same program year.

[4](3) Residents living on the Navajo Indian Reservation in San Juan ~~e~~ County may apply for utility assistance through the Navajo Tribe or through the State HEAT Program. They cannot receive assistance through both programs in the same program year.

R982-402-5. Vulnerability.

[+](1) ~~[An eligible household must be vulnerable to home heating costs.]~~ Households that are responsible for paying home heating costs are considered vulnerable.

[a](2) The following households are considered responsible for home heating costs:

[i](a) Households who are presently paying heating costs directly to energy suppliers on currently active accounts.

[ii](b) Households who are currently paying energy costs indirectly through rent.

[2](3) Residents in the following households are not considered responsible for home heating costs and are not eligible for HEAT assistance:

a Nursing homes;

b Hospitals;

c Prisons and jails;

d Institutions;

e Alcoholism and drug treatment centers;

- ~~[f.](f)~~ Group homes administered under a contract with a government agency or administered by a government agency;
- ~~[g.](g)~~ Households not connected to a heat source;
- ~~[h.](h)~~ Households whose utility bills are paid regularly by an outside party;
- ~~(i)~~ Automobiles;
- ~~(j)~~ Tents.

[R982-402-6. Subsidized Housing - Roomers And Boarders.

~~Eligibility for HEAT assistance: a household living in a federal, state, or local subsidized housing or anyone renting a room in a private house or apartment must pay an identifiable surcharge for heat in addition to their rent or they must pay a utility bill for heating costs directly to a utility provider.~~

[R982-402-7. Social Security Numbers.

~~[1.](1) [Adults who apply for HEAT assistance must provide verification of their Social Security Numbers (SSN) or apply for SSN cards.] Verification of Social Security Numbers [are] is required for all household members.~~

~~[a.](2) There are four ways to provide a correct SSN. The client can submit one of these three documents.~~

- ~~[i.](a)~~ An official SSN card
- ~~[ii.](b)~~ Official documents from Social Security Administration including award letters, benefit checks or a Medicare card
- ~~[iii.](c)~~ An SSA receipt form 5028 or 2880.
- ~~[iv.](d)~~ Official document from another government agency.

R982-402-8. Eligible HEAT Household.

- ~~[1.](1)~~ Household members need not be related.
- ~~[2.](2)~~ Multiple dwellings including duplexes and apartment buildings~~[,]~~ are considered separate households.

R982-402-9. Age and Emancipation.

Household members 18 years of age or older or emancipated are considered adults. A child can be emancipated by age, marriage or court order.

R982-402-10. Weatherization Referrals.

Participation in the weatherization program is not a condition of eligibility for HEAT.

R982-402-11. ~~[Energy Crisis Intervention]~~HEAT Crisis Assistance.

- ~~(1) A crisis exists when a household faces a sudden or unexpected event beyond its control resulting in the inability to pay household heating costs. A crisis may be caused by:~~
 - ~~(a) unexpected increase in medical costs;~~
 - ~~(b) sudden loss of job, public benefits, or other income;~~
 - ~~(c) malfunction of heating equipment;~~
 - ~~(d) other circumstances that may pose a potential health and/or safety threat~~
- ~~(2) Circumstances that do not necessarily qualify as a crisis include:~~
 - ~~(a) chronic non-payment of utility/fuel costs~~
 - ~~(b) unexplained or excessively high utility/fuel costs~~

~~(c) payments that will create a credit balance on a utility account, payments on utility accounts previously sent to a collection agency or capital improvements to rental property~~

~~(d) other situations which are not sudden, unexpected, or beyond the control of the household.~~

~~1. A crisis is any weather-related emergency, any supply shortage emergency, or any other household energy-related emergency as approved by the region or state office.~~

~~a. Examples of household energy-related emergencies may include energy costs above 25% of the client's gross income, arrearages when the client has demonstrated a good faith attempt to resolve the problem or repairs to prevent loss of energy from a dwelling.~~

~~b. Examples of household energy-related non-emergencies may include payments that will create a credit balance on a utility account, payments on utility accounts previously sent to a collection agency or capital improvements to rental property.~~

~~[2.](3) To be eligible for [energy]HEAT crisis [intervention]assistance, a household must be eligible for HEAT during the same HEAT program year.~~

~~[a.](a) If the local office determines that a household is in a crisis situation, is eligible to receive [energy]HEAT crisis [intervention benefits]assistance and has written notice from the Division of Public Utilities that the residence has "life supporting equipment", HEAT crisis assistance [is in a life threatening situation, energy crisis intervention benefits]will be provided within 18 hours. Regular HEAT crisis assistance [energy crisis intervention benefits]will be provided within 48 hours of eligibility determination.~~

~~[b.](b) The [director or]HEAT supervisor or designee must approve all [crisis intervention]expenditures.~~

~~[c.](c) HEAT payments are issued to the vendor. [In emergencies a check may be issued to the client.]If propane or wood is used as a heating source, or if the state does not have a contract with the vendor, the percentage of benefit attributable to that heating source can be paid directly to the client.~~

~~[d.](d) [Energy crisis intervention]HEAT crisis payments are limited to a maximum of \$500 per household per utility (e.g. gas and electric) per HEAT program year unless prior approval for an amount larger than \$500 per utility is obtained from the supervisor or state office.~~

R982-2-12. Supplemental Programs.

Households that ~~[who]~~ qualify for HEAT assistance may also receive supplemental payments from other utility programs, such as "Reach", "Lend-A-Hand", and Catholic Community Services utility fund.

R982-402-13. Security Deposits.

- ~~1. Public Service Commission (PSC) Regulated Utilities~~
 - ~~a.](1) A PSC regulated utility is required to waive the security deposit requirement for all Heat and Moratorium clients during the period of the Moratorium.[~~
 - ~~b.] Monies received by a regulated utility from third-party sources, including monies provided by HEAT, REACH, CONCERN or similar programs, shall not be applied to the security deposit.~~

~~[2.- Non Regulated Utilities~~

~~a.](2) If the company has signed a HEAT contract, the company has agreed not to charge a security deposit to a HEAT client from November 15th through March 15th. This does not apply to the service initiation fees that are routinely charged as a condition of service.~~

R982-402-14. Consumer Complaints.~~[1.- Public Service Commission (PSC) Regulated Utilities~~

~~a.](1) Consumer complaints against a PSC regulated utility should be referred to the Public Service Commission.~~

~~[2.- Non Regulated Utilities~~

~~a.](2) Consumer complaints against a non regulated utility should be referred directly to the individual utility company.~~

R982-402-15. Credit Balances on Utility Accounts.

~~[1.](1) If the household discontinues service with their utility supplier, and the household so elects, the disconnecting supplier will forward any HEAT credit balance remaining on the account to the household's new utility company. The new utility company must operate in Utah. The household must furnish, to the disconnecting utility supplier, the name and address of the new utility company within 30 days after termination of service.~~

~~[2.](2) [If the household elects to have the HEAT credit balance refunded directly to them, the disconnecting utility supplier will do so if the household still resides in Utah. The household must furnish, to the disconnecting utility supplier, their new address within 30 days after termination of service.] Utility companies may refund credit balances to clients who still reside in Utah if a new Utah address is provided within 30 days after termination of service. Otherwise, the credit balance shall be refunded to the HEAT Program.~~

~~[3.](3) In no case shall HEAT credit balances be forwarded to utility companies not operating in Utah or to clients no longer residing in Utah.~~

~~[4.](4) If the client fails to give the disconnecting utility company the information [for either option one or option two listed above] necessary to transfer or refund the credit balance, the utility company can hold the credit balance for an additional 30 days. If reconnection with the same utility has not occurred, any remaining credit balance must be refunded to the HEAT program.~~

~~[5.](5) Once credit balances are refunded to the HEAT program they become part of the general HEAT budget and are redistributed in the form of benefits to additional eligible households.~~

KEY: energy assistance, residency requirements, opening and closing dates, HEAT

Date of Enactment or Last Substantive Amendment: [July 9, 2012]2014

Authorizing, and Implemented or Interpreted Law: 35A-8-1403

Workforce Services, Administration
R982-403
Energy Assistance Income Standards,
Income Eligibility, and Payment
Determination

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38716

FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Home Energy Assistance Target (HEAT) program rules are being updated to reflect changes made in federal regulations and changes to the Utah HEAT Program policies and procedures.

SUMMARY OF THE RULE OR CHANGE: This proposed rule change reflects current policy in counting retirement income, reverse mortgage income, recurring gifts, and income from rental property as income in determining eligibility for HEAT. Other proposed changes are to better clarify current provisions.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-8-1403 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to the state budget.
- ◆ **LOCAL GOVERNMENTS:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any local government.
- ◆ **SMALL BUSINESSES:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any small business.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses or local government entities 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 for this change to anyone, including persons affected by 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.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 WORKFORCE SERVICES
 ADMINISTRATION
 140 E BROADWAY
 SALT LAKE CITY, UT 84111-2333
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Suzan Pixton 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

R982. Workforce Services, Administration.

R982-403. Energy Assistance Income Standards, Income Eligibility, and Payment Determination.

R982-403-1. Energy Assistance Income Standards.

For HEAT assistance cases, the local HEAT office shall determine the countable income of the household. Income must be at or below 150% of the federal poverty level to qualify for HEAT assistance.

R982-403-2. Countable Income.

Countable income is gross income minus exclusions, disregards, and deductions.

R982-403-3. Unearned Income.

[+](1) Countable unearned income is cash received by an individual for which no service is performed.

[2-](2) Sources of unearned income include the following:

[a-](a) Pensions and annuities including Railroad Retirement, Social Security, Supplemental Security Income, Veteran's benefits and Civil Service retirement benefits;

[b-](b) Disability benefits including Industrial Compensation, sick pay, mortgage insurance and paycheck insurance;

[e-](c) Unemployment Compensation;

[d-](d) Strike or union benefits;

[e-](e) Veteran's benefits;

[f-](f) Child support and alimony;

[g-](g) Veteran's Educational Assistance intended for family members;

[h-](h) Trust payments, withdrawals, and/or dividends received on a regular basis;

[i-](i) Tribal fund gratuities unless excluded by law.

[j-](j) Money from sales contracts and mortgages;

[k-](k) Personal injury settlements;

[l-](l) Financial payments made by the Department of Workforce Services;

[m-](m) Income from Rental Property. If the client also manages the property, the income is earned[-];

[n-](n) Temporary Assistance to Needy Families (TANF);

[o-](o) Emergency Work Program (EWP);

[p-](p) Work allowances[~~;~~ ~~included WHAF~~];

[q-](q) Foster Care Payments;

[r-](r) Severance pay paid out weekly[-];

[s-](s) 401K payments;

[t-](t) Retirement income;

[u-](u) Payments received or drawn down from assets like a reverse mortgage or withdrawals from accounts;

[v-](v) Gifts received, or payments made on a client's behalf on a regular basis.

R982-403-4. Earned Income.

[1-](1) Earned income is income in cash or in kind received by an individual for which a service is performed.

[2-](2) Sources of earned income include the following:

[a-](a) Wages, including military base pay;

[b-](b) Salaries;

[c-](c) Commissions;

[d-](d) Rent amount, when client works in return for rent;

[e-](e) Monies from self-employment including baby-sitting;

[f-](f) Tips;

[g-](g) Sale of livestock and poultry;

[h-](h) Work Study;

[~~-----~~ i. University Year for Action;

] [j-](j) Military payments to cover Basic Allowance for Quarters and Basic Allowance for Substance;

[k-](k) Money the employee chooses to have withheld for benefit plans including Flex Plans and Cafeteria Plans[-];

[l-](l) Income from rental property if client also manages the property.

R982-403-5. Income Exclusions.

[~~-----~~ 1. The following definitions apply to this section:

a. "Bona fide loan" means a loan which has been contracted in good faith without fraud or deceit and genuinely endorsed in writing for repayment.

b. "JTPA" means Jobs Training Partnership Act.

] [2-]The income listed below is not counted when determining eligibility:

[a-](1) Earned income of an unemancipated household member[-];

[b-](2) Cash over which the household has no direct control[-];

[c-](3) Reimbursements for expenses directly related to employment, training, schooling, and volunteer activities[-];

[d-](4) Reimbursements for incurred medical expenses[-];

~~[e-](5) Bona fide loans. A bona fide loan is a loan which has been contracted in good faith without fraud or deceit and genuinely endorsed in writing for repayment.~~

~~[f-](6) Compensation paid to individual volunteers under the Retired Senior Volunteers Program, Green Thumb and the Foster Grandparent Program[-];~~

~~[g-](7) Incentive and training expenses paid by the HEAT Self Sufficiency program.~~

~~[h-](8) Earned Income Tax Credit[-];~~

~~[i-](9) Financial payments from ~~[JTPA-]Workforce Investment Act;~~~~

~~[j-](10) Value of Food Stamps; ~~Coupons, Food Stamp Cash Out checks, and surplus commodities donated by the U.S. Department of Agriculture.~~~~

~~[k-](11) Educational loans, grants, scholarships or college work study with the exception of Veterans Educational Assistance intended for the family members of the student. The student's portion is exempt[-];~~

~~[l-](12) Interest or ~~Dividend~~ ~~Income~~[-];~~

~~[m-](13) Compensation or reimbursement paid to Volunteers In Service To America, Senior Health Aides, Senior Core of Retired Executives, Senior Companions and ACE[-];~~

~~[n-](14) Church cash assistance and voluntary cash contributions by others unless received on a regular basis[-];~~

~~[o-](15) Rental subsidies and relocation assistance[-];~~

~~[p-](15) Utility subsidies[-];~~

~~(16) The full military pay for an active duty soldier not in the home. However, any amount taken out of his or her military pay and sent home for the family's support is counted; and~~

~~[q-](17) Any funds, payments, or tribal benefits required by Public Law 98-64, Public Law 93-134(7), Public Law 92-254, Public Law 94-540, Public Law 94-114 and Public Law 96-240(9) [-];~~

~~r. Payments required by Public Law 92-203[-];~~

~~s. Payments required by Public Law 101-201 or Public Law 101-239(10405)[-];~~

~~t. Payments required by Public Law 100-383[-];~~

~~u. Payments required by Public Law 101-426[-];~~

~~v. Payments required or by Public Law 100-707.~~

R982-403-6. Income Disregard.

~~1. The following definition applies to this section:~~

~~a. "Disregard" means a portion of income that is not counted.~~

~~[2-](1) 20% of earned income, including self-employment earned income, will be disregarded. "Disregard" means a portion of income that is not counted.~~

~~[3-](2) For self-employed households the cost of doing business will be deducted. The 20% disregard will be applied to the remainder.~~

R982-403-7. Income Deductions.

~~1. Medical~~

~~(1) A deduction for payments on uncompensated medical bills will be allowed when those payments are actually made by a member of the household during the same time period as the income being counted.~~

~~[a-](a) The client must verify the payment was made directly to a medical provider by a member of the household, for a~~

~~member of the household~~ in the month prior to the month of application and that they will not be reimbursed by a third party.

~~[b-](b) Health and accident insurance payments, dental insurance payments, and Medical Assistance Only (MAO) payments are considered medical expenses.~~

~~[2- Child Support and Alimony~~

~~a-](2) A deduction for child support and alimony payments will be allowed when those payments were actually made by a member of the household during the same time period as the income being counted.~~

~~[b-](a) The client must verify the payment was actually made directly to the custodial adult or through the court.~~

~~[e-](b) Payments in lieu of child support and alimony, including car payments or mortgage payments, are deductible.~~

R982-403-8. Self-Employment Income.

~~[4-](1) A self-employed person ~~actively~~ is someone who earns income directly from ~~their~~ his or her own business, trade, or profession.~~

~~[2-](2) Self-employment income will be determined by using the previous year's tax return or as follows:~~

~~[a-](a) All gross self-employment income is counted, including capital gains.~~

~~i. Capital gains will be included.~~

~~ii-] The proceeds from the sale of capital goods or equipment will be calculated in the same way as a capital gain for Federal income tax purposes. Even if only part of the proceeds from the sale of capital goods or equipment is taxed, the full amount of the capital gain will be counted as income for HEAT program purposes.~~

~~[b-](b) The cost of doing business will be deducted.~~

~~[+](i) Allowable business costs include:~~

~~[A-](A) labor;~~

~~[B-](B) stock;~~

~~[C-](C) raw materials;~~

~~[D-](D) seed and fertilizer;~~

~~[E-](E) interest paid toward the purchase of income producing property;~~

~~[F-](F) insurance premiums;~~

~~[G-](G) taxes paid on income producing property;~~

~~[ii-](H) Transportation costs will be allowed only if the person must move from place to place in the course of business.~~

~~[iii-](ii) The following items will not be allowed as business expenses:~~

~~[A-](A) ~~P~~ payments on the principal of the purchase price of income producing real estate and capital assets, equipment, machinery and other durable goods[-];~~

~~[B-](B) ~~N~~ net losses from previous periods[-];~~

~~[C-](C) ~~F~~ federal, state and local income taxes, money set aside for retirement purposes, and other work related personal expenses[-];~~

~~[D-](D) ~~D~~ depreciation.~~

R982-403-9. HEAT Financial Eligibility and Payment Determination.

~~[4-] All countable income received in the previous calendar month for the current applicant household will be used to determine eligibility. Terminated income received in the previous calendar month or the month of application is exempt if no new~~

source of income is identified. Failure to provide verification of income will result in the HEAT application being denied.

Verification of countable income includes preceding or current month's SSI or SSA checks, divorce decrees, award letters, or current check stubs if the income is stable and the amount is the same as the actual income received in the previous calendar month.

KEY: energy assistance, self-employment income, income eligibility, payment determination

Date of Enactment or Last Substantive Amendment: ~~July 9, 2012~~ 2014

Authorizing, and Implemented or Interpreted Law: 35A-8-1403

Workforce Services, Administration R982-405 Energy Assistance: Program Benefits

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 38717

FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Home Energy Assistance Target (HEAT) program rules are being updated to reflect changes made in federal regulations and changes to the Utah HEAT Program policies and procedures.

SUMMARY OF THE RULE OR CHANGE: The change in language is to clarify the provisions and reflect current practice.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-8-1403 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to the state budget.

◆ **LOCAL GOVERNMENTS:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any local government.

◆ **SMALL BUSINESSES:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any small business.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses, or local government entities 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 for this change to anyone, including persons affected by 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.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
WORKFORCE SERVICES
ADMINISTRATION
140 E BROADWAY
SALT LAKE CITY, UT 84111-2333
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Suzan Pixton 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

R982. Workforce Services, Administration.

R982-405. Energy Assistance: Program Benefits.

R982-405-3. Benefit Payments.

[4-] Direct client payments will be made only when a contract with the primary heat source cannot be obtained or if the primary heat source is the landlord.

R982-405-4. Split Payments.

[1-](1) If the client has more than one utility provider and the State of Utah only has a contract with one of the utility providers, [primary heat source's payment account is current,] up to 50% of the HEAT payment may be made to the client.

(2) Payment disbursements may be split only in the percentages listed below:

[a-](a) 100%

[b-](b) 50%/50%

[c-](c) 75%/25%

KEY: energy assistance, benefits

Date of Enactment or Last Substantive Amendment: ~~July 9, 2012~~ 2014

Authorizing and Implemented or Interpreted Law: 35A-8-1403

Workforce Services, Administration
R982-407
 Energy Assistance: Records and
 Benefit Management

NOTICE OF PROPOSED RULE

(Amendment)
 DAR FILE NO.: 38718
 FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Home Energy Assistance Target (HEAT) program rules are being updated to reflect changes made in federal regulations and changes to the Utah HEAT Program policies and procedures.

SUMMARY OF THE RULE OR CHANGE: The only main change to this rule is to simply the process for replacing missing HEAT checks to reflect current practice.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-8-1403 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

- ◆ **THE STATE BUDGET:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to the state budget.
- ◆ **LOCAL GOVERNMENTS:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any local government.
- ◆ **SMALL BUSINESSES:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any small business.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses, or local government entities 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 for this change to anyone, including persons affected by 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.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 WORKFORCE SERVICES
 ADMINISTRATION
 140 E BROADWAY
 SALT LAKE CITY, UT 84111-2333
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Suzan Pixton 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

R982. Workforce Services, Administration.

R982-407. Energy Assistance: Records and Benefit Management.

R982-407-1. Records Management.

[1-](1) Documentation of the eligibility decision and amount of HEAT assistance is kept in the household's HEAT folder in the local HEAT office or in the SEALWorks computer system. Every person who completes an application shall have a case record.

[2-](2) HEAT case records shall not be removed from the local HEAT Office except by subpoena or request of the State HEAT Office (SHO) or in accordance with the Archives Schedule.

R982-407-2. Notification.

[1-](1) The local HEAT office shall provide all HEAT applicants with a written notice of any action that affects the amount, form, or requirements of the assistance.

[2-](2) Written notice shall include an explanation of the action, the reason for the action, and the effective date of the action. The notice shall also include an explanation of the applicant's hearing rights and how to file a hearing if the applicant is not satisfied with the decision on the case.

R982-407-3. Checks.

[1-](1) All HEAT payments to clients or vendors are issued by check.

[2-](2) If the payee dies before endorsing the check, the local Heat Office director or designee may authorize another person to endorse the check to use it on behalf of the payee or other person in the case.

[3-](3) Lost or stolen HEAT checks.

[a-](a) The client must report a lost or stolen check within ~~29 days~~ one year of the issuance date. A check that is reported lost or stolen ~~30 days or~~ more than one year after the issuance date will not be replaced.

[b-](b) The client ~~may report this by telephone or in person~~ must complete and sign a Lost Check Replacement Form

and send it to the State HEAT Office for processing in order to have a check re-issued.

~~[c. When a report is received, the HEAT worker or supervisor should review all office information (payroll, energy screens, case file, etc) to verify the information.~~

~~d. A replacement HEAT check which is lost or stolen after the payee receives it will not be issued.~~

]

KEY: energy assistance, benefits, government documents, state HEAT office records

Date of Enactment or Last Substantive Amendment: ~~[July 9, 2012]~~2014

Authorizing, and Implemented or Interpreted Law: 35A-8-1403

Workforce Services, Administration R982-408 Energy Assistance: Special State Programs

NOTICE OF PROPOSED RULE (Amendment)

DAR FILE NO.: 38719
FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Home Energy Assistance Target (HEAT) program rules are being updated to reflect changes made in federal regulations and changes to the Utah HEAT Program policies and procedures.

SUMMARY OF THE RULE OR CHANGE: These are minor changes to the Moratorium program to select current practice and a new contract with the Salvation Army.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-8-1403 and Subsection 35A-1-104(4)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to the state budget.

◆ **LOCAL GOVERNMENTS:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any local government.

◆ **SMALL BUSINESSES:** This is a federally-funded program and there are no substantive changes which will impact the costs of the program so there are no costs or savings to any small business.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:**

There will be no costs to persons other than small businesses, businesses, or local government entities 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 for this change to anyone, including persons affected by 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.

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

WORKFORCE SERVICES
ADMINISTRATION
140 E BROADWAY
SALT LAKE CITY, UT 84111-2333
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Suzan Pixton 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

R982. Workforce Services, Administration. R982-408. Energy Assistance: Special State Programs. R982-408-1. Moratorium.

The department shall require compliance with Section 35A-8-1501.

[1-](1) The moratorium program protects eligible persons from winter utility shut offs.

[2-](2) A household can apply for moratorium protection only one time per utility per program year.

[3-](3) The protection of the Moratorium lasts from November 15 through the following March 15.

The Department has the option of beginning The Moratorium program earlier or extending it later when severe weather conditions warrant such action.

[4-](4) The moratorium applicant must:

[a-](a) Be the adult residential account holder, or the adult resident applying for service. A residential utility customer is any adult person who has an account with a utility or any adult who is applying for residential utility service;

[b-](b) Be living at the address where Moratorium protection is needed;

[e-](c) Have a termination notice from the utility company or have been refused service if the utility is not active;

[d-](d) Have ~~applied~~ been approved for HEAT;

[e-](e) Have applied for assistance through the ~~American Red Cross~~ Salvation Army; and

[f-](f) Have made a good faith effort to pay their utility bill on a consistent basis during the moratorium

[5-](5) In addition ~~they~~ the applicant must ~~indicate that the client meets~~ meet at least one of the following criteria:

[A-](a) ~~G~~ have a gross household income in the month of, or the month prior to the month of the moratorium application must be less than 125% of the federal poverty limit[-];

[B-](b) have suffered a medical or other emergency in either the month of application or the month prior to the month of application[-];

[C-](c) ~~have suffered a~~ loss of employment in either the month of application or the month prior to the month of application[-]; or

[D-](d) ~~have suffered a~~ 50% drop in income in either the month of application or the month prior to the month of application.

[5-](5) Required Verification

[a-](a) All factors of eligibility must be verified.

[b-](b) It is the applicant's responsibility to obtain acceptable verification.

[e-](c) If the household refuses to obtain the required verification and refuses to assist the local HEAT office in obtaining the verification, the moratorium application will be denied.

[6-](6) Good Faith Payment Effort

[a-](a) Each month during the moratorium the household must pay the utility company at least 5% of the gross income received in the month prior to the month of the moratorium application, unless the home is heated by electricity.

[b-](b) If the home is heated by electricity the household must pay the utility company at least 10% of the gross income received in the month prior to the month of application.

[e-](c) The minimum allowed monthly payment is \$5.00 even if the client has no income in the month prior to the month of application.

[7-](7) In order to activate the moratorium, including the restoration of service to those households which are shut off, the first good faith payment is due at the time of application. Payments for subsequent months are due on or before the last day of each month.

[8-](8) For clients who defaulted during a previous Moratorium season the default payment is due before the client is eligible for protection under the current moratorium.

[a-](a) When a client defaults on a moratorium application, the client is not eligible for moratorium protection on that particular utility for the remainder of that moratorium season.

[b-](b) The client must pay the amount of any previous defaulted payment before they are eligible for the moratorium.

[e-](c) When a utility company notifies the HEAT office of a client default, the HEAT office will notify the client that of the default.

[9-](9) Regulated companies operating in Utah are subject to the Moratorium with the exception of the Mexican Hat Association.

KEY: energy assistance, energy industries

Date of Enactment or Last Substantive Amendment: ~~July 9, 2012~~ 2014

Authorizing, and Implemented or Interpreted Law: 35A-8-1403

Workforce Services, Employment Development **R986-200-218** Exceptions to the Time Limit

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 38720

FILED: 07/29/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to establish an exception for intergenerational families.

SUMMARY OF THE RULE OR CHANGE: The Department has identified barriers for clients dependent on intergenerational welfare. This program will identify and provide services to this at-risk group in hopes of breaking the dependency. It is believed that this additional assistance will allow these clients to become self-sufficient.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Subsection 35A-1-104(4) and Subsection 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 governments.

♦ **SMALL BUSINESSES:** There will be no costs to small businesses to comply with these changes because this is a federally-funded program.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no costs to persons other than small businesses, businesses, or local government entities 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 for this change to anyone, including persons affected by 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.

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 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 NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Jon Pierpont, Executive Director

R986. Workforce Services, Employment Development.

R986-200. Family Employment Program.

R986-200-218. Exceptions to the Time Limit.

Exceptions to the time limit may be allowed for up to 20% of the average monthly number of families receiving financial assistance from FEP and FEPTP during the previous Federal fiscal year for the following reasons:

(1) A hardship under Section 35A-3-306 is determined to exist when a parent:

(a) is determined to be medically unable to work. The client must provide proof of inability to work in one of the following ways:

(i) receipt of disability benefits from SSA;
 (ii) receipt of VA Disability benefits based on the parent being 100% disabled;

(iii) placement on the Division of Services to People with Disabilities' waiting list. Being on the waiting list indicates the person has met the criteria for a disability; or

(iv) is currently receiving Temporary Total or Permanent Total disability Workers' Compensation benefits;

(v) a medical statement completed by a medical doctor, a licensed Advanced Practice Registered Nurse, a licensed Physician's Assistant, or a doctor of osteopathy, stating the parent has a medical condition supported by medical evidence, which prevents the parent from engaging in work activities capable of generating income of at least \$500 a month. The statement must be completed by a professional skilled in both the diagnosis and treatment of the condition; or

(vi) a statement completed by a licensed clinical social worker, licensed psychologist, licensed Mental Health Therapist as defined in UCA Section 58-60-102, or psychiatrist stating that the

parent has been diagnosed with a mental health condition that prevents the parent from engaging in work activities capable of generating income of at least \$500 a month. Substance abuse is considered the same as mental health condition;

(b) is under age 19 through the month of their nineteenth birthday;

(c) is currently engaged in an approved full-time job preparation, educational or training activity which the parent was expected to complete within the 36 month time limit but completion within the 36 months was not possible through no fault of the parent. Additionally, if the parent has previously received, beginning with the month of January 1997, 24 months of financial assistance while attending educational or training activities, good cause for additional months must be shown and approved;

(d) was without fault and a delay in the delivery of services provided by the Department occurred. The delay must have had an adverse effect on the parent causing a hardship and preventing the parent from obtaining employment. An extension under this section cannot be granted for more than the length of the delay;

(e) moved to Utah after exhausting 36 months of assistance in another state or states and the parent did not receive supportive services in that state or states as required under the provisions of PRWORA. To be eligible for an ~~extension~~ exception under this section, the failure to receive supportive services must have occurred through no fault of the parent and must contribute to the parent's inability to work. An ~~extension~~ exception under this section can never be for longer than the delay in services;

(f) completed an educational or training program at the 36th month and needs additional time to obtain employment;

(g) is unable to work because the parent is required in the home to meet the medical needs of a dependent. Dependent for the purposes of this paragraph means a person who the parent claims as a dependent on his or her income tax filing. Proof, consisting of a medical statement from a health care professional listed in subparagraph (1)(a)(v) or (vi) of this section is required unless the dependent is on the Travis C medicaid waiver program. The medical statement must include all of the following:

(i) the diagnosis of the dependent's condition,
 (ii) the recommended treatment needed or being received for the condition,

(iii) the length of time the parent will be required in the home to care for the dependent, and

(iv) whether the parent is required to be in the home full-time or part-time; or

(h) is currently receiving assistance under one of the exceptions in this section and needs additional time to obtain employment. A client can only receive assistance for one month under this subparagraph. If the Department determines that granting an exception under this subparagraph adversely impacts its federally mandated participation rate requirements or might otherwise jeopardize its funding, the one month exception will not be granted or

(i) ~~[is no longer employed due to a verified reduction in force (layoff) and needs additional time to find work. Participation in eligible activities is required for an exception under this subparagraph. This exception is only available for parents who were laid off on or after January 1, 2008. This exception will not be available after December 31, 2011]~~ the client is currently

participating in the Intergenerational Welfare Dependency Poverty Pilot Program, "Next Generation Kids" and needs additional time to obtain job training and preparation to decrease the risk of his/her children being part of intergenerational welfare dependency. This exception will not be available if the Pilot Program is to end.

(2) Additional months of financial assistance may be provided if the family includes an individual who has been battered or subjected to extreme cruelty which is a barrier to employment and the implementation of the time limit would make it more difficult to escape the situation. Battered or subjected to extreme cruelty means:

- (a) physical acts which resulted in, or threatened to result in, physical injury to the individual;
- (b) sexual abuse;
- (c) sexual activity involving a dependent child;
- (d) threats of, or attempts at, physical or sexual abuse;
- (e) mental abuse which includes stalking and harassment;

or

- (f) neglect or deprivation of medical care.

(3) Employment extension. An ~~[exception]~~extension to the time limit can be granted for a maximum of an additional 24 months if during the previous two months, the parent client was employed for no less than 20 hours per week. The employment can consist of self-employment if the parent's net income from that self-employment is at or above minimum wage.

(a) If, at the end of the 24-month extension, the parent client qualifies for an ~~[extension]~~exception under subsections (1) or (2) of this section, an ~~[additional extension]~~exception can be granted under the provisions of those sections.

(b) A family cannot receive financial assistance for more than a total of 60 months unless an ~~[extension]~~exception can be granted under subsections (1) and (2) of this section.

(4) All clients receiving an extension or an exception must continue to participate, to the maximum extent possible, in an employment plan. This includes cooperating with ORS in the collection, establishment, and enforcement of child support and the establishment of paternity, if necessary.

(5) If a household filing unit contains more than one parent, and one parent has received at least 36 months of assistance as a parent, then the entire filing unit is ineligible unless both parents meet one of the exceptions or extension listed above. Both parents need not meet the same exception or extension.

(6) A family in which the only parent or both parents are ineligible aliens cannot be granted an extension under Section (3) above or for any of the reasons for an exception in Subsections (1) (c), (d), (e) or (f). This is because ineligible aliens are not legally able to work and supportive services for work, education and training purposes are inappropriate.

(7) A client who is no longer eligible for financial assistance may be eligible for other kinds of public assistance including food stamps, Child Care Assistance and medical coverage. The client must follow the appropriate application process to determine eligibility for assistance from those other programs.

(8) Exceptions and extensions are subject to a review at least once every six months.

KEY: family employment program

Date of Enactment or Last Substantive Amendment: [July 1,] 2014

Notice of Continuation: September 8, 2010

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

End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a **PROPOSED RULE** in the *Utah State Bulletin*, it may receive comment that requires the **PROPOSED RULE** to be altered before it goes into effect. A **CHANGE IN PROPOSED RULE** allows an agency to respond to comments it receives.

As with a **PROPOSED RULE**, a **CHANGE IN PROPOSED RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **CHANGE IN PROPOSED RULE** including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

While the law does not designate a comment period for a **CHANGE IN PROPOSED RULE**, it does provide for a 30-day waiting period. An agency may accept additional comments during this period and, at its option, may designate a comment period or may hold a public hearing. The 30-day waiting period for **CHANGES IN PROPOSED RULES** published in this issue of the *Utah State Bulletin* ends September 15, 2014.

Following the **RULE ANALYSIS**, the text of the **CHANGE IN PROPOSED RULE** is usually printed. The text shows only those changes made since the **PROPOSED RULE** was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (*example*). Deletions made to the rule appear struck out with brackets surrounding them (~~example~~). A row of dots in the text between paragraphs (.) indicates that unaffected text, either whole sections or subsections, was removed to conserve space. If a **CHANGE IN PROPOSED RULE** is too long to print, the Division of Administrative Rules may include only the **RULE ANALYSIS**. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

From the end of the 30-day waiting period through December 13, 2014, an agency may notify the Division of Administrative Rules that it wants to make the **CHANGE IN PROPOSED RULE** effective. When an agency submits a **NOTICE OF EFFECTIVE DATE** for a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** as amended by the **CHANGE IN PROPOSED RULE** becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of the **CHANGE IN PROPOSED RULE**. If the agency designates a public comment period, the effective 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. Alternatively, the agency may file another **CHANGE IN PROPOSED RULE** in response to additional comments received. If the Division of Administrative Rules does not receive a **NOTICE OF EFFECTIVE DATE** or another **CHANGE IN PROPOSED RULE** by the end of the 120-day period after publication, the **CHANGE IN PROPOSED RULE** filing, along with its associated **PROPOSED RULE**, lapses.

CHANGES IN PROPOSED RULES are governed by Section 63G-3-303, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5b, R15-4-7, R15-4-9, and R15-4-10.

The Changes in Proposed Rules Begin on the Following Page

Environmental Quality, Drinking Water
R309-545
Facility Design and Operation: Drinking
Water Storage Tanks

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 38535
 FILED: 08/01/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Engineering Section of the Division of Drinking Water was tasked to review the Drinking Water R309-500 series rules for revisions, clarification, corrections, updates, etc.

SUMMARY OF THE RULE OR CHANGE: In addition to changes proposed in the original amendment, the proposed modifications to Rule R309-545 include the following: 1) change the word "structures" to "tanks" to be consistent; 2) clarify that standing water is not allowed around ground-level or buried tanks; 3) clarify that flood elevation requirement applies to ground-level and buried tanks; 4) modification stating that VOC's after tank coating shall not exceed the MCL's; 5) revise the term "water line" under access openings to "level of the overflow" to clarify that we are referring the level of water in the tank and not a pipe; and 6) minor grammatical and other wording changes to provide clarity. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the June 1, 2014, issue of the Utah State Bulletin, on page 130. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-4-104(1)(a)(ii)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This rule change makes revisions, clarifications, corrections, updates, etc. to Rule R309-545. Because this rule change only makes these type of changes, it should not significantly increase Division Staff time in administering the amended rule. Therefore, there should be no significant cost or saving from the proposed rule amendment to the state budget.

◆ **LOCAL GOVERNMENTS:** The Division of Drinking Water regulates public drinking water systems and local governments are not part of the regulated community. Because of the type of change, it should not affect local government.

◆ **SMALL BUSINESSES:** The Division of Drinking Water regulates public drinking water systems and small businesses are not part of the regulated community. Because of the type of change, it should not affect small businesses. Therefore, there should be no significant cost or savings from the change in proposed rule to small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The Division of Drinking Water regulated public drinking water systems and persons other than small businesses, businesses, and local governments entities are not part of the regulated community, unless they are a public water system. Because of the type of this change, it should not affect persons other than small businesses, businesses, or local government entities. Therefore, there should be no significant cost or savings from the proposed rule amendment to persons other than small businesses, businesses, or local governments entities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Division of Drinking Water regulates public drinking water systems. This rule amendment makes revisions, clarifications, corrections, updates, etc. to Rule R309-545. Because of the type of these changes, it should not significantly increase the time public drinking water systems and their engineering consultants spend in submitting projects for plan review and approval. Therefore, there should be no significant cost or savings from this change in proposed rule to the public water systems.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed changes will not significantly impact businesses as the changes clarify compliance with the drinking water rules and update referenced standards for public drinking water systems.

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

ENVIRONMENTAL QUALITY
 DRINKING WATER
 THIRD FLOOR
 195 N 1950 W
 SALT LAKE CITY, UT 84116-3085
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Bob Hart by phone at 801-536-0054, by FAX at 801-536-4211, or by Internet E-mail at bhart@utah.gov
 ◆ Tammy North by phone at 801-536-4293, by FAX at 801-536-4211, or by Internet E-mail at tnorth@utah.gov
 ◆ Ying-Ying Macauley by phone at 801-536-4188, by FAX at 801-536-4211, or by Internet E-mail at ymacauley@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Ken Bousfield, Director

R309. Environmental Quality, Drinking Water.

R309-545. Facility Design and Operation: Drinking Water Storage Tanks.

R309-545-1. Purpose.

The purpose of this rule is to provide specific requirements for public drinking water storage tanks. It is intended to be applied in conjunction with other rules, specifically R309-500 through R309-550. Collectively, these rules govern the design, construction, operation, and maintenance of public drinking water system facilities. These rules are intended to assure that ~~such~~ facilities are reliably capable of supplying water in adequate quantities ~~of water~~, which consistently meeting applicable drinking water quality requirements and ~~do~~not ~~pose~~posing a threat to general public health.

R309-545-2. Authority.

This rule is promulgated by the Drinking Water Board as authorized by Title 19, Environmental Quality Code, Chapter 4, Safe Drinking Water Act, Subsection 104(1)(a)(ii) of the Utah Code and in accordance with Title 63G, Chapter 3 of the same, known as the Administrative Rulemaking Act.

R309-545-3. Definitions.

Definitions for certain terms used in this rule are given in R309-110 but may be further clarified herein.

R309-545-4. General.

Storage for drinking water shall be provided as an integral part of each public drinking water system unless an exception to the rule is approved by the Director. Pipeline volume in transmission or distribution lines shall not be considered part of any storage volumes.

R309-545-5. Size of Tank(s).

Storage tanks shall be sized in accordance with the required minimums of R309-510.

R309-545-6. Tank Material and Structural Adequacy.

(1) Materials.

The materials used in drinking water storage ~~structures~~tanks shall provide stability and durability as well as protect the quality of the stored water. Steel tanks shall be constructed from new, previously unused, plates and designed in accordance with AWWA Standard D[-]100-11.

(2) Structural Design.

The structural design of drinking water storage ~~structures~~tanks shall be sufficient for the environment in which they are located.

R309-545-7. Location of Tanks.

(1) Pressure Considerations.

The location of the tank and the design of the water system shall be such that the minimum working pressure in the distribution system shall meet the minimum pressures as required in R309-105-9.

(2) Connections.

Tanks shall be located at an elevation where present and anticipated connections can be adequately served. System connections shall ~~not~~be placed at elevations such that minimum pressures, as required in R309-105-9, ~~cannot~~will be continuously maintained.

(3) Sewer Proximity.

Sewers, ~~drains, standing water,~~ and similar sources of possible contamination shall be kept at least 50 horizontal feet from the tank.

(4) Standing Surface Water.

The area surrounding a ground-level or buried drinking water storage ~~structure~~tank shall be graded in a manner that will prevent surface water from standing within 50 horizontal feet of the ~~structure~~tank.

(5) Ability to Isolate.

Drinking water storage ~~structures~~tanks shall be designed and located so that they can be isolated from the distribution system. Storage ~~structures~~tanks shall be capable of being drained for cleaning or maintenance. Where possible, tanks ~~should~~shall be designed with the ability to be isolated without ~~neecessitating~~loss of pressure or service in the distribution system.

(6) Earthquake and Landslide Risks.

Potential geologic hazards shall be taken into account in selecting a tank location. Earthquake and landslide risks shall be evaluated.~~—The design shall incorporate an analysis of potential seismic risks by a Professional Engineer or Geologist.~~

(7) Security.

The site location and design of a drinking water storage tank shall take into consideration security issues and potential for vandalism.

R309-545-8. Tank Elevation and Burial.

(1) Flood Elevation.

The bottom of a ground-level or buried drinking water storage tank[s] shall be located at least 3 feet above the 100-year flood level or the highest known maximum flood elevation, whichever is higher.

(2) Ground Water.

When the bottom of a drinking water storage tank will be placed below the normal ground surface, it shall be placed above the local ground water table~~elevation~~.

(3) Covered Roof.

When the roof of a drinking water storage tank will be covered by earth, the roof shall be sloped to drain toward the outside edge of the tank.

R309-545-9. Tank Roof and Sidewalls.

(1) Protection From Contamination.

All drinking water storage ~~structures~~tanks shall have suitable watertight roofs and sidewalls that shall also exclude birds, animals, insects, and excessive dust.

(2) Openings.

Openings in the roof and sidewalls shall be kept to a minimum and shallcomply with the following:

(a) Any pipes running through the roof or sidewall of a metal drinking water storage ~~structure~~tank shall be welded, or properly gasketed. In new concrete tanks, these pipes shall be connected to standard wall castings with seepage rings that have been poured in place. Vent pipes, in addition to seepage rings, shall have

raised concrete curbs that direct water away from the vent pipe and are formed as a single pour with the roof deck. ~~[No r]~~Roof drains or any other pipes, which may contain water of lesser quality than drinking water, shall not penetrate the roof, walls, or floor of a drinking water storage tank.

(b) Openings in a storage ~~[structure]~~ tank roof or top, designated to accommodate control apparatus or pump columns, shall be welded, gasketed, or curbed and sleeved as above, and shall have additional proper shielding to prevent vandalism.

(3) Adjacent Compartments.

Drinking water shall not be stored or conveyed in a compartment adjacent to wastewater when the two compartments are separated by a single wall.

(4) Roof Drainage.

The roof of all storage ~~[structures]~~ tanks shall be designed for drainage to eliminate water ponding. Parapets, or similar ~~[construction]~~ structures, which would tend to hold water and snow, shall not be ~~[utilized]~~ allowed/permitted unless adequate waterproofing and drainage are provided. Downspout or roof drain pipes shall not enter or pass through the tank.

R309-545-10. Internal Features.

The following shall apply to internal features of drinking water storage ~~[structures]~~ tanks:

(1) Drains.

(a) A means shall be provided for the draining of drinking water storage tanks.

(b) Where possible, the drain shall be separate from the outlet pipeline. If a tank drain line is provided, it shall be sloped for complete drainage.

(c) ~~[If a]~~The drain ~~[is provided, it]~~ shall not discharge to a sanitary sewer.

(d) If local authority allows discharge to a storm drain, the drain discharge shall have a physical clearance of at least 12 inches between the discharge end of the pipe and the overflow rim of the receiving basin.

(2) Internal Catwalks.

Internal catwalks, if provided and located over the drinking water, shall have a solid floor with raised edges. The edges and floor shall be designed so that shoe scrapings or dirt will not fall into the drinking water.

(3) Inlet and Outlet.

(a) To minimize potential sediment in the flow from the tank, the outlet pipes from all tanks shall be located in a manner to provide a silt trap prior to discharge into the distribution system.

(b) Inlet and outlet pipes shall be configured to provide mixing and circulation.

(4) Tank Floor.

The floor of the storage ~~[structure]~~ tank shall be sloped to permit complete drainage of the structure.

R309-545-11. Internal Surfaces and Coatings.

(1) ANSI/NSF Standard 61 Certification.

All interior surfaces ~~[or]~~ and coatings shall ~~[consist of products that are certified to]~~ comply with ANSI/NSF Standard 61 or other standards approved by the Director. This requirement applies to any pipes and fittings, protective materials (e.g., paints, coatings, concrete admixtures, concrete release agents, or concrete sealers), joining and sealing materials (e.g., adhesives, caulks, gaskets, primers

and sealants) and mechanical devices (e.g., electrical wire, switches, sensors, valves, or submersible pumps) that ~~[are located so as to]~~ may come into contact with the drinking water.

(2) Curing Procedures and Volatile Organic Compounds.

(a) Proper curing procedures shall be followed per manufacturer's directions, including curing time, temperature, and forced air ventilation. Drinking water shall not be introduced into the tank until proper curing has occurred.

(b) It shall be the responsibility of the water system to assure that no tastes, ~~[or]~~ odors, toxins, or contaminants, ~~[which]~~ that result in MCL exceedances, are imparted to the water as a result of tank coating or repair.

(c) Prior to placing a drinking water storage tank in service, cleaning, disinfection, and flushing procedures shall be completed.

(d) Prior to placing a drinking water storage tank in service, an analysis for volatile organic compounds from water contained therein may be required to verify ~~[that no such compounds have leached into the water]~~ compliance with drinking water maximum contaminant levels.

R309-545-12. Steel Tanks.

(1) Paints.

Proper protection shall be given to all metal surfaces, both internal and external, by paints or other protective coatings. Internal coatings shall comply with R309-545-11.

(2) Cathodic Protection.

If installed, internal cathodic protection shall be designed, installed and maintained by personnel trained in corrosion engineering.

R309-545-13. Tank Overflow.

All water storage ~~[structures]~~ tanks shall be provided with an overflow that ~~[is]~~ discharge[s] at an elevation between 12 and 24 inches above the ground surface or the rim of the receiving basin. The discharge[s] shall be directed away from the tank and shall not cause erosion.

(1) Diameter.

~~[All o]~~ Overflow pipes shall be of sufficient capacity to permit waste of water in excess of the filling rate.

(2) Slope.

~~[All o]~~ Overflow pipes shall be sloped for complete drainage.

(3) Screen.

~~[All o]~~ Overflow pipes shall be screened with No. 4 mesh non-corrodible screen installed at a location least susceptible to damage by vandalism.

(4) Visible Discharge.

~~[All o]~~ Overflow pipes shall be located so that any discharge is visible.

(5) Cross Connections.

~~[All o]~~ Overflow pipes shall not be connected to, or discharge into, any sanitary sewer system.

~~[]~~ (6) Paint.

~~[]~~ If an overflow pipe within a tank is painted or otherwise coated, the coating shall comply with ANSI/NSF Standard 61.

R309-545-14. Access Openings.

Drinking water storage ~~[structures]~~ tanks shall be designed with reasonably convenient access to the interior for cleaning and maintenance.

(1) Height.

There shall be at least one opening above the ~~water-line~~ level of the overflow, which shall be framed at least 4 inches above the surface of the roof at the opening; or if on a buried ~~structure~~ tank, shall be elevated at least 18 inches above any earthen cover over the ~~structure~~ tank. The frame shall be securely fastened and sealed to the tank roof to prevent any liquid contaminant entering the tank. Concrete drinking water storage ~~structures~~ tanks shall have raised curbs around access openings, formed and poured continuous with the pouring of the roof, and sloped to direct water away from the frame.

(2) Shoebox Lid.

The frame of any access opening shall be provided with a close-fitting, solid shoebox type cover that extends down around the frame at least 2 inches and is furnished with a gasket(s) between the lid and frame. The horizontal surface of the tank lid shall not have any openings, cracks, or penetrations, such as a lock, key hole, or bolted handle that would allow contaminants to enter the tank.

(3) Locking Device.

The lid to any access opening shall have a locking device.

R309-545-15. Venting.

Drinking water storage ~~structures~~ tanks shall be vented. The air venting capacity shall exceed the water inflow and the water outflow of the tank. Overflows shall not be considered or used as vents. Vents provided on drinking water storage tanks shall:

(1) Inverted Vent.

Be downturned a minimum of 2 inches below any opening and shielded to prevent the entrance of contaminants.

(2) Open Venting.

On buried structures, the end of the vent discharge shall be a minimum of 24 inches above the earthen covering.

(3) Blockage.

Be located and sized to avoid blockage during winter conditions.

(4) Screen.

Be fitted with No. 14 mesh or finer non-corrodible screen.

(5) Screen Protector.

Vents that are 6-inch diameter or greater shall be fitted with additional heavy gage screen or substantial covering, which will protect the No. 14 mesh screen against vandalism or damage.

R309-545-16. Freezing Prevention.

All drinking water storage ~~structures~~ tanks and their appurtenances, especially the riser pipes, overflows, and vents, shall be designed to prevent freezing which may interfere with proper functioning.

R309-545-17. Level Controls.

Adequate level control devices shall be provided to maintain water levels in storage ~~structures~~ tanks.

R309-545-18. Safety.

(1) Utah OSHA.

The safety of employees shall be considered in the design of the storage ~~structure~~ tanks. Ladders, ladder guards, platform railings, and safely located entrance hatches shall be provided where applicable. As a minimum, safety practices shall conform to pertinent laws and regulations of the Utah Occupational Safety and Health Division.

(2) Ladders.

Ladders having an unbroken length in excess of 20 feet shall be provided with appropriate safety features, such as a safety cage, a safety harness, platforms, etc.

(3) Requirements for Elevated Tanks.

Elevated tanks shall have railings or handholds provided to access the water compartment safely.

R309-545-19. Disinfection.

Drinking water storage ~~structures~~ tanks shall be disinfected before being put into service for the first time~~;~~ and after being entered,~~[for cleaning, repair, or painting.]~~ The tank shall be cleaned of all refuse and shall then be washed with drinking water prior to adding the disinfectant. AWWA Standard C652-11 shall be followed for tank disinfection.

Upon completing any of the three methods for storage tank chlorination, as outlined in AWWA C652-11, the water system must properly dispose of residual super-chlorinated waters in the outlet pipes. Other super-chlorinated waters, which are not to be ultimately diluted and delivered into the distribution system, shall also be properly disposed. Chlorinated water discharged from the storage tank shall be disposed of in conformance with R317 of the Utah Administrative Code.

R309-545-20. Tank Standards.

The plans and specifications shall incorporate the applicable portions of the following standards:

(1) AWWA Standards.

(a) C652-11, Disinfection of Water~~[—]~~Storage ~~Reservoirs~~ Facilities.

(b) D100-11, Welded Carbon Steel Tanks for Water Storage.

~~[(c) D101-53, Inspecting and Repairing Steel Water Tanks, Standpipes, Reservoirs, and Elevated Tanks for Water Storage.]~~

~~[(d)e] D102-11, Coating Steel Water-Storage Tanks.~~

~~[(e)d] D103-09, Factory-Coated Bolted Carbon Steel Tanks for Water Storage.~~

~~[(f)e] D104-11, Automatically Controlled, Impressed-Current Cathodic Protection for the Interior Submerged Surfaces of Steel Water Tanks.~~

~~[(g)f] D110-13, Wire- and Strand-Wound, Circular, Prestressed[-], Concrete Water Tanks.~~

~~[(h)g] D115-06, Tendon-Prestressed Concrete Water Tanks.~~

~~[(i)h] D120-09, Thermosetting Fiberglass-Reinforced Plastic Tanks.~~

~~[(j)i] D130-11, Geomembrane Materials for Potable Water Applications.~~

(2) NSF International Standards.

(a) NSF 60, Drinking Water Treatment Chemicals - Health Effects.

(b) NSF 61, Drinking Water System Components - Health Effects.

(3) Utah OSHA.

Applicable standards of the Utah Occupational Safety and Health Division ~~[are hereby incorporated by reference]~~ shall be adhered to.

R309-545-21. Operation and Maintenance of Storage Tanks.

(1) Inspection and Cleaning.

Tanks that are entered for inspection ~~and~~ or cleaning shall be disinfected in accordance with AWWA Standard C652-11 prior to being returned to service.

(2) Recoating or Repairing.

Any substance used to recoat or repair the interior of a drinking water storage tank shall be certified to conform to ANSI/NSF Standard 61. If the tank is not drained for recoating or repairing, any substance or material used to repair the interior coatings or cracks shall be suitable for underwater application, as indicated by the manufacturer, as well as comply with both ANSI/NSF Standards 60 and 61. Recoating of the interior of a drinking water tank shall comply with the plan review requirements of R309-500-5(1)(c)(i).

(3) Seasonal Use.

Water storage tanks which are operated seasonally shall be flushed and disinfected in accordance with AWWA Standard C652-11 prior to each season's use. Certification of proper disinfection shall be obtained by the water system and kept on file. During the non-use period, care shall be taken to see that openings to the water storage tank (those which are normally closed and sealed during normal use) are closed and secured.

KEY: drinking water, storage tanks, access, overflow and drains

Date of Enactment or Last Substantive Amendment: 2014

Notice of Continuation: March 22, 2010

Authorizing, and Implemented or Interpreted Law: 19-4-104

Environmental Quality, Drinking Water R309-550 Facility Design and Operation: Transmission and Distribution Pipelines

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 38536

FILED: 08/01/2014

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Engineering Section of the Division of Drinking Water was tasked to review the Drinking Water R309-550 series rules for revisions, clarifications, corrections, updates, etc.

SUMMARY OF THE RULE OR CHANGE: In addition to changes proposed in the original amendment, the proposed modifications to Rule R309-550 include the following: 1) revise references to the plumbing code to be "state-adopted plumbing code"; 2) revise references to engineer and supplier to be the water system; 3) add a requirement to submit information on the condition of the pipe when sewer and water lines are closer than 10 feet; 4) eliminate large portion of the cross connection section and reference the cross connection rule, to avoid inconsistencies; and 5) minor grammatical and other wording changes to provide clarity. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was

published in the June 1, 2014, issue of the Utah State Bulletin, on page 135. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-4-104(1)(a)(ii)

ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** This rule amendment makes clarifications, corrections, updates, etc. to Rule R309-550. Because this rule amendment only makes these types of changes, it should not significantly increase division staff time in administering the amended rule. Therefore, there should be no significant cost or savings from the change in proposed rule to the state budget.

◆ **LOCAL GOVERNMENTS:** The Division of Drinking Water regulates public drinking water systems and local governments are not part of the regulated community. Because of the type of rule change, it should not affect local governments. Therefore, there should be no significant cost or savings from the change in proposed rule to local governments.

◆ **SMALL BUSINESSES:** The Division of Drinking Water regulates public drinking water systems and small businesses are not part of the regulated community. Because of the type of rule modification, it should not affect small businesses. Therefore, there should be no significant cost or savings from the proposed rule amendment to small businesses.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The Division of Drinking Water regulates public drinking water systems and persons other than small businesses, businesses, and local government entities are not part of the regulated community, unless they are a public water system. Because of the type of rule change, it should not affect persons other than small businesses, businesses, or local government entities. Therefore there should be no significant cost or savings from the proposed rule amendment to persons other than small businesses, businesses, or local government entities.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Division of Drinking Water regulates public drinking water systems. This rule amendment makes clarifications, corrections, updates, etc. to Rule R309-550. Because of the type of these changes, it should not significantly increase the time public drinking water systems and their engineering consultants spend in submitting projects for plan review and approval. Therefore, there should be no significant cost or savings from the change in proposed rule to the state budget.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed changes will not significantly impact

businesses as the changes clarify compliance with the drinking water rules and update referenced standards for public drinking water systems.

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

ENVIRONMENTAL QUALITY
DRINKING WATER
THIRD FLOOR
195 N 1950 W
SALT LAKE CITY, UT 84116-3085
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Bob Hart by phone at 801-536-0054, by FAX at 801-536-4211, or by Internet E-mail at bhart@utah.gov
◆ Tammy North by phone at 801-536-4293, by FAX at 801-536-4211, or by Internet E-mail at tnorth@utah.gov
◆ Ying-Ying Macauley by phone at 801-536-4188, by FAX at 801-536-4211, or by Internet E-mail at ymacauley@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/15/2014

THIS RULE MAY BECOME EFFECTIVE ON: 09/22/2014

AUTHORIZED BY: Ken Bousfield, Director

R309. Environmental Quality, Drinking Water.

R309-550. Facility Design and Operation: Transmission and Distribution Pipelines.

R309-550-1. Purpose.

The purpose of this rule is to provide specific requirements for the design and installation of transmission and distribution pipelines ~~that are utilized to~~ which deliver drinking water to facilities of public drinking water systems or to consumers. It is intended to be applied in conjunction with rules R309-500 through R309-550. Collectively, these rules govern the design, construction, operation, and maintenance of public drinking water system facilities. These rules are intended to assure that ~~these~~ facilities are reliably capable of supplying water in adequate quantities ~~of water~~, ~~which~~ consistently meeting applicable drinking water quality requirements, and ~~do~~ not ~~pose~~ posing a threat to general public health.

R309-550-2. Authority.

This rule is promulgated by the Drinking Water Board as authorized by Title 19, Environmental Quality Code, Chapter 4, Safe Drinking Water Act, Subsection 104(1)(a)(ii) of the Utah Code and in accordance with Title 63G, Chapter 3 of the same, known as the Administrative Rulemaking Act.

R309-550-3. Definitions.

Definitions for certain terms used in this rule are given in R309-110 but may be further clarified herein.

R309-550-4. General.

Transmission and distribution pipelines shall be designed, constructed and operated to convey adequate quantities of water at ample pressure, while maintaining water quality.

R309-550-5. Water Main Design.

(1) Distribution System Pressure.

(a) The distribution system shall be designed to maintain minimum pressures as required in R309-105-9 at points of connection, under all conditions of flow.

(b) When static pressure exceeds 150 psi in new distribution water lines, pressure reducing devices shall be provided on mains in the distribution system where service connections exist.

(2) Design Flow Rates.

Flow rates used when designing or analyzing distribution systems shall meet the minimum requirements in R309-510.

(3) Hydraulic Analysis.

(a) All water mains shall be sized following a hydraulic analysis based on flow demands and pressure requirements.

(b) Where improvements will upgrade more than 50% of an existing distribution system, or where a new distribution system is proposed, a hydraulic analysis of the entire system shall be prepared and submitted for review prior to plan approval.

(c) Some projects require a hydraulic model. The Division may require submission of a hydraulic modeling report and/or certification, as outlined in R309-511, prior to plan approval.

(4) Minimum Water Main Size.

For water mains not connected to fire hydrants, the minimum line size shall be 4 inches in diameter, unless ~~it~~ they serve[s] picnic sites, parks, semi-developed camps, primitive camps, or roadway rest-stops. Minimum water main size, serving a fire hydrant lateral, shall be 8 inches in diameter unless a hydraulic analysis indicates that required flow and pressures can be maintained by 6-inch lines.

(5) Fire Protection.

When a public water system is required to provide water for fire flow by the local fire code official, or if the system has installed fire hydrants on existing distribution mains for that purpose:

(a) The design of the distribution system shall be consistent with the fire flow requirements as determined by the local fire code official.

(b) The location of fire hydrants shall be consistent with the requirements of the State-~~[-]~~adopted fire code and as determined by the local fire code official.

(c) The pipe network design shall permit fire flows to be met at representative locations while minimum pressures, as required in R309-105-9, are maintained at all times and at all points in the distribution system.

(d) Fire hydrant laterals shall be a minimum of 6 inches in diameter.

(6) Geologic Considerations.

The character of the soil through which water mains are to be laid shall be considered. Special design and burial techniques shall be employed for Community ~~[w]~~Water ~~[s]~~Systems in areas of geologic hazard (e.g., slide zones, fault zones, river crossings, etc.)

(7) Dead Ends.

(a) ~~In order to~~ To provide increased reliability of service and reduce head loss, dead ends shall be minimized by making appropriate tie-ins whenever practical.

(b) Where dead-end mains occur, they shall be provided with a fire hydrant if flow and pressure are sufficient, or with an approved flushing hydrant or blow-off for flushing purposes. Flushing devices shall be sized to provide flows that will give a velocity of at least 2.5 fps in the water main being flushed. No flushing device shall be directly connected to a ~~ny~~ sewer.

(8) Isolation Valves.

Sufficient number of valves shall be provided on water mains so that inconvenience and sanitary hazards will be minimized during repairs. Valves shall be located at not more than 500 foot intervals in commercial districts and at not more than one block or 800 foot intervals in other districts. Where systems serve widely scattered customers and where future development is not expected, the valve spacing shall not exceed one mile.

(9) Corrosive Soils and Waters.

~~The design engineer shall consider~~ Consideration shall be given to the materials to be used when corrosive soils or waters will be encountered.

(10) Special Precautions in Areas of Contamination.

Where distribution systems are installed in areas of contamination:

(a) pipe and joint materials~~;~~ which are not ~~subject~~ susceptible to contamination, such as permeation ~~of the~~ by organic compounds, shall be used; and,

(b) non-permeable materials shall be used for all portions of the system including water mains, service connections, and hydrant leads.

(11) Water Mains and Other Sources of Contamination.

~~Design engineers shall exercise caution~~ Caution shall be exercised when locating water mains at or near certain sites such as sewage treatment plants or industrial complexes. Individual septic tanks shall be located and avoided. The ~~engineer shall contact the~~ Division shall be contacted to establish specific design requirements ~~for~~ prior to locating water mains near a ~~ny~~ source of contamination.

R309-550-6. Component Materials and Design.

(1) ANSI/NSF Standard for Health Effects.

All materials that may come in contact with drinking water, including pipes, gaskets, lubricants and O-Rings, shall be ANSI-certified as meeting the requirements of ANSI/NSF Standard 61, Drinking Water System Components - Health Effects. To permit field-verification of this certification, all components shall be appropriately stamped with the NSF logo.

(2) Asbestos and Lead.

(a) The use of asbestos cement pipe shall not be allowed.

(b) Pipes and pipe fittings installed after January 4, 2014, ~~are required to~~ shall be "lead free" in accordance with Section 1417 of the Federal Safe Drinking Water Act. They shall be certified as meeting ANSI/NSF 372 or Annex G of ANSI/NSF 61.

(3) Standards for Mechanical Properties.

Pipe, joints, fittings, valves, and fire hydrants shall conform to ANSI/NSF Standard 61, and applicable sections of AWWA Standards C104-A21.4-08 through C550-05 and C900-07 through C950-07.

(4) Used Materials.

Only materials that have been used previously for conveying drinking water may be reused. Used materials shall meet the above standards, be thoroughly cleaned, and be restored to their original condition.

(5) Fire Hydrants.

(a) Hydrant drains shall not be connected to, or located within, 10 feet of sanitary sewers, ~~and w~~ Where possible, hydrant drains shall not be located within 10 feet of storm drains.

(b) Auxiliary valves shall be installed in all hydrant leads.

(c) Hydrant drains shall be installed with a gravel packet or dry well unless the natural soils will provide adequate drainage.

(6) Air Relief Valves and Blow-Offs.

~~a~~ At high points in water mains where air can accumulate, provisions shall be made to remove air by means of hydrants or air relief valves.

~~(a)~~ (b) The open end of the air relief vent pipe from automatic valves shall be provided with a #14 mesh, non-corrodible screen and a downward elbow, and where possible, be extended to at least one foot above grade. Alternatively, the open end of the pipe may be extended to as little as one foot above the top of the pipe if the valve's chamber is not subject to flooding, or if it meets the requirements of (7) Chamber Drainage.

~~(b)~~ (c) Blow-offs or air relief valves shall not be connected directly to a ~~ny~~ sewer.

~~(e)~~ (d) Adequate number of hydrants or blow-offs shall be provided to allow periodic flushing and cleaning of water lines.

~~(d)~~ The air relief valve shall be ~~placed~~ installed in a manner to prevent problems due to it from freezing. A shut-off valve shall be provided to permit servicing of an ~~ny~~ air relief valve.

(7) Chamber Drainage.

(a) Chambers, pits, or manholes containing valves, blow-offs, meters, or other such appurtenances to a distribution system, shall not be connected directly to a ~~ny~~ storm drain or sanitary sewer.

(b) Chambers shall be provided with a drain to daylight, if possible. Where this is not possible, underground gravel-filled absorption pits may be used if the site is not subject to flooding and conditions will assure adequate drainage. Sump pumps may also be considered if a drain to daylight or absorption pit is not feasible.

(8) Control Valve Stations

(a) Pressure Reducing Valves (PRVs)

(i) Isolation Valves shall be installed on ~~either~~ both sides of the pressure reducing valve.

(ii) Where variable flow conditions will be encountered, consideration ~~should~~ shall be given to providing parallel PRV lines to accommodate low and high flow conditions. ~~a low-flow and a high-flow line.~~

(b) Backflow Devices

Installation of Backflow devices shall conform to the State-adopted plumbing code.

(c) Meters

Meter installation shall conform to the State-adopted plumbing code and local jurisdictional standards.

R309-550-7. Separation of Water Mains and Transmission Lines from Sewers.

(1) Basic Separation Standards.

(a) The horizontal distance between water lines and sanitary sewer lines shall be at least 10 feet. Where a water main and a sewer line must cross, the water main shall be at least 18 inches above the sewer line. Separation distances shall be measured edge-to-edge (i.e. from the nearest edges of the facilities).

(b) Water mains and sewer lines shall not be installed in the same trench.

(c) Where local conditions make it impossible to install water or sewer lines at separation distances required by subsection (a), ~~above, and~~ the sewer pipes are in good condition, and there is not high groundwater in the area, it may be acceptable if the design includes a minimum horizontal separation of 6 feet and a minimum vertical clearance of 18 inches with the waterline being above. In order to determine whether the design is acceptable, the following information shall be submitted as part of the plans for review.

(i) reason for not meeting the minimum separation standard;

(ii) location where the water and sewer line separation is not being met;

(iii) horizontal and vertical clearance that will be achieved;

(iv) sewer line information including pipe material, condition, size, age, type of joints, thickness or pressure class, whether the pipe is pressurized or not, etc.;

(v) water line information including pipe material, condition, size, age, type of joints, thickness or pressure class, etc.;

(vi) ground water and soil conditions; and,

(vii) any mitigation efforts.

(d) If the basic separation standards as outlined in subsections (a) through (c) above cannot be met, an exception to the rule can be applied for with additional mitigation measures to protect public health, in accordance with R309-105-6(2)(b).

(3) Special Provisions.

The following special provisions apply to all situations:

(a) The basic separation standards are applicable under normal conditions for sewage collection lines and water distribution mains. More stringent requirements may be necessary if conditions such as high groundwater exist.

(b) All water transmission lines that may become unpressurized shall not be installed within 20 feet of sewer lines.

(c) In the installation of water mains or sewer lines, measures shall be taken to prevent or minimize disturbances of the existing line.

(d) Special consideration shall be given to the selection of pipe materials if corrosive conditions are likely to exist or where the minimum separation distances cannot be met. These conditions may be due to soil type, groundwater, and/or the nature of the fluid conveyed in the conduit, such as a septic sewage which produces corrosive hydrogen sulfide.

(e) Sewer Force Mains

(i) When a new sewer force main crosses under an existing water main, all portions of the sewer force main within 10 feet (horizontally) of the water main shall be enclosed in a continuous sleeve.

(ii) When a new water main crosses over an existing sewer force main, the water main shall be constructed of pipe materials with a minimum rated working pressure of 200 psi or equivalent pressure rating.

(4) Water Service Laterals Crossing Sewer Mains and Laterals.

Water service laterals shall conform to all requirements given herein for the separation of water and sewer lines.

R309-550-8. Installation of Water Mains.

(1) Standards.

The specifications shall incorporate the provisions of the manufacturer's recommended installation procedures or the following applicable standards:

(a) For ductile iron pipe, AWWA Standard C600-10, Installation of Ductile Iron Water Mains and Their Appurtenances;

(b) For PVC pipe, ASTM D2774, Recommended Practice for Underground Installation of Thermoplastic Pressure Piping and PVC Pipe and AWWA Manual of Practice M23, 2003;

(c) For HDPE pipe, ASTM D2774, Recommended Practice for Underground Installation of Thermoplastic Pressure Piping and AWWA Manual of Practice M55, 2006; and,

(d) For Steel pipe, AWWA Standard C604-11, Installation of Buried Steel Water Pipe- 4 inch and Larger.

(2) Bedding.

A continuous and uniform bedding shall be provided in the trench for all buried pipe. Stones larger than the backfill materials described below shall be removed for a depth of at least 6 inches below the bottom of the pipe.

(3) Backfill.

Backfill material shall be tamped in layers around the pipe and to a sufficient height above the pipe to adequately support and protect the pipe. The material and backfill zones shall be as specified by the standards referenced in Subsection (1), above. As a minimum:

(a) for plastic pipe, backfill material with a maximum particle size of 3/4 inch shall be used to surround the pipe; and,

(b) for ductile iron pipe, backfill material shall contain no stones larger than 2 inches.

(4) Dropping Pipe into Trench.

Under no circumstances shall the pipe or accessories be dropped into the trench.

(5) Burial Cover.

All water mains shall be covered with sufficient earth or other insulation to prevent freezing, unless they are part of a non-community system that can be shut-down and drained during winter months when temperatures are below freezing.

(6) Thrust Blocking.

All tees, bends, plugs, and hydrants shall be provided with thrust blocking, anchoring, tie rods, or restraint joints designed to prevent movement. Restraints shall be sized to withstand the forces experienced.

(7) Pressure and Leakage Testing.

All types of installed pipe shall be pressure tested and leakage tested in accordance with AWWA Standard C600-10.

(8) Surface Water Crossings.

(a) Above Water Crossings

The pipe shall be adequately supported and anchored, protected from damage and freezing, and accessible for repair or replacement.

(b) Underwater Crossings

(i) A minimum cover of 2 feet or greater, as local conditions may dictate, shall be provided over the pipe.

(ii) When crossing water courses that are greater than 15 feet in width, the following shall be provided:

(A) Pipe with joints shall be of special construction, having restrained joints for ~~[any]~~ joints within the surface water course and flexible restrained joints at both edges of the water course.

(B) Isolating valves shall be provided on both sides of the water crossing at locations not subject to high ground water or flooding, so that the section can be isolated for testing or repair.

(C) A means shall be provided, such as a sampling tap, not subject to flooding, to allow for representative water quality testing on the upstream and downstream side of the crossing.

(D) A means shall be provided to pressure test the underground water crossing pipe.

(9) Sealing Pipe Ends During Construction.

The open ends of all pipelines under construction shall be covered and effectively sealed at the end of the day's work.

(10) Disinfecting Water Lines.

All new water mains or appurtenances shall be disinfected in accordance with AWWA Standard C651-05 or a method approved by the Director. The specifications shall include detailed procedures for the adequate flushing, disinfection and microbiological testing of all water mains. On all new and extensive distribution system construction, evidence of satisfactory disinfection shall be provided to the Division. Samples for coliform analyses shall be collected after disinfection is complete and the system is refilled with drinking water. A standard heterotrophic plate count is advisable. The use of water for public drinking water purposes shall not commence until the bacteriological tests indicate the water is free from contamination.

R309-550-9. Cross Connections and Interconnections.

(1) Physical Cross Connections.

There shall be no physical cross connections between the distribution system and pipe, pumps, hydrants, or tanks ~~[h]~~ that may be contaminated from any source, including pressurized irrigation.

(2) Recycled Water.

Neither steam condensate nor cooling water from engine jackets or other heat exchange devices shall be returned to the drinking water supply.

(3) System Interconnects.

The interconnections between different drinking water systems shall be reviewed and approved by the Director.

R309-550-10. Water Hauling.

(1) Community Water Systems.

Water hauling is not an acceptable permanent source for drinking water distribution in ~~[e]~~ Community ~~[w]~~ Water ~~[s]~~ Systems.

(2) Non-~~[e]~~ Community Systems.

The Director may allow water hauling for ~~[n]~~ Non-~~[e]~~ Community ~~[p]~~ Public ~~[w]~~ Water ~~[s]~~ Systems by special approval if:

(a) consumers can not otherwise be supplied with good quality drinking water; or,

(b) the nature of the development, or ground conditions, are such that the placement of a pipe distribution system is not justified.

Proposals for water hauling shall be submitted to, and approved by, the Director.

(3) Emergencies.

Water hauling may be a temporary means of providing drinking water in an emergency. Water systems shall notify the Division as soon as possible of such emergencies.

R309-550-11. Service Connections and Plumbing.

(1) Service Taps.

Service taps shall not jeopardize the quality of the system's water.

(2) Plumbing.

(a) Water services and plumbing shall conform to the ~~[Utah]~~ State-adopted Plumbing Code.

(b) Pipes and pipe fittings installed after January 4, 2014, ~~[are required to]~~ shall be "lead-free" in accordance with Section 1417 of the federal Safe Drinking Water Act. They shall be certified meeting the ANSI/NSF 372 or Annex G of ANSI/NSF 61.

(3) Individual Home Booster Pumps.

Individual booster pumps shall not be allowed for ~~[any]~~ individual service from the public water supply mains. Exceptions to the rule may be granted by the Director if it can be shown that the granting of such an exception will not jeopardize the public health.

(4) Service Lines.

(a) Service lines shall be capped until connected for service.

(b) The portion of the service line under the control of the water system is considered to be part of the distribution system.

(5) Service Meters and Building Service Line.

Connections between the service meter and the home shall be in accordance with the ~~[Utah]~~ State-adopted Plumbing Code.

R309-550-12. Transmission Lines.

(1) Unpressurized Flows.

Transmission lines shall conform to all applicable requirements in this rule. Transmission line design shall minimize unpressurized flows.

(2) Proximity to Concentrated Sources of Pollution.

A water ~~[supplier]~~ system shall not ~~[route]~~ install an unpressurized transmission line ~~[any closer]~~ less than 20 feet ~~[to any]~~ from a concentrated source of pollution (e.g., septic tanks and drain fields, garbage dumps, pit privies, sewer lines, feed lots, etc.). Furthermore, unpressurized transmission lines shall not be placed in boggy areas or areas subject to the ponding of water.

R309-550-13. Operation and Maintenance.

(1) Disinfection After Line Repair.

The disinfection procedures of Section 4.7, AWWA Standard C651-05 shall be followed if a ~~[ny]~~ water main is cut ~~[into]~~ or repaired.

(2) Cross Connections.

The water system shall not allow a connection that may jeopardize water quality. Cross connections ~~shall be eliminated by physical separation. [are not allowed unless controlled by] an air gap, or an approved and properly operating backflow prevention assembly. [The requirements of the Utah Plumbing Code shall be met with respect to cross connection control and backflow prevention.~~

~~Water systems shall maintain an inventory of each pressure vacuum breaker assembly, spill-resistant vacuum breaker assembly, double check valve assembly, reduced pressure principle backflow prevention assembly, and high hazard air gap used by their customers, and a service/inspection record for each such assembly.~~

~~Backflow prevention assemblies shall be inspected and tested at least once a year, by an individual certified for such work. This responsibility may be borne by the water system or the water system management may require that the customer with the backflow prevention assembly be responsible for having the device tested.~~

~~Water systems serving areas also served by a pressurized irrigation system shall not allow cross connections between the two.]~~

The water system shall have an ongoing cross connection control program in compliance with R309-105-12.

(3) ANSI/NSF Standards.

All pipe and fittings used in routine operation and maintenance shall be ANSI-certified as meeting NSF Standard 61 or Standard 14.

(4) Seasonal Operation.

Water systems operated seasonally shall be disinfected and flushed according to AWWA Standard C651-05 for pipelines and AWWA Standard C652-11 for storage facilities prior to each season's

use. A satisfactory bacteriologic sample shall be obtained prior to use. During the non-use period, care shall be taken to close all openings into the system.

KEY: drinking water, transmission and distribution pipelines, connections, water hauling

Date of Enactment or Last Substantive Amendment: 2014

Notice of Continuation: March 22, 2010

Authorizing, and Implemented or Interpreted Law: 19-4-104

End of the Notices of Changes in 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 agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at <http://www.rules.utah.gov/publicat/code.htm>. The rule text may also be inspected at the agency or the Division of Administrative Rules. **REVIEWS** are effective upon filing.

REVIEWS are governed by Section 63G-3-305.

Agriculture and Food, Conservation Commission **R64-1** Agriculture Resource and Development Loans (ARDL)

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**
DAR FILE NO.: 38712
FILED: 07/23/2014

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 Subsection 4-18-5(e) which authorizes the Conservation Commission to approve and make loans for agricultural purposes, from the Agriculture Resource Development Fund for projects designed to improve agricultural efficiency, conserve resources, and provide programs or improvements for agriculture product storage or protections of a crop or animal resource. This rule clarifies the programs current changes and explains the respected parties involved.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received supporting or opposing this rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY

DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The program is ongoing, growing and successful. This program now allows us to protect our crop and animal resources with structures efficiently produced and increased through the objectives of the program. It provides a benefit to the agriculture community the state and the environment. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
AGRICULTURE AND FOOD
CONSERVATION COMMISSION
350 N REDWOOD RD
SALT LAKE CITY, UT 84116-3034
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
♦ Kathleen Mathews by phone at 801-538-7103, by FAX at 801-538-7126, or by Internet E-mail at kmathews@utah.gov
♦ Scott Ericson by phone at 801-538-7102, by FAX at 801-538-7126, or by Internet E-mail at sericson@utah.gov

AUTHORIZED BY: LuAnn Adams, Commissioner

EFFECTIVE: 07/23/2014

Natural Resources, Water Rights **R655-3** Reports of Water Rights Conveyance

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT
OF CONTINUATION**
DAR FILE NO.: 38723
FILED: 08/01/2014

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: These rules are issued pursuant to Section 73-1-10 which provides that the state engineer shall adopt rules that specify when a water right owner is authorized to prepare a Report of Conveyance to the state engineer; the kinds of information required in such reports; and the procedures for processing such reports.

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 THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule is still required for processing reports of conveyance. Therefore, this rule should be continued.

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

NATURAL RESOURCES
 WATER RIGHTS
 ROOM 220
 1594 W NORTH TEMPLE
 SALT LAKE CITY, UT 84116-3154
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 ♦ Marianne Burbidge by phone at 801-538-7370, by FAX at 801-538-7467, or by Internet E-mail at marianneburbidge@utah.gov

AUTHORIZED BY: Kent Jones, State Engineer/Director

EFFECTIVE: 08/01/2014

**Natural Resources, Water Rights
 R655-4
 Water Wells**

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
 DAR FILE NO.: 38722
 FILED: 08/01/2014

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: Subsection 73-2-1(4)(b), the State Engineer, as the Director of the Utah Division of Water Rights, is required to make rules regarding well construction and related regulated activities and the licensing of water well drillers and pump installers. These rules are promulgated pursuant to Section 73-3-25. The purpose of these rules is to assist in the orderly development of underground water; insure that minimum construction standards are followed in the drilling, construction, deepening, repairing, renovating, cleaning, development, pump installation/repair, and abandonment of water wells and other regulated wells; prevent pollution of aquifers within the state; prevent wasting of water from flowing wells; obtain accurate records of well construction operations; and insure compliance with the state engineer's authority for appropriating water. These rules also establish administrative procedures for applications, approvals, hearings, notices, revocations, orders and their judicial review, and all other administrative procedures required or allowed by these rules. These rules shall be liberally construed to permit the Division to effectuate the purposes of Utah law.

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 comments have been received in the past five years.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is still required for processing and acceptance by the State Engineer. Therefore, this rule should be continued.

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

NATURAL RESOURCES
 WATER RIGHTS
 ROOM 220
 1594 W NORTH TEMPLE
 SALT LAKE CITY, UT 84116-3154
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 ♦ Marianne Burbidge by phone at 801-538-7370, by FAX at 801-538-7467, or by Internet E-mail at marianneburbidge@utah.gov

AUTHORIZED BY: Kent Jones, State Engineer/Director

EFFECTIVE: 08/01/2014

**Public Safety, Highway Patrol
R714-600
Performance Standards for Tow Truck
Motor Carriers**

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

DAR FILE NO.: 38711
FILED: 07/22/2014

**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 Subsection 41-6a-1406(10) which provides that the department shall make rules setting the performance standards for towing companies to be used by the department.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Comments have been received in regard to the tow truck rotation schedule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule needs to be continued because it establishes procedures for a tow truck to be dispatched when a sworn officer requests the removal and towing of a motor vehicle.

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

PUBLIC SAFETY
HIGHWAY PATROL
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY, UT 84119-5994
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Robert Anderson by phone at 801-381-4933, by FAX at 801-965-4608, or by Internet E-mail at robertanderson@utah.gov

AUTHORIZED BY: Daniel Fuhr, Colonel/Superintendent

EFFECTIVE: 07/22/2014

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

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

Agencies have notified the Division of Administrative Rules that the rules listed below have been made effective.

NOTICES OF EFFECTIVE DATE are governed by Subsection 63G-3-301(12), Section 63G-3-303, and Sections R15-4-5a and R15-4-5b.

Abbreviations

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

Administrative Services

Administration
No. 38569 (AMD): R13-2. Access to Records
Published: 06/15/2014
Effective: 07/22/2014

Capitol Preservation Board (State)

Administration
No. 38557 (AMD): R131-4. Capitol Preservation Board
General Procurement Rule
Published: 06/15/2014
Effective: 07/22/2014

Commerce

Occupational and Professional Licensing
No. 38549 (AMD): R156-15A-231. Administration of Building
Code Training Fund and Factory Built Housing Fees Account
Published: 06/15/2014
Effective: 07/22/2014

No. 38548 (AMD): R156-40a-302a. Qualifications for
Licensure
Published: 06/15/2014
Effective: 07/22/2014

No. 38552 (AMD): R156-68. Utah Osteopathic Medical
Practice Act Rule
Published: 06/15/2014
Effective: 07/28/2014

Health

Health Care Financing, Coverage and Reimbursement Policy
No. 38381 (AMD): R414-1-5. Incorporations by Reference
Published: 04/15/2014
Effective: 07/28/2014

Heritage and Arts

History
No. 38331 (NEW): R455-14. Procedures for Electronic
Meetings
Published: 04/01/2014
Effective: 07/21/2014

No. 38333 (NEW): R455-15. Procedures for Emergency
Meetings
Published: 04/01/2014
Effective: 07/21/2014

Labor Commission

Adjudication
No. 38554 (AMD): R602-2-4. Attorney Fees
Published: 06/15/2014
Effective: 07/22/2014

Industrial Accidents

No. 38553 (AMD): R612-200-8. Burial Expenses
Published: 06/15/2014
Effective: 07/22/2014

**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, 2014 through August 01, 2014. The Rules Index is published in the Utah State Bulletin and in the annual Utah Administrative Rules 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).

Questions regarding the index and the information it contains should be addressed to the Division of Administrative Rules (801-538-3764).

A copy of the **RULES INDEX** is available for public inspection at the Division of Administrative Rules (5110 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 (Proposed Rule)	LNR = Legislative Nonreauthorization
CPR = Change in Proposed Rule	NEW = New Rule (Proposed Rule)
EMR = 120-Day (Emergency) Rule	NSC = Nonsubstantive Rule Change
EXD = Expired Rule	R&R = Repeal and Reenact (Proposed Rule)
EXP = Expedited Rule	REP = Repeal (Proposed Rule)
EXT = Five-Year Review Extension	5YR = Five-Year Notice of Review and Statement of Continuation
GEX = Governor's Extension	

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ADMINISTRATIVE SERVICES					
<u>Administration</u>					
R13-2	Access to Records	38570	5YR	06/02/2014	2014-12/53
R13-2	Access to Records	38569	AMD	07/22/2014	2014-12/6
<u>Child Welfare Parental Defense (Office of)</u>					
R19-1	Parental Defense Counsel Training	38547	5YR	05/21/2014	2014-12/53
<u>Debt Collection</u>					
R21-2	Office of State Debt Collection Administrative Procedures	38497	NSC	05/29/2014	Not Printed
R21-3	Debt Collection Through Administrative Offset	38496	NSC	05/29/2014	Not Printed
<u>Facilities Construction and Management</u>					
R23-3	Planning and Programming for Capital Projects	38405	5YR	04/03/2014	2014-9/49
R23-23	Health Reform -- Health Insurance Coverage in State Contracts -- Implementation	38587	5YR	06/10/2014	2014-13/133
R23-29	Across the Board Delegation	38404	5YR	04/03/2014	2014-9/49
R23-29	Across the Board Delegation	38425	R&R	06/09/2014	2014-9/4
R23-33	Rules for the Prioritization and Scoring of Capital Improvements by the Utah State Building Board	38247	NEW	03/10/2014	2014-3/2
<u>Finance</u>					
R25-7	Travel-Related Reimbursements for State Employees	38175	AMD	02/07/2014	2014-1/4
R25-7	Travel-Related Reimbursements for State Employees	38471	AMD	06/23/2014	2014-10/4
R25-10	State Entities' Posting of Financial Information to the Utah Public Notice Website	38653	5YR	06/25/2014	2014-14/79
<u>Fleet Operations</u>					
R27-4-13	Disposal of State Vehicles	38312	AMD	04/22/2014	2014-6/4
R27-7-3	Driver Eligibility to Operate a State Vehicle	38073	AMD	03/11/2014	2013-22/14
<u>Purchasing and General Services</u>					
R33-1	Utah State Procurement Rules Definitions	38500	R&R	07/08/2014	2014-11/4
R33-1	Utah Procurement Rules, "General Procurement Provisions," Definitions	38689	5YR	07/08/2014	2014-15/61
R33-2	Procurement Organization	38501	R&R	07/08/2014	2014-11/6
R33-2	Rules of Procedure for Procurement Policy Board	38690	5YR	07/08/2014	2014-15/61
R33-3	Source Selection and Contract Formation	38502	R&R	07/08/2014	2014-11/9
R33-3	Procurement Organization	38691	5YR	07/08/2014	2014-15/62
R33-4	Specifications	38503	R&R	07/08/2014	2014-11/28

R33-4	General Procurement Provisions, Prequalifications, Specifications, and Small Purchases	38692	5YR	07/08/2014	2014-15/62
R33-5	Construction and Architect-Engineer Selection	38504	R&R	07/08/2014	2014-11/32
R33-5	Request for Information	38693	5YR	07/08/2014	2014-15/63
R33-6	Modification and Termination of Contracts for Supplies, Services, Construction, and Technology	38218	EXT	01/02/2014	2014-3/57
R33-6	Modification and Termination of Contracts for Supplies, Services, Construction, and Technology	38446	5YR	04/17/2014	2014-10/111
R33-6	Modification and Termination of Contracts for Supplies, Services, Construction, and Technology	38505	R&R	07/08/2014	2014-11/43
R33-6	Bidding	38694	5YR	07/08/2014	2014-15/64
R33-7	Cost Principles	38219	EXT	01/02/2014	2014-3/57
R33-7	Cost Principles	38447	5YR	04/17/2014	2014-10/111
R33-7	Cost Principles	38506	R&R	07/08/2014	2014-11/49
R33-7	Request for Proposals	38695	5YR	07/08/2014	2014-15/64
R33-8	Property Management	38507	R&R	07/08/2014	2014-11/56
R33-8	Exceptions to Procurement Requirements	38696	5YR	07/08/2014	2014-15/65
R33-9	Insurance Procurement	38220	EXT	01/02/2014	2014-3/57
R33-9	Insurance Procurement	38448	5YR	04/17/2014	2014-10/112
R33-9	Insurance Procurement	38508	R&R	07/08/2014	2014-11/59
R33-9	Cancellations, Rejections, and Debarment	38697	5YR	07/08/2014	2014-15/65
R33-10	State Construction Contracts and Drug and Alcohol Testing	38509	R&R	07/08/2014	2014-11/62
R33-10	Preferences	38698	5YR	07/08/2014	2014-15/66
R33-11	Surplus Property	38524	R&R	07/08/2014	2014-11/64
R33-11	Form of Bonds	38699	5YR	07/08/2014	2014-15/66
R33-12	Rules of Procedure for Procurement Policy Board and Procurement Appeals Panel	38510	R&R	07/08/2014	2014-11/71
R33-12	Terms and Conditions, Contracts, Change Orders and Costs	38700	5YR	07/08/2014	2014-15/67
R33-13	General Construction Provisions	38511	NEW	07/08/2014	2014-11/79
R33-14	Procurement of Design-Build Transportation Project Contracts	38512	NEW	07/08/2014	2014-11/83
R33-15	Architect-Engineer Services	38513	NEW	07/08/2014	2014-11/84
R33-16	Controversies and Protests	38514	NEW	07/08/2014	2014-11/86
R33-17	Procurement Appeals Board	38515	NEW	07/08/2014	2014-11/87
R33-18	Appeal to the Utah Court of Appeals	38516	NEW	07/08/2014	2014-11/89
R33-19	General Provisions Related to Protest or Appeal	38518	NEW	07/08/2014	2014-11/90
R33-20	Records	38519	NEW	07/08/2014	2014-11/91
R33-21	Interaction Between Procurement Units	38520	NEW	07/08/2014	2014-11/92
R33-22	Reserved	38526	NEW	07/08/2014	2014-11/94
R33-23	Reserved	38527	NEW	07/08/2014	2014-11/95
R33-24	Unlawful Conduct	38521	NEW	07/08/2014	2014-11/95
R33-25	Executive Branch Insurance Procurement	38522	NEW	07/08/2014	2014-11/97
R33-26	State Surplus Property	38523	NEW	07/08/2014	2014-11/98
<u>Records Committee</u>					
R35-1	State Records Committee Appeal Hearing Procedures	38572	5YR	06/03/2014	2014-13/133
R35-1a	State Records Committee Definitions	38573	5YR	06/03/2014	2014-13/134
R35-2	Declining Appeal Hearings	38574	5YR	06/03/2014	2014-13/135
R35-3	Prehearing Conferences	38575	5YR	06/03/2014	2014-13/135
R35-4	Compliance with State Records Committee Decisions and Orders	38576	5YR	06/03/2014	2014-13/136
R35-5	Subpoenas Issued by the Records Committee	38577	5YR	06/03/2014	2014-13/136
R35-6	Expedited Hearing	38578	5YR	06/03/2014	2014-13/137
<u>Risk Management</u>					
R37-4	Adjusted Utah Governmental Immunity Act Limitations on Judgments	38250	AMD	04/30/2014	2014-4/4

RULES INDEX

AGRICULTURE AND FOOD

Animal Industry

R58-3	Brucellosis Vaccination Requirements	38294	AMD	04/16/2014	2014-5/4
R58-20	Domesticated Elk Hunting Parks	38251	5YR	01/17/2014	2014-4/67

Conservation Commission

R64-1	Agriculture Resource and Development Loans (ARDL)	38712	5YR	07/23/2014	Not Printed
R64-3	Utah Environmental Stewardship Certification Program (UESCP), a.k.a. Agriculture Certificate of Environmental Stewardship (ACES)	38071	NEW	05/08/2014	2013-22/15
R64-3	Utah Environmental Stewardship Certification Program (UESCP), a.k.a. Agriculture Certificate of Environmental Stewardship (ACES)	38071	CPR	05/08/2014	2014-7/82

Marketing and Development

R65-12	Utah Small Grains and Oilseeds Marketing Order	38287	NEW	04/16/2014	2014-5/5
--------	--	-------	-----	------------	----------

Regulatory Services

R70-310	Grade A Pasteurized Milk	38467	NSC	05/16/2014	Not Printed
R70-310	Grade A Pasteurized Milk	38636	EXT	06/18/2014	2014-14/87
R70-310	Grade A Pasteurized Milk	38651	5YR	06/24/2014	2014-14/79
R70-310	Grade A Pasteurized Milk	38652	NSC	07/11/2014	Not Printed
R70-410	Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes	38315	AMD	05/08/2014	2014-6/5
R70-530	Food Protection	38262	R&R	03/27/2014	2014-4/5

ALCOHOLIC BEVERAGE CONTROL

Administration

R81-1-16	Disqualification Based Upon Conviction of Crime	38274	AMD	03/25/2014	2014-4/10
R81-1-32	Further Application	38323	AMD	04/29/2014	2014-6/7
R81-7	Single Event Permits	38275	AMD	03/25/2014	2014-4/11
R81-10b	Temporary Beer Event Permits	38276	AMD	03/25/2014	2014-4/14

ATTORNEY GENERAL

Administration

R105-2	Records Access and Management	38245	NSC	01/30/2014	Not Printed
--------	-------------------------------	-------	-----	------------	-------------

CAPITOL PRESERVATION BOARD (STATE)

Administration

R131-4	Capitol Preservation Board General Procurement Rule	38546	EMR	05/21/2014	2014-12/49
R131-4	Capitol Preservation Board General Procurement Rule	38557	AMD	07/22/2014	2014-12/8
R131-13	Health Reform - Health Insurance Coverage in State Contracts - Implementation	38476	5YR	05/01/2014	2014-10/113
R131-13	Health Reform - Health Insurance Coverage in State Contracts - Implementation	38479	AMD	07/08/2014	2014-11/103

COMMERCE

Consumer Protection

R152-21	Credit Services Organizations Act Rules	38266	5YR	01/29/2014	2014-4/67
R152-26	Telephone Fraud Prevention Act	38125	AMD	01/07/2014	2013-23/4

Corporations and Commercial Code

R154-2	Utah Uniform Commercial Code, Revised Article 9 Rules	38320	R&R	04/21/2014	2014-6/9
--------	---	-------	-----	------------	----------

Occupational and Professional Licensing

R156-1-501	Unprofessional Conduct	38157	AMD	01/21/2014	2013-24/6
------------	------------------------	-------	-----	------------	-----------

R156-1-501	Unprofessional Conduct	38253	NSC	01/31/2014	Not Printed
R156-15	Health Facility Administrator Act Rule	38337	AMD	05/08/2014	2014-7/5
R156-15A-231	Administration of Building Code Training Fund and Factory Built Housing Fees Account	38549	AMD	07/22/2014	2014-12/10
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rule	38279	AMD	04/08/2014	2014-5/7
R156-24b	Physical Therapy Practice Act Rule	38473	AMD	06/23/2014	2014-10/9
R156-31b	Nurse Practice Act Rule	38475	R&R	06/23/2014	2014-10/11
R156-38a-401	Requirements for a Letter of Credit and/or Evidence of a Cash Deposit as Alternate Security for Mechanics' Lien	38533	NSC	05/29/2014	Not Printed
R156-40	Recreational Therapy Practice Act Rule	38517	AMD	07/08/2014	2014-11/105
R156-40a-302a	Qualifications for Licensure	38548	AMD	07/22/2014	2014-12/13
R156-42a	Occupational Therapy Practice Act Rule	38254	5YR	01/21/2014	2014-4/68
R156-42a	Occupational Therapy Practice Act Rule	38313	AMD	04/21/2014	2014-6/24
R156-44a	Nurse Midwife Practice Act Rule	38249	5YR	01/16/2014	2014-4/69
R156-46a	Hearing Instrument Specialist Licensing Act Rule	38155	AMD	01/21/2014	2013-24/7
R156-46a	Hearing Instrument Specialist Licensing Act Rule	38257	5YR	01/27/2014	2014-4/69
R156-55a	Utah Construction Trades Licensing Act Rule	38151	AMD	01/21/2014	2013-24/10
R156-55a-301	License Classifications - Scope of Practice	38380	NSC	04/14/2014	Not Printed
R156-60	Mental Health Professional Practice Act Rule	38421	5YR	04/08/2014	2014-9/50
R156-60-102	Definitions	38390	AMD	05/22/2014	2014-8/6
R156-61	Psychologist Licensing Act Rule	38233	5YR	01/13/2014	2014-3/49
R156-63a	Security Personnel Licensing Act Contract Security Rule	38450	AMD	06/23/2014	2014-10/45
R156-63b	Security Personnel Licensing Act Armored Car Rule	38474	AMD	06/23/2014	2014-10/48
R156-67	Utah Medical Practice Act Rule	38106	AMD	01/07/2014	2013-23/5
R156-68	Utah Osteopathic Medical Practice Act Rule	38107	AMD	01/07/2014	2013-23/6
R156-68	Utah Osteopathic Medical Practice Act Rule	38552	AMD	07/28/2014	2014-12/14
R156-69	Dentist and Dental Hygienist Practice Act Rule	38149	AMD	01/21/2014	2013-24/20
R156-72	Acupuncture Licensing Act Rule	38165	AMD	02/10/2014	2014-1/8
R156-77	Direct-Entry Midwife Act Rule	38375	AMD	05/22/2014	2014-8/7
R156-80a	Medical Language Interpreter Act Rule	38388	5YR	03/31/2014	2014-8/37
R156-81	Retired Volunteer Health Care Practitioner Act Rule	38382	5YR	03/25/2014	2014-8/37
<u>Real Estate</u>					
R162-2f	Real Estate Licensing and Practices Rules	38213	AMD	02/25/2014	2014-2/4
R162-2g	Real Estate Appraiser Licensing and Certification Administrative Rules	38270	AMD	03/31/2014	2014-4/16
R162-2g	Real Estate Appraiser Licensing and Certification Administrative Rules	38389	AMD	05/22/2014	2014-8/8
CORRECTIONS					
<u>Administration</u>					
R251-111	Government Records Access and Management	38255	NEW	03/26/2014	2014-4/25
CRIME VICTIM REPARATIONS					
<u>Administration</u>					
R270-1-13	Awards	38221	EMR	01/04/2014	2014-3/47
R270-3	ADA Complaint Procedure	38258	EXT	01/27/2014	2014-4/75
R270-3	ADA Complaint Procedure	38498	5YR	05/12/2014	2014-11/171
R270-4	Government Records Access and Management Act	38259	EXT	01/27/2014	2014-4/75
R270-4	Government Records Access and Management Act	38499	5YR	05/12/2014	2014-11/171
EDUCATION					
<u>Administration</u>					
R277-102	Adjudicative Proceedings	38408	5YR	04/04/2014	2014-9/51

RULES INDEX

R277-105	Recognizing Constitutional Freedoms in the Schools	38409	5YR	04/04/2014	2014-9/51
R277-105	Recognizing Constitutional Freedoms in the Schools	38432	AMD	06/09/2014	2014-9/8
R277-116	Utah State Board of Education Internal Audit Procedure	38183	AMD	02/07/2014	2014-1/10
R277-117	Utah State Board of Education Protected Documents	38295	5YR	02/13/2014	2014-5/59
R277-117	Utah State Board of Education Protected Documents	38299	AMD	04/07/2014	2014-5/16
R277-118	LEA Post-employment Benefits Plans	38433	NEW	06/09/2014	2014-9/11
R277-119	Discretionary Funds	38357	NEW	05/08/2014	2014-7/7
R277-400	School Emergency Response Plans	38296	5YR	02/13/2014	2014-5/59
R277-400	School Emergency Response Plans	38300	AMD	04/07/2014	2014-5/17
R277-400-5	Plan(s) Content--Educational Services and Student Supervision and Building Access	38426	NSC	04/29/2014	Not Printed
R277-410-5	Accreditation Procedures	38434	AMD	06/09/2014	2014-9/13
R277-419-9	Provisions for Maintaining Student Membership and Enrollment Documentation and Documentation of Student Education Services Provided by Third Party Vendors for School Year 2014-2015	38585	EMR	06/09/2014	2014-13/129
R277-437	Student Enrollment Options	38185	AMD	02/07/2014	2014-1/12
R277-438	Dual Enrollment	38347	5YR	03/14/2014	2014-7/89
R277-462	Comprehensive Counseling and Guidance Program	38591	5YR	06/10/2014	2014-13/137
R277-463	Class Size Average and Pupil-Teacher Ratio Reporting	38590	5YR	06/10/2014	2014-13/138
R277-470-6	Charter School Mentoring Program	38186	AMD	02/07/2014	2014-1/14
R277-472	Charter School Student Enrollment and Transfers and School District Capacity Information	38589	5YR	06/10/2014	2014-13/138
R277-477	Distribution of Funds from the Interest and Dividend Account and Administration of the School LAND Trust Program	38541	AMD	07/08/2014	2014-11/109
R277-477-3	Distribution of Funds - Local Board or Local Charter Board Approval of School LAND Trust Plans	38326	NSC	04/01/2014	Not Printed
R277-480	Charter School Revolving Account	38588	5YR	06/10/2014	2014-13/139
R277-481	Charter School Oversight, Monitoring and Appeals	38187	AMD	02/07/2014	2014-1/15
R277-486	Professional Staff Cost Program	38348	5YR	03/14/2014	2014-7/89
R277-486	Professional Staff Cost Program	38356	NSC	04/01/2014	Not Printed
R277-491	School Community Councils	38542	AMD	07/08/2014	2014-11/113
R277-495	Required Policies for Electronic Devices in Public Schools	38301	AMD	04/07/2014	2014-5/20
R277-497	School Grading System	38111	AMD	01/08/2014	2013-23/8
R277-503	Licensing Routes	38240	AMD	03/10/2014	2014-3/4
R277-503-4	Licensing Routes	38435	AMD	06/09/2014	2014-9/14
R277-510-4	NCLB Highly Qualified Assignments - Elementary Teachers 1-8	38289	NSC	02/27/2014	Not Printed
R277-516	Education Employee Required Reports of Arrests and Required Background Check Policies for Non-licensed Employees	38594	5YR	06/10/2014	2014-13/139
R277-518	Career and Technical Education Licenses	38241	AMD	03/10/2014	2014-3/8
R277-524	Paraprofessional/Paraeducator Programs, Assignments, and Qualifications	38349	5YR	03/14/2014	2014-7/90
R277-524	Paraprofessional/Paraeducator Programs, Assignments, and Qualifications	38358	AMD	05/08/2014	2014-7/8
R277-525	Special Educator Stipends	38114	AMD	01/08/2014	2013-23/9
R277-526	Paraeducator to Teacher Scholarship Program	38302	AMD	04/07/2014	2014-5/23
R277-527	International Guest Teachers	38190	AMD	02/07/2014	2014-1/18
R277-528	Use of Public Education Job Enhancement Program (PEJEP) Funds	38242	NEW	03/10/2014	2014-3/12
R277-601	Standards for Utah School Buses and Operations	38410	5YR	04/04/2014	2014-9/52
R277-601-3	Standards	38436	AMD	06/09/2014	2014-9/17

R277-704	Financial and Economic Literacy: Integration into Core Curriculum and Financial and Economic Literacy Student Passports	38113	AMD	01/08/2014	2013-23/11
R277-709	Education Programs Serving Youth in Custody	38116	AMD	01/14/2014	2013-23/13
R277-709-11	Coordinating Council	38359	AMD	05/08/2014	2014-7/10
R277-714	Dissemination of Information About Juvenile Offenders	38593	5YR	06/10/2014	2014-13/140
R277-724	Criteria for Sponsors Recruiting Day Care Facilities in the Child and Adult Care Food Program	38351	5YR	03/14/2014	2014-7/90
R277-725	Electronic High School	38411	5YR	04/04/2014	2014-9/52
R277-725	Electronic High School	38437	AMD	06/09/2014	2014-9/18
R277-735	Corrections Education Programs	38352	5YR	03/14/2014	2014-7/91
R277-735	Corrections Education Programs	38360	AMD	05/08/2014	2014-7/11
R277-800	Utah Schools for the Deaf and the Blind	38592	5YR	06/10/2014	2014-13/140
R277-916	Career and Technical Education Introduction and Work-Based Learning Programs	38412	5YR	04/04/2014	2014-9/53
<u>Rehabilitation</u>					
R280-150	Adjudicative Proceedings Under the Vocational Rehabilitation Act	38538	5YR	05/15/2014	2014-11/172
R280-150	Adjudicative Proceedings Under the Vocational Rehabilitation Act	38539	AMD	07/08/2014	2014-11/117
R280-202	USOR Procedures for Individuals with the Most Severe Disabilities	38353	5YR	03/14/2014	2014-7/91
R280-202	USOR Procedures for Individuals with the Most Severe Disabilities	38361	AMD	05/08/2014	2014-7/14
R280-202-3	Eligibility Criteria	38540	NSC	05/29/2014	Not Printed
ENVIRONMENTAL QUALITY					
<u>Administration</u>					
R305-1	Records Access and Management	38244	NSC	01/30/2014	Not Printed
R305-4	Clean Fuels and Vehicle Technology Fund Grant and Loan Program	38525	AMD	07/08/2014	2014-11/118
<u>Air Quality</u>					
R307-101	General Requirements	38494	5YR	05/08/2014	2014-11/172
R307-103-1	Administrative Procedures	38252	NSC	01/31/2014	Not Printed
R307-110-17	Section IX, Control Measures for Area and Point Sources, Part H, Emissions Limits	38061	AMD	01/09/2014	2013-21/8
R307-150	Emission Inventories	38261	5YR	01/28/2014	2014-4/70
R307-210-2	Oil and Gas Sector: New Source Performance Standards	38104	AMD	03/06/2014	2013-23/17
R307-214-3	Oil and Gas Sector: National Emission Standards for Hazardous Air Pollutants	38105	AMD	03/06/2014	2013-23/18
R307-302	Solid Fuel Burning Devices in Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber Counties	38166	AMD	03/06/2014	2014-1/20
R307-335	Degreasing and Solvent Cleaning Operations	37829	AMD	06/02/2014	2013-15/23
R307-335	Degreasing and Solvent Cleaning Operations	37829	CPR	06/02/2014	2013-23/54
R307-335	Degreasing and Solvent Cleaning Operations	37829	CPR	06/02/2014	2014-7/85
R307-335	Degreasing and Solvent Cleaning Operations	37829	CPR	06/02/2014	2014-9/46
R307-357-4	Standards	38332	AMD	05/08/2014	2014-7/16
R307-357-4	Standards	38495	NSC	05/29/2014	Not Printed
R307-401-19	General Approval Order	37833	AMD	01/06/2014	2013-15/29
R307-401-19	General Approval Order	37833	CPR	01/06/2014	2013-23/55
R307-405	Permits: Major Sources in Attainment or Unclassified Areas (PSD)	38260	5YR	01/28/2014	2014-4/70
R307-840	Lead-Based Paint Program Purpose, Applicability, and Definitions	38330	5YR	03/06/2014	2014-7/92
<u>Drinking Water</u>					
R309-511	Hydraulic Modeling Requirements	38013	AMD	01/21/2014	2013-19/48
R309-515	Facility Design and Operation: Source Development	38012	AMD	01/21/2014	2013-19/51

RULES INDEX

<u>Radiation Control</u>					
R313-14	Violations and Escalated Enforcement	38076	AMD	04/03/2014	2013-22/45
R313-14	Violations and Escalated Enforcement	38076	CPR	04/03/2014	2014-4/50
R313-22-34	Issuance of Specific Licenses	38145	AMD	02/14/2014	2013-23/19
R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	38082	AMD	04/03/2014	2013-22/49
R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	38082	CPR	04/03/2014	2014-4/53
R313-38-3	Clarifications or Exceptions	38147	AMD	04/07/2014	2013-23/20
R313-38-3	Clarifications or Exceptions	38147	CPR	04/07/2014	2014-5/56
R313-70-5	Payment of Fees	38146	AMD	02/18/2014	2013-23/22
<u>Solid and Hazardous Waste</u>					
R315-8-14	Landfills	38334	NSC	04/01/2014	Not Printed
R315-12	Administrative Procedures	38335	NSC	04/01/2014	Not Printed
<u>Water Quality</u>					
R317-1-7	TMDLs	38235	AMD	03/27/2014	2014-3/13
R317-1-7	TMDLs	38402	AMD	08/01/2014	2014-8/13
R317-2-14	Numeric Criteria	38288	AMD	07/02/2014	2014-5/25
R317-2-14	Numeric Criteria	38288	CPR	07/02/2014	2014-11/168
R317-5	Large Underground Wastewater Disposal (LUWD) Systems	38271	R&R	03/26/2014	2014-4/26
R317-401	Graywater Systems	38481	5YR	05/06/2014	2014-11/173
R317-550	Rules for Waste Disposal By Liquid Scavenger Operations	38387	AMD	07/30/2014	2014-8/14
GOVERNOR					
<u>Economic Development</u>					
R357-7	Utah Capital Investment Board	38154	NEW	01/24/2014	2013-24/22
<u>Economic Development, Pete Suazo Utah Athletic Commission</u>					
R359-1-604	Boxing - Gloves	38033	AMD	01/24/2014	2013-20/25
<u>Energy Development (Office of)</u>					
R362-2	Renewable Energy Systems Tax Credits	38163	AMD	01/22/2014	2013-24/23
HEALTH					
<u>Administration</u>					
R380-25	Submission of Data Through an Electronic Data Interchange	38586	5YR	06/09/2014	2014-13/140
R380-70	Standards for Electronic Exchange of Clinical Health Information	38256	5YR	01/24/2014	2014-4/71
<u>Center for Health Data, Health Care Statistics</u>					
R428-15	Health Data Authority Health Insurance Claims Reporting	38144	AMD	01/07/2014	2013-23/43
<u>Center for Health Data, Vital Records and Statistics</u>					
R436-55	Hemp Extract Registration	38537	NEW	07/08/2014	2014-11/155
<u>Children's Health Insurance Program</u>					
R382-3	Accountable Care Organization Incentives to Appropriately Use Emergency Room Services in the Children's Health Insurance Program	38102	NEW	01/13/2014	2013-23/23
R382-10	Eligibility	38400	AMD	06/01/2014	2014-8/18
<u>Disease Control and Prevention, Environmental Services</u>					
R392-101	Food Safety Manager Certification	38229	5YR	01/10/2014	2014-3/49
R392-200-4	Site Standards	38177	AMD	02/19/2014	2014-1/24
R392-302	Design, Construction, and Operation of Public Pools	38089	AMD	02/14/2014	2013-22/69
R392-303	Public Geothermal Pools and Bathing Places	38285	5YR	02/11/2014	2014-5/60
R392-303	Public Geothermal Pools and Bathing Places	38176	AMD	02/24/2014	2014-1/25

Disease Control and Prevention, Health Promotion

R384-100	Cancer Reporting Rule	38367	5YR	03/18/2014	2014-8/38
R384-200	Program Eligibility, Benefits, and Administration	38178	NEW	03/21/2014	2014-1/22
R384-203	Prescription Drug Database Access	38081	NEW	03/01/2014	2013-22/68

Disease Control and Prevention, Medical Examiner

R448-10	Unattended Death and Reporting Requirements	38419	5YR	04/07/2014	2014-9/55
R448-20	Access to Medical Examiner Reports	38420	5YR	04/07/2014	2014-9/55

Family Health and Preparedness, Child Care Licensing

R430-8	Exemptions From Child Care Licensing	38453	5YR	04/25/2014	2014-10/113
R430-70	Out of School Time Child Care Programs	38543	5YR	05/19/2014	2014-12/55

Family Health and Preparedness, Children with Special Health Care Needs

R398-1	Newborn Screening	38319	AMD	07/01/2014	2014-6/25
R398-4	Cytomegalovirus Public Health Initiative	38139	NEW	01/17/2014	2013-23/25
R398-10	Autism Spectrum Disorders and Mental Retardation Reporting	38339	5YR	03/12/2014	2014-7/92
R398-10	Autism Spectrum Disorders and Mental Retardation Reporting	38340	NSC	04/01/2014	Not Printed
R398-20	Early Intervention	37984	AMD	01/28/2014	2013-19/61

Family Health and Preparedness, Emergency Medical Services

R426-5-2600	Refusal, Suspension, or Revocation of Certification	38672	NSC	07/31/2014	Not Printed
R426-8	Emergency Medical Services Ambulance Rates and Charges	38272	AMD	03/24/2014	2014-4/42
R426-100	Air Medical Service Rules	38079	REP	01/06/2014	2013-22/119

Family Health and Preparedness, Licensing

R432-2-5	Requirements for a Satellite Service Operation	38086	AMD	01/24/2014	2013-22/123
R432-3	General Health Care Facility Rules Inspection and Enforcement	38173	AMD	02/27/2014	2014-1/37
R432-7	Specialty Hospital - Psychiatric Hospital Construction	38391	5YR	04/01/2014	2014-8/40
R432-8	Specialty Hospital - Chemical Dependency/Substance Abuse Construction	38392	5YR	04/01/2014	2014-8/41
R432-9	Specialty Hospital - Rehabilitation Construction Rule	38393	5YR	04/01/2014	2014-8/41
R432-10	Specialty Hospital - Long-Term Acute Care Construction Rule	38394	5YR	04/01/2014	2014-8/42
R432-11	Orthopedic Hospital Construction	38395	5YR	04/01/2014	2014-8/42
R432-12	Small Health Care Facility (Four to Sixteen Beds) Construction Rule	38396	5YR	04/01/2014	2014-8/43
R432-13	Freestanding Ambulatory Surgical Center Construction Rule	38397	5YR	04/01/2014	2014-8/43
R432-14	Birthing Center Construction Rule	38422	5YR	04/10/2014	2014-9/54
R432-30	Adjudicative Procedure	38398	5YR	04/01/2014	2014-8/44
R432-32	Licensing Exemption for Non-Profit Volunteer End-of-Life Care	38399	5YR	04/01/2014	2014-8/44
R432-270	Assisted Living Facilities	38423	5YR	04/10/2014	2014-9/54
R432-270	Assisted Living Facilities	38341	AMD	05/20/2014	2014-7/65

Family Health and Preparedness, Primary Care and Rural Health

R434-40	Utah Health Care Workforce Financial Assistance Program Rules	38305	NEW	05/08/2014	2014-6/53
---------	---	-------	-----	------------	-----------

Health Care Financing, Coverage and Reimbursement Policy

R414-1-5	Incorporations by Reference	38191	AMD	05/01/2014	2014-1/32
R414-1-5	Incorporations by Reference	38381	AMD	07/28/2014	2014-8/22
R414-1B	Prohibition of Payment for Certain Abortion Services	38369	5YR	03/18/2014	2014-8/39
R414-7A	Medicaid Certification of New Nursing Facilities	38560	5YR	05/30/2014	2014-12/54
R414-9	Federally Qualified Health Centers	38528	AMD	07/11/2014	2014-11/150
R414-10A-6	Prior Authorization	38430	AMD	06/11/2014	2014-9/27
R414-11	Podiatric Services	38371	5YR	03/18/2014	2014-8/39

RULES INDEX

R414-14	Home Health Services	38130	AMD	01/10/2014	2013-23/26
R414-14	Home Health Services	38561	5YR	05/30/2014	2014-12/54
R414-14A	Hospice Care	38630	5YR	06/17/2014	2014-14/80
R414-21	Physical and Occupational Therapy	38132	AMD	01/10/2014	2013-23/28
R414-31	Inpatient Psychiatric Services for Individuals Under Age 21	38650	5YR	06/24/2014	2014-14/80
R414-45	Personal Supervision by a Physician	38431	REP	06/11/2014	2014-9/29
R414-49	Dental Services	38133	AMD	01/10/2014	2013-23/30
R414-49	Dental Services	38201	NSC	01/23/2014	Not Printed
R414-49	Dental, Oral and Maxillofacial Surgeons and Orthodontia	38631	5YR	06/17/2014	2014-14/81
R414-50	Dental, Oral and Maxillofacial Surgeons	38134	REP	01/10/2014	2013-23/32
R414-51	Dental, Orthodontia	38135	REP	01/10/2014	2013-23/33
R414-54	Speech-Language Pathology Services	38227	5YR	01/07/2014	2014-3/50
R414-61	Home and Community-Based Services Waivers	38318	AMD	04/21/2014	2014-6/29
R414-90	Diabetes Self-Management Training	38368	5YR	03/18/2014	2014-8/40
R414-99	Chiropractic Services	38529	AMD	07/11/2014	2014-11/151
R414-303	Coverage Groups	38401	AMD	06/01/2014	2014-8/27
R414-303	Coverage Groups	38465	AMD	07/01/2014	2014-10/51
R414-304-5	MAGI-Based Coverage Groups	38317	AMD	04/21/2014	2014-6/30
R414-306	Program Benefits and Date of Eligibility	38466	AMD	07/01/2014	2014-10/53
R414-306-5	Medical Transportation	38129	AMD	01/10/2014	2013-23/35
R414-310	Medicaid Primary Care Network Demonstration Waiver	38321	AMD	04/21/2014	2014-6/32
R414-320	Medicaid Health Insurance Flexibility and Accountability Demonstration Waiver	38322	AMD	04/21/2014	2014-6/42
R414-401	Nursing Care Facility Assessment	38418	5YR	04/07/2014	2014-9/53
R414-401-3	Assessment	38478	AMD	07/01/2014	2014-10/53
R414-501	Preadmission Authorization, Retroactive Authorization, and Continued Stay Review	38632	5YR	06/17/2014	2014-14/82
R414-502	Nursing Facility Levels of Care	38633	5YR	06/17/2014	2014-14/82
R414-503	Preadmission Screening and Resident Review	38141	R&R	01/07/2014	2013-23/37
R414-503	Preadmission Screening and Resident Review	38660	5YR	07/01/2014	2014-14/83
R414-503-2	Definitions	38584	NSC	06/18/2014	Not Printed
R414-510	Intermediate Care Facility for Persons with Intellectual Disabilities Transition Program	38532	AMD	07/15/2014	2014-11/153
R414-511	Medicaid Accountable Care Organization Incentives to Appropriately Use Emergency Room Services	38103	NEW	01/13/2014	2013-23/42

HERITAGE AND ARTS

History

R455-14	Procedures for Electronic Meetings	38331	NEW	07/21/2014	2014-7/70
R455-15	Procedures for Emergency Meetings	38333	NEW	07/21/2014	2014-7/71

HOUSING CORPORATION (UTAH)

Administration

R460-6	Adjudicative Proceedings	38452	AMD	07/10/2014	2014-10/55
--------	--------------------------	-------	-----	------------	------------

HUMAN RESOURCE MANAGEMENT

Administration

R477-1	Definitions	38456	AMD	07/01/2014	2014-10/57
R477-2-3	Fair Employment Practice and Discrimination	38457	AMD	07/01/2014	2014-10/62
R477-3-4	Position Classification Review	38454	AMD	07/01/2014	2014-10/63
R477-4	Filling Positions	38458	AMD	07/01/2014	2014-10/63
R477-4-4	Recruitment and Selection for Career Service Positions	38077	AMD	01/14/2014	2013-22/124
R477-6	Compensation	38469	AMD	07/01/2014	2014-10/67
R477-6-9	Severance Benefit	38092	AMD	01/14/2014	2013-22/125
R477-7	Leave	38084	AMD	01/14/2014	2013-22/126
R477-7	Leave	38455	AMD	07/01/2014	2014-10/71
R477-8	Working Conditions	38459	AMD	07/01/2014	2014-10/80
R477-9	Employee Conduct	38460	AMD	07/01/2014	2014-10/84

R477-10-1	Performance Evaluation	38461	AMD	07/01/2014	2014-10/87
R477-14	Substance Abuse and Drug-Free Workplace	38462	AMD	07/01/2014	2014-10/88
R477-15	Workplace Harassment Prevention	38463	AMD	07/01/2014	2014-10/90
R477-101	Administrative Law Judge Conduct Committee	38091	NEW	01/14/2014	2013-22/129
R477-101	Administrative Law Judge Conduct Committee	38464	AMD	07/01/2014	2014-10/92

HUMAN SERVICES

Administration

R495-882	Termination of Parental Rights	38280	5YR	02/10/2014	2014-5/61
----------	--------------------------------	-------	-----	------------	-----------

Aging and Adult Services

R510-104	Nutrition Programs for the Elderly (NPE)	38670	5YR	07/02/2014	2014-15/67
----------	--	-------	-----	------------	------------

Child and Family Services

R512-41	Qualifying Adoptive Families and Adoption Placement	38263	5YR	01/28/2014	2014-4/72
R512-43	Adoption Assistance	38217	AMD	03/10/2014	2014-3/15
R512-75	Rules Governing Adjudication of Consumer Complaints	38264	5YR	01/28/2014	2014-4/72
R512-306	Out-of-Home Services, Transition to Adult Living Services, Education and Training Voucher Program	38265	5YR	01/28/2014	2014-4/73

Recovery Services

R527-38	Unenforceable Cases	38277	5YR	02/05/2014	2014-5/61
R527-275	Passport Release	38336	5YR	03/06/2014	2014-7/93
R527-332	Unreimbursed Assistance Calculation	38550	5YR	05/22/2014	2014-12/55
R527-394	Posting Bond or Security	38551	5YR	05/22/2014	2014-12/56

Substance Abuse and Mental Health

R523-1	Procedures	38297	REP	04/07/2014	2014-5/27
R523-4	Local Mental Health Authorities and Local Substance Abuse Authorities	38292	NEW	04/07/2014	2014-5/36
R523-5	Certification of Designated Examiners and Case Managers	38293	NEW	04/07/2014	2014-5/42
R523-6	Medication, Psychosurgery and Electroshock Procedures for Children, Consumer Rights, Due Process, Family Involvement	38298	NEW	04/07/2014	2014-5/45
R523-22	Utah Standards for Approval of Alcohol and Drug Educational Programs for Court-Referred DUI Offenders	38451	AMD	06/26/2014	2014-10/96

INSURANCE

Administration

R590-93	Replacement of Life Insurance and Annuities	38413	5YR	04/07/2014	2014-9/56
R590-96	Rule to Recognize New Annuity Mortality Tables for Use in Determining Reserve Liabilities for Annuities	38069	AMD	01/21/2014	2013-22/137
R590-98	Unfair Practice in Payment of Life Insurance and Annuity Policy Values	38414	5YR	04/07/2014	2014-9/56
R590-166	Home Protection Service Contract Rule	38417	5YR	04/07/2014	2014-9/57
R590-170	Fiduciary and Trust Account Obligations	38283	5YR	02/11/2014	2014-5/62
R590-171	Surplus Lines Procedures Rule	38555	5YR	05/27/2014	2014-12/56
R590-186-8	Investigating Unprofessional Conduct	38273	AMD	03/26/2014	2014-4/43
R590-190	Unfair Property, Liability and Title Claims Settlement Practices Rule	38416	5YR	04/07/2014	2014-9/57
R590-191	Unfair Life Insurance Claims Settlement Practices Rule	38415	5YR	04/07/2014	2014-9/58
R590-192	Unfair Accident and Health Claims Settlement Practices	38635	5YR	06/17/2014	2014-14/83
R590-195	Car Rental Related Licensing Rule	38307	5YR	02/20/2014	2014-6/75
R590-195	Car Rental Related Licensing Rule	38308	REP	04/22/2014	2014-6/59
R590-220	Submission of Accident and Health Insurance Filings	38311	5YR	02/24/2014	2014-6/75

RULES INDEX

R590-225	Submission of Property and Casualty Rate and Form Filings	38309	5YR	02/20/2014	2014-6/76
R590-226	Submission of Life Insurance Filings	38364	5YR	03/18/2014	2014-8/45
R590-226-5	Filing Submission Requirements	38290	NSC	02/27/2014	Not Printed
R590-227	Submission of Annuity Filings	38365	5YR	03/18/2014	2014-8/45
R590-227-5	Filing Submission Requirements	38291	AMD	04/09/2014	2014-5/49
R590-227-5	Filing Submission Requirements	38424	NSC	05/01/2014	Not Printed
R590-228	Submission of Credit Life and Credit Accident and Health Insurance Form and Rate Filings	38366	5YR	03/18/2014	2014-8/46
R590-229	Annuity Disclosure	38090	AMD	03/11/2014	2013-22/139
R590-229	Annuity Disclosure	38090	CPR	03/11/2014	2014-3/44
R590-229-9	Enforcement Date	38342	AMD	05/27/2014	2014-7/72
R590-230	Suitability in Annuity Transactions	38559	5YR	05/30/2014	2014-12/57
R590-244	Individual and Agency Licensing Requirements	38620	5YR	06/16/2014	2014-13/141
R590-249-1	Authority	38286	NSC	02/27/2014	Not Printed
R590-252	Use of Senior-Specific Certifications and Professional Designations	38282	5YR	02/11/2014	2014-5/62
R590-254	Annual Financial Reporting Rule	38669	5YR	07/02/2014	2014-15/68
R590-258-1	Authority	38284	NSC	02/27/2014	Not Printed
R590-268	Small Employer Stop-Loss Insurance	38087	NEW	03/13/2014	2013-22/142
R590-268	Small Employer Stop-Loss Insurance	38087	CPR	03/13/2014	2014-3/45
R590-269	Individual Open Enrollment Period	38088	NEW	01/13/2014	2013-22/144
R590-269-4	Open and Special Enrollment Periods	38376	AMD	06/02/2014	2014-8/29
<u>Title and Escrow Commission</u>					
R592-6	Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business	38612	5YR	06/13/2014	2014-13/142
R592-7	Title Insurance Continuing Education Program	38606	5YR	06/13/2014	2014-13/143
R592-8	Application Process for an Attorney Exemption for Agency Title Insurance Producer Licensing	38607	5YR	06/13/2014	2014-13/143
R592-8-5	Request for Exemption Process	38246	AMD	03/10/2014	2014-3/20
R592-9	Title Insurance Recovery, Education, and Research Fund Assessment Rule	38608	5YR	06/13/2014	2014-13/144
R592-11	Title Insurance Producer Annual and Controlled Business Reports	38156	AMD	03/10/2014	2013-24/34
R592-11	Title Insurance Producer Annual and Controlled Business Reports	38156	CPR	03/10/2014	2014-4/64
JUDICIAL PERFORMANCE EVALUATION COMMISSION					
<u>Administration</u>					
R597-1	General Provisions	38303	5YR	02/17/2014	2014-6/77
R597-3	Judicial Performance Evaluations	38304	5YR	02/17/2014	2014-6/77
R597-3	Judicial Performance Evaluations	38438	AMD	06/12/2014	2014-9/30
R597-4	Justice Courts	38440	NEW	06/12/2014	2014-9/34
LABOR COMMISSION					
<u>Adjudication</u>					
R602-2	Adjudication of Workers' Compensation and Occupational Disease Claims	38306	AMD	04/22/2014	2014-6/61
R602-2-4	Attorney Fees	38554	AMD	07/22/2014	2014-12/41
R602-2-5	Timeliness of Decisions	38193	AMD	02/21/2014	2014-2/7
R602-7	Adjudication of Discrimination Claims	38327	5YR	03/05/2014	2014-7/94
R602-8	Adjudication of Utah Occupational Safety and Health Citation Claims	38328	5YR	03/05/2014	2014-7/94
<u>Boiler and Elevator Safety</u>					
R616-2-3	Safety Codes and Rules for Boilers and Pressure Vessels	38226	AMD	03/10/2014	2014-3/22
R616-3-3	Safety Codes for Elevators	38378	AMD	05/22/2014	2014-8/31
<u>Industrial Accidents</u>					
R612-200-8	Burial Expenses	38553	AMD	07/22/2014	2014-12/43

LIEUTENANT GOVERNOR

Administration

R622-2 Use of the Great Seal of the State of Utah 38379 5YR 03/24/2014 2014-8/46

Elections

R623-1 Lieutenant Governor's Procedure for 38383 5YR 03/26/2014 2014-8/47
Regulation of Lobbyist Activities

R623-2 Uniform Ballot Counting Standards 38384 5YR 03/26/2014 2014-8/47

R623-3 Utah State Plan on Election Reform 38385 5YR 03/26/2014 2014-8/48

MONEY MANAGEMENT COUNCIL

Administration

R628-19 Requirements for the Use of Investment 38281 5YR 02/10/2014 2014-5/63
Advisers by Public Treasurers

R628-20 Foreign Deposits for Higher Education 38179 NEW 02/18/2014 2014-1/41
Institutions

R628-21 Conditions and Procedures for the Use of 38180 NEW 04/15/2014 2014-1/42
Reciprocal Deposits

R628-21 Conditions and Procedures for the Use of 38180 CPR 04/15/2014 2014-6/70
Reciprocal Deposits

NATURAL RESOURCES

Parks and Recreation

R651-102 Government Records Access Management Act 38343 NSC 04/01/2014 Not Printed

R651-205 Zoned Waters 38444 AMD 06/09/2014 2014-9/36

R651-213 Dealer Numbers and Registrations 38443 AMD 06/09/2014 2014-9/37

R651-213 Dealer Numbers and Registrations 38488 NSC 06/24/2014 Not Printed

R651-409 Minimum Amounts of Liability Insurance 38441 AMD 06/09/2014 2014-9/38

Coverage for an Organized Practice or
Sanctioned Race

R651-411 OHV Use in State Parks 38216 5YR 01/02/2014 2014-3/51

R651-608 Events of Special Uses 38439 AMD 06/09/2014 2014-9/40

R651-619 Possession of Alcoholic Beverages or 38442 AMD 06/09/2014 2014-9/41
Controlled Substances

R651-636 Procedures for Application to Receive Funds 38225 5YR 01/06/2014 2014-3/51
From the Zion National Park Restricted
Account

R651-700 Administrative Procedures for Real Property 38224 5YR 01/06/2014 2014-3/52
Management

Water Rights

R655-3 Reports of Water Rights Conveyance 38723 5YR 08/01/2014 Not Printed

R655-4 Water Wells 38722 5YR 08/01/2014 Not Printed

R655-13 Stream Alteration 38267 5YR 01/29/2014 2014-4/73

Wildlife Resources

R657-5 Taking Big Game 38168 AMD 02/10/2014 2014-1/44

R657-10 Taking Cougar 38231 AMD 03/11/2014 2014-3/23

R657-12 Hunting and Fishing Accommodations for 38169 AMD 02/10/2014 2014-1/52
People with Disabilities

R657-13 Taking Fish and Crayfish 38167 AMD 02/10/2014 2014-1/54

R657-13 Taking Fish and Crayfish 38316 AMD 04/21/2014 2014-6/66

R657-13 Taking Fish and Crayfish 38483 AMD 07/08/2014 2014-11/160

R657-27 License Agent Procedures 38230 AMD 03/11/2014 2014-3/26

R657-38 Dedicated Hunter Program 38170 AMD 02/10/2014 2014-1/61

R657-41 Conservation and Sportsman Permits 38171 AMD 02/10/2014 2014-1/68

R657-43 Landowner Permits 38232 AMD 03/11/2014 2014-3/30

R657-45 Wildlife License, Permit, and Certificate of 38482 AMD 07/08/2014 2014-11/163
Registration Forms

R657-46 The Use of Game Birds in Dog Field Trials and 38558 5YR 05/29/2014 2014-12/58
Training

R657-60 Aquatic Invasive Species Interdiction 38236 AMD 03/11/2014 2014-3/32

R657-60 Aquatic Invasive Species Interdiction 38477 AMD 06/24/2014 2014-10/99

R657-62 Drawing Application Procedures 38427 5YR 04/14/2014 2014-9/58

RULES INDEX

R657-67	Utah Hunter Mentoring Program	38172	NEW	02/10/2014	2014-1/70
R657-67	Utah Hunter Mentoring Program	38484	AMD	07/08/2014	2014-11/165

PARDONS (BOARD OF)

Administration

R671-102	Americans with Disabilities Act Complaint Procedures	38324	AMD	05/08/2014	2014-7/76
R671-201	Original Parole Grant Hearing Schedule and Notice	38325	AMD	05/08/2014	2014-7/78
R671-201-1	Schedule and Notice	38314	EMR	03/01/2014	2014-6/73

PUBLIC EDUCATION JOB ENHANCEMENT PROGRAM

Job Enhancement Committee

R690-100	Public Education Job Enhancement Program Participant Eligibility and Requirements	38243	REP	03/10/2014	2014-3/37
----------	---	-------	-----	------------	-----------

PUBLIC SAFETY

Administration

R698-4	Certification of the Law Enforcement Agency of a Private College or University	38310	5YR	02/21/2014	2014-6/78
--------	--	-------	-----	------------	-----------

Driver License

R708-7	Functional Ability in Driving: Guidelines for Physicians	38487	NSC	05/29/2014	Not Printed
R708-10	Driver License Restrictions	38370	5YR	03/18/2014	2014-8/48
R708-22	Commercial Driver License Administrative Proceedings	38406	5YR	04/03/2014	2014-9/59
R708-22	Commercial Driver License Administrative Proceedings	38485	NSC	05/29/2014	Not Printed
R708-24	Renewal of a Commercial Driver License (CDL)	38407	5YR	04/03/2014	2014-9/59
R708-24	Renewal of a Commercial Driver License (CDL)	38486	NSC	05/29/2014	Not Printed
R708-26	Learner Permit Rule	38373	5YR	03/18/2014	2014-8/49
R708-26	Learner Permit Rule	38372	NSC	04/14/2014	Not Printed
R708-31	Ignition Interlock Systems	38196	AMD	02/21/2014	2014-2/8
R708-31	Ignition Interlock Systems	38374	5YR	03/18/2014	2014-8/49

Emergency Management

R704-1	Search and Rescue Financial Assistance Program	38688	5YR	07/07/2014	2014-15/68
--------	--	-------	-----	------------	------------

Highway Patrol

R714-600	Performance Standards for Tow Truck Motor Carriers	38711	5YR	07/22/2014	Not Printed
----------	--	-------	-----	------------	-------------

Peace Officer Standards and Training

R728-502	Procedure for POST Instructor Certification	38377	5YR	03/19/2014	2014-8/50
----------	---	-------	-----	------------	-----------

PUBLIC SERVICE COMMISSION

Administration

R746-340	Service Quality for Telecommunications Corporations	38363	AMD	05/27/2014	2014-8/32
R746-340-2	Records and Reports	38556	NSC	06/05/2014	Not Printed
R746-341	Lifeline/Link-up Rule	38198	AMD	02/24/2014	2014-2/9
R746-343-15	Surcharge	38278	AMD	05/01/2014	2014-5/51
R746-350	Application to Discontinue Telecommunications Service	38234	5YR	01/13/2014	2014-3/52

REGENTS (BOARD OF)

Salt Lake Community College

R784-1	Government Records Access and Management Act Rules	38362	5YR	03/17/2014	2014-8/50
--------	--	-------	-----	------------	-----------

University of Utah, Administration

R805-3	Overnight Camping and Campfires on University of Utah Property	38355	5YR	03/14/2014	2014-7/95
R805-6	University of Utah Shooting Range Access and Use Requirements	38018	NEW	02/11/2014	2013-20/46

University of Utah, Museum of Natural History (Utah)

R807-1	Curation of Collections from State Lands	38354	5YR	03/14/2014	2014-7/95
--------	--	-------	-----	------------	-----------

TAX COMMISSION

Auditing

R865-7H	Environmental Assurance Fee	38223	5YR	01/06/2014	2014-3/53
R865-16R	Severance Tax	38222	5YR	01/06/2014	2014-3/54
R865-19S-30	Sale of a Vehicle or Vessel by a Person Not Regularly Engaged in Business Pursuant to Utah Code Ann. Section 59-12-104	38237	NSC	01/30/2014	Not Printed

TECHNOLOGY SERVICES

Administration

R895-4	Sub-Domain Naming Conventions for Executive Branch Agencies	38238	5YR	01/14/2014	2014-3/54
R895-4	Sub-Domain Naming Conventions for Executive Branch Agencies	38239	NSC	01/30/2014	Not Printed
R895-6	IT Plan Submission Rule for Agencies	38386	5YR	03/27/2014	2014-8/51
R895-7	Acceptable Use of Information Technology Resources	38428	5YR	04/15/2014	2014-9/60
R895-13	Access to the Identity Theft Reporting Information System Database	38480	5YR	05/05/2014	2014-11/174

TRANSPORTATION

Motor Carrier

R909-2	Utah Size and Weight Rule	38619	5YR	06/16/2014	2014-13/144
R909-3	Standards for Utah School Buses	38215	5YR	01/02/2014	2014-3/55
R909-19	Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation and Certification	38449	AMD	07/08/2014	2014-10/102

VETERANS' AFFAIRS

Administration

R978-1	Rules Governing Veterans' Affairs	38228	NSC	01/30/2014	Not Printed
--------	-----------------------------------	-------	-----	------------	-------------

WORKFORCE SERVICES

Employment Development

R986-100-117	Disqualification For Fraud (Intentional Program Violations or IPV's)	38158	AMD	03/01/2014	2013-24/36
R986-100-117	Disqualification For Fraud (Intentional Program Violations or IPV's)	38268	AMD	04/15/2014	2014-4/45
R986-200-204	Eligibility Requirements	38140	AMD	01/14/2014	2013-23/50
R986-200-207	Participation in Child Support Enforcement	38472	AMD	07/01/2014	2014-10/108
R986-700	Child Care Assistance	38159	AMD	03/01/2014	2013-24/38
R986-700	Child Care Assistance	38269	AMD	04/15/2014	2014-4/46

Unemployment Insurance

R994-309	Nonprofit Organizations	38665	5YR	07/01/2014	2014-14/84
R994-310	Coverage	38666	5YR	07/01/2014	2014-14/85
R994-311	Governmental Units and Indian Tribes	38667	5YR	07/01/2014	2014-14/85
R994-312	Employing Units Records	38668	5YR	07/01/2014	2014-14/86
R994-312-102	Examination of Employer Records: Scope and Authority	38248	AMD	04/15/2014	2014-3/41

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment (Proposed Rule)	LNR = Legislative Nonreauthorization
CPR = Change in Proposed Rule	NEW = New Rule (Proposed Rule)
EMR = 120-Day (Emergency) Rule	NSC = Nonsubstantive Rule Change
EXD = Expired Rule	R&R = Repeal and Reenact (Proposed Rule)
EXP = Expedited Rule	REP = Repeal (Proposed Rule)
EXT = Five-Year Review Extension	5YR = Five-Year Notice of Review and Statement of Continuation
GEX = Governor's Extension	

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>abortion</u> Health, Health Care Financing, Coverage and Reimbursement Policy	38369	R414-1B	5YR	03/18/2014	2014-8/39
<u>acceptable use</u> Technology Services, Administration	38428	R895-7	5YR	04/15/2014	2014-9/60
<u>access to information</u> Administrative Services, Administration	38570 38569	R13-2 R13-2	5YR AMD	06/02/2014 07/22/2014	2014-12/53 2014-12/6
<u>accidents</u> Administrative Services, Fleet Operations	38073	R27-7-3	AMD	03/11/2014	2013-22/14
<u>accounts receivable</u> Administrative Services, Debt Collection	38497 38496	R21-2 R21-3	NSC NSC	05/29/2014 05/29/2014	Not Printed Not Printed
<u>accreditation</u> Education, Administration	38434	R277-410-5	AMD	06/09/2014	2014-9/13
<u>acupuncture</u> Commerce, Occupational and Professional Licensing	38165	R156-72	AMD	02/10/2014	2014-1/8
<u>ADA complaint procedures</u> Crime Victim Reparations, Administration	38258 38498	R270-3 R270-3	EXT 5YR	01/27/2014 05/12/2014	2014-4/75 2014-11/171
<u>adjudicative proceedings</u> Environmental Quality, Solid and Hazardous Waste	38335	R315-12	NSC	04/01/2014	Not Printed
<u>adjudicative process</u> Administrative Services, Debt Collection	38497	R21-2	NSC	05/29/2014	Not Printed
<u>administrative law judges</u> Human Resource Management, Administration	38091 38464	R477-101 R477-101	NEW AMD	01/14/2014 07/01/2014	2013-22/129 2014-10/92
<u>administrative offset</u> Administrative Services, Debt Collection	38496	R21-3	NSC	05/29/2014	Not Printed
<u>administrative procedures</u> Education, Administration Education, Rehabilitation	38408 38538 38539	R277-102 R280-150 R280-150	5YR 5YR AMD	04/04/2014 05/15/2014 07/08/2014	2014-9/51 2014-11/172 2014-11/117
Environmental Quality, Air Quality	38252	R307-103-1	NSC	01/31/2014	Not Printed
Heritage and Arts, History	38331 38333	R455-14 R455-15	NEW NEW	07/21/2014 07/21/2014	2014-7/70 2014-7/71

Human Resource Management, Administration	38454	R477-3-4	AMD	07/01/2014	2014-10/63
	38463	R477-15	AMD	07/01/2014	2014-10/90
Labor Commission, Adjudication	38306	R602-2	AMD	04/22/2014	2014-6/61
	38554	R602-2-4	AMD	07/22/2014	2014-12/41
	38193	R602-2-5	AMD	02/21/2014	2014-2/7
	38327	R602-7	5YR	03/05/2014	2014-7/94
	38328	R602-8	5YR	03/05/2014	2014-7/94
Public Safety, Driver License	38487	R708-7	NSC	05/29/2014	Not Printed
<u>administrative proceedings</u>					
Environmental Quality, Air Quality	38252	R307-103-1	NSC	01/31/2014	Not Printed
Environmental Quality, Solid and Hazardous Waste	38335	R315-12	NSC	04/01/2014	Not Printed
Labor Commission, Industrial Accidents	38553	R612-200-8	AMD	07/22/2014	2014-12/43
Public Safety, Driver License	38406	R708-22	5YR	04/03/2014	2014-9/59
	38485	R708-22	NSC	05/29/2014	Not Printed
<u>administrative responsibility</u>					
Human Resource Management, Administration	38457	R477-2-3	AMD	07/01/2014	2014-10/62
<u>adoptions</u>					
Human Services, Child and Family Services	38263	R512-41	5YR	01/28/2014	2014-4/72
	38217	R512-43	AMD	03/10/2014	2014-3/15
<u>air medical services</u>					
Health, Family Health and Preparedness, Emergency Medical Services	38079	R426-100	REP	01/06/2014	2013-22/119
<u>air pollution</u>					
Environmental Quality, Administration	38525	R305-4	AMD	07/08/2014	2014-11/118
Environmental Quality, Air Quality	38494	R307-101	5YR	05/08/2014	2014-11/172
	38252	R307-103-1	NSC	01/31/2014	Not Printed
	38061	R307-110-17	AMD	01/09/2014	2013-21/8
	38261	R307-150	5YR	01/28/2014	2014-4/70
	38104	R307-210-2	AMD	03/06/2014	2013-23/17
	38105	R307-214-3	AMD	03/06/2014	2013-23/18
	38166	R307-302	AMD	03/06/2014	2014-1/20
	37829	R307-335	AMD	06/02/2014	2013-15/23
	37829	R307-335	CPR	06/02/2014	2013-23/54
	37829	R307-335	CPR	06/02/2014	2014-7/85
	37829	R307-335	CPR	06/02/2014	2014-9/46
	38332	R307-357-4	AMD	05/08/2014	2014-7/16
	38495	R307-357-4	NSC	05/29/2014	Not Printed
	37833	R307-401-19	AMD	01/06/2014	2013-15/29
	37833	R307-401-19	CPR	01/06/2014	2013-23/55
	38260	R307-405	5YR	01/28/2014	2014-4/70
<u>air travel</u>					
Administrative Services, Finance	38175	R25-7	AMD	02/07/2014	2014-1/4
	38471	R25-7	AMD	06/23/2014	2014-10/4
<u>alcoholic beverages</u>					
Alcoholic Beverage Control, Administration	38274	R81-1-16	AMD	03/25/2014	2014-4/10
	38323	R81-1-32	AMD	04/29/2014	2014-6/7
	38275	R81-7	AMD	03/25/2014	2014-4/11
	38276	R81-10b	AMD	03/25/2014	2014-4/14
<u>alternate multiple stage bid process</u>					
Administrative Services, Purchasing and General Services	38522	R33-25	NEW	07/08/2014	2014-11/97
<u>alternative fuels</u>					
Environmental Quality, Administration	38525	R305-4	AMD	07/08/2014	2014-11/118
<u>alternative licensing</u>					
Education, Administration	38240	R277-503	AMD	03/10/2014	2014-3/4
	38435	R277-503-4	AMD	06/09/2014	2014-9/14

RULES INDEX

<u>alternative procurement methods</u>						
Administrative Services, Purchasing and General Services	38507	R33-8	R&R	07/08/2014	2014-11/56	
	38696	R33-8	5YR	07/08/2014	2014-15/65	
<u>annuity disclosure</u>						
Insurance, Administration	38090	R590-229	AMD	03/11/2014	2013-22/139	
	38090	R590-229	CPR	03/11/2014	2014-3/44	
	38342	R590-229-9	AMD	05/27/2014	2014-7/72	
<u>annuity insurance filings</u>						
Insurance, Administration	38365	R590-227	5YR	03/18/2014	2014-8/45	
	38291	R590-227-5	AMD	04/09/2014	2014-5/49	
	38424	R590-227-5	NSC	05/01/2014	Not Printed	
<u>annuity replacement</u>						
Insurance, Administration	38413	R590-93	5YR	04/07/2014	2014-9/56	
<u>annuity suitability</u>						
Insurance, Administration	38559	R590-230	5YR	05/30/2014	2014-12/57	
<u>APCD</u>						
Health, Center for Health Data, Health Care Statistics	38144	R428-15	AMD	01/07/2014	2013-23/43	
<u>appeals</u>						
Administrative Services, Purchasing and General Services	38516	R33-18	NEW	07/08/2014	2014-11/89	
	38518	R33-19	NEW	07/08/2014	2014-11/90	
Education, Administration	38187	R277-481	AMD	02/07/2014	2014-1/15	
<u>approval orders</u>						
Environmental Quality, Air Quality	37833	R307-401-19	AMD	01/06/2014	2013-15/29	
	37833	R307-401-19	CPR	01/06/2014	2013-23/55	
<u>ARC</u>						
Administrative Services, Fleet Operations	38073	R27-7-3	AMD	03/11/2014	2013-22/14	
<u>archaeological resources</u>						
Regents (Board Of), University of Utah, Museum of Natural History (Utah)	38354	R807-1	5YR	03/14/2014	2014-7/95	
<u>architects</u>						
Administrative Services, Purchasing and General Services	38513	R33-15	NEW	07/08/2014	2014-11/84	
<u>armored car company</u>						
Commerce, Occupational and Professional Licensing	38474	R156-63b	AMD	06/23/2014	2014-10/48	
<u>armored car security officers</u>						
Commerce, Occupational and Professional Licensing	38474	R156-63b	AMD	06/23/2014	2014-10/48	
<u>assistance</u>						
Human Services, Recovery Services	38550	R527-332	5YR	05/22/2014	2014-12/55	
<u>athletic trainer</u>						
Commerce, Occupational and Professional Licensing	38548	R156-40a-302a	AMD	07/22/2014	2014-12/13	
<u>attorney exemption application process</u>						
Insurance, Title and Escrow Commission	38607	R592-8	5YR	06/13/2014	2014-13/143	
	38246	R592-8-5	AMD	03/10/2014	2014-3/20	
<u>autism spectrum</u>						
Health, Family Health and Preparedness, Children with Special Health Care Needs	38339	R398-10	5YR	03/12/2014	2014-7/92	
	38340	R398-10	NSC	04/01/2014	Not Printed	

<u>awards</u>						
Education, Administration	38242	R277-528	NEW	03/10/2014	2014-3/12	
Public Education Job Enhancement Program, Job Enhancement Committee	38243	R690-100	REP	03/10/2014	2014-3/37	
<u>ballots</u>						
Lieutenant Governor, Elections	38384	R623-2	5YR	03/26/2014	2014-8/47	
<u>banking</u>						
Commerce, Corporations and Commercial Code	38320	R154-2	R&R	04/21/2014	2014-6/9	
<u>bed allocations</u>						
Human Services, Substance Abuse and Mental Health	38297	R523-1	REP	04/07/2014	2014-5/27	
	38292	R523-4	NEW	04/07/2014	2014-5/36	
<u>bid security</u>						
Administrative Services, Purchasing and General Services	38524	R33-11	R&R	07/08/2014	2014-11/64	
	38699	R33-11	5YR	07/08/2014	2014-15/66	
<u>big game seasons</u>						
Natural Resources, Wildlife Resources	38168	R657-5	AMD	02/10/2014	2014-1/44	
	38232	R657-43	AMD	03/11/2014	2014-3/30	
<u>birds</u>						
Natural Resources, Wildlife Resources	38558	R657-46	5YR	05/29/2014	2014-12/58	
<u>bison</u>						
Agriculture and Food, Animal Industry	38294	R58-3	AMD	04/16/2014	2014-5/4	
<u>boating</u>						
Natural Resources, Parks and Recreation	38444	R651-205	AMD	06/09/2014	2014-9/36	
	38443	R651-213	AMD	06/09/2014	2014-9/37	
	38488	R651-213	NSC	06/24/2014	Not Printed	
<u>boilers</u>						
Labor Commission, Boiler and Elevator Safety	38226	R616-2-3	AMD	03/10/2014	2014-3/22	
<u>bonding requirements</u>						
Human Services, Recovery Services	38551	R527-394	5YR	05/22/2014	2014-12/56	
<u>boxing</u>						
Governor, Economic Development, Pete Suazo Utah Athletic Commission	38033	R359-1-604	AMD	01/24/2014	2013-20/25	
<u>breaks</u>						
Human Resource Management, Administration	38459	R477-8	AMD	07/01/2014	2014-10/80	
<u>breast cancer screening</u>						
Health, Disease Control and Prevention, Health Promotion	38178	R384-200	NEW	03/21/2014	2014-1/22	
<u>broad scope</u>						
Environmental Quality, Radiation Control	38145	R313-22-34	AMD	02/14/2014	2013-23/19	
<u>brucellosis</u>						
Agriculture and Food, Animal Industry	38294	R58-3	AMD	04/16/2014	2014-5/4	
<u>budgeting</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38317	R414-304-5	AMD	04/21/2014	2014-6/30	
<u>building board</u>						
Administrative Services, Facilities Construction and Management	38247	R23-33	NEW	03/10/2014	2014-3/2	

RULES INDEX

building codes

Commerce, Occupational and Professional Licensing 38549 R156-15A-231 AMD 07/22/2014 2014-12/10

building inspection

Commerce, Occupational and Professional Licensing 38549 R156-15A-231 AMD 07/22/2014 2014-12/10

buildings

Administrative Services, Facilities Construction and Management 38404 R23-29 5YR 04/03/2014 2014-9/49

38425 R23-29 R&R 06/09/2014 2014-9/4

buses

Education, Administration 38410 R277-601 5YR 04/04/2014 2014-9/52

camp

Regents (Board Of), University of Utah, Administration 38355 R805-3 5YR 03/14/2014 2014-7/95

campfire

Regents (Board Of), University of Utah, Administration 38355 R805-3 5YR 03/14/2014 2014-7/95

camping

Regents (Board Of), University of Utah, Administration 38355 R805-3 5YR 03/14/2014 2014-7/95

cancellations

Administrative Services, Purchasing and General Services 38508 R33-9 R&R 07/08/2014 2014-11/59

38697 R33-9 5YR 07/08/2014 2014-15/65

cancer

Health, Disease Control and Prevention, Health Promotion 38367 R384-100 5YR 03/18/2014 2014-8/38

capital improvements

Administrative Services, Facilities Construction and Management 38247 R23-33 NEW 03/10/2014 2014-3/2

capital investments

Governor, Economic Development 38154 R357-7 NEW 01/24/2014 2013-24/22

career and technical education

Education, Administration 38241 R277-518 AMD 03/10/2014 2014-3/8

case managers

Human Services, Substance Abuse and Mental Health 38293 R523-5 NEW 04/07/2014 2014-5/42

cattle

Agriculture and Food, Animal Industry 38294 R58-3 AMD 04/16/2014 2014-5/4

certificate of registration

Natural Resources, Wildlife Resources 38482 R657-45 AMD 07/08/2014 2014-11/163

certification

Labor Commission, Boiler and Elevator Safety 38226 R616-2-3 AMD 03/10/2014 2014-3/22

38378 R616-3-3 AMD 05/22/2014 2014-8/31

certification of instructors

Human Services, Substance Abuse and Mental Health 38451 R523-22 AMD 06/26/2014 2014-10/96

certifications

Agriculture and Food, Conservation Commission 38071 R64-3 NEW 05/08/2014 2013-22/15

38071 R64-3 CPR 05/08/2014 2014-7/82

Transportation, Motor Carrier 38449 R909-19 AMD 07/08/2014 2014-10/102

<u>certified medical language interpreter</u>						
Commerce, Occupational and Professional Licensing	38388	R156-80a	5YR	03/31/2014	2014-8/37	
<u>certified nurse midwife</u>						
Commerce, Occupational and Professional Licensing	38249	R156-44a	5YR	01/16/2014	2014-4/69	
<u>cervical cancer screening</u>						
Health, Disease Control and Prevention, Health Promotion	38178	R384-200	NEW	03/21/2014	2014-1/22	
<u>change orders</u>						
Administrative Services, Purchasing and General Services	38510	R33-12	R&R	07/08/2014	2014-11/71	
	38700	R33-12	5YR	07/08/2014	2014-15/67	
<u>charities</u>						
Tax Commission, Auditing	38237	R865-19S-30	NSC	01/30/2014	Not Printed	
<u>charter schools</u>						
Education, Administration	38186	R277-470-6	AMD	02/07/2014	2014-1/14	
	38589	R277-472	5YR	06/10/2014	2014-13/138	
	38588	R277-480	5YR	06/10/2014	2014-13/139	
	38187	R277-481	AMD	02/07/2014	2014-1/15	
<u>chickens</u>						
Agriculture and Food, Regulatory Services	38315	R70-410	AMD	05/08/2014	2014-6/5	
<u>chief procurement officer</u>						
Administrative Services, Purchasing and General Services	38502	R33-3	R&R	07/08/2014	2014-11/9	
	38691	R33-3	5YR	07/08/2014	2014-15/62	
<u>child care</u>						
Health, Family Health and Preparedness, Child Care Licensing	38543	R430-70	5YR	05/19/2014	2014-12/55	
Workforce Services, Employment Development	38159	R986-700	AMD	03/01/2014	2013-24/38	
	38269	R986-700	AMD	04/15/2014	2014-4/46	
<u>child care centers</u>						
Health, Family Health and Preparedness, Child Care Licensing	38543	R430-70	5YR	05/19/2014	2014-12/55	
<u>child care facilities</u>						
Health, Family Health and Preparedness, Child Care Licensing	38453	R430-8	5YR	04/25/2014	2014-10/113	
	38543	R430-70	5YR	05/19/2014	2014-12/55	
<u>child support</u>						
Human Services, Recovery Services	38277	R527-38	5YR	02/05/2014	2014-5/61	
	38336	R527-275	5YR	03/06/2014	2014-7/93	
	38550	R527-332	5YR	05/22/2014	2014-12/55	
	38551	R527-394	5YR	05/22/2014	2014-12/56	
<u>child welfare</u>						
Administrative Services, Child Welfare Parental Defense (Office of)	38547	R19-1	5YR	05/21/2014	2014-12/53	
Human Services, Child and Family Services	38263	R512-41	5YR	01/28/2014	2014-4/72	
	38217	R512-43	AMD	03/10/2014	2014-3/15	
<u>children's health benefits</u>						
Health, Children's Health Insurance Program	38102	R382-3	NEW	01/13/2014	2013-23/23	
	38400	R382-10	AMD	06/01/2014	2014-8/18	
<u>CHIP</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38322	R414-320	AMD	04/21/2014	2014-6/42	

RULES INDEX

<u>chiropractic services</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38529	R414-99	AMD	07/11/2014	2014-11/151	
<u>claims</u>						
Health, Center for Health Data, Health Care Statistics	38144	R428-15	AMD	01/07/2014	2013-23/43	
<u>Class I area</u>						
Environmental Quality, Air Quality	38260	R307-405	5YR	01/28/2014	2014-4/70	
<u>class size average reporting</u>						
Education, Administration	38590	R277-463	5YR	06/10/2014	2014-13/138	
<u>clinical health information exchanges</u>						
Health, Administration	38256	R380-70	5YR	01/24/2014	2014-4/71	
<u>CMV</u>						
Health, Family Health and Preparedness, Children with Special Health Care Needs	38139	R398-4	NEW	01/17/2014	2013-23/25	
<u>colleges</u>						
Public Safety, Administration	38310	R698-4	5YR	02/21/2014	2014-6/78	
<u>colorectal cancer screening</u>						
Health, Disease Control and Prevention, Health Promotion	38178	R384-200	NEW	03/21/2014	2014-1/22	
<u>conduct</u>						
Administrative Services, Purchasing and General Services	38514	R33-16	NEW	07/08/2014	2014-11/86	
<u>conduct committee</u>						
Human Resource Management, Administration	38091 38464	R477-101 R477-101	NEW AMD	01/14/2014 07/01/2014	2013-22/129 2014-10/92	
<u>confidentiality</u>						
Education, Administration	38295 38299	R277-117 R277-117	5YR AMD	02/13/2014 04/07/2014	2014-5/59 2014-5/16	
<u>confidentiality of information</u>						
Human Resource Management, Administration	38457	R477-2-3	AMD	07/01/2014	2014-10/62	
Workforce Services, Unemployment Insurance	38668 38248	R994-312 R994-312-102	5YR AMD	07/01/2014 04/15/2014	2014-14/86 2014-3/41	
<u>conflict of interest</u>						
Human Resource Management, Administration	38460	R477-9	AMD	07/01/2014	2014-10/84	
<u>congregate meals</u>						
Human Services, Aging and Adult Services	38670	R510-104	5YR	07/02/2014	2014-15/67	
<u>conservation permits</u>						
Natural Resources, Wildlife Resources	38171	R657-41	AMD	02/10/2014	2014-1/68	
<u>construction management</u>						
Administrative Services, Purchasing and General Services	38511	R33-13	NEW	07/08/2014	2014-11/79	
<u>consumer hearing panel</u>						
Human Services, Child and Family Services	38264	R512-75	5YR	01/28/2014	2014-4/72	
<u>consumer products</u>						
Environmental Quality, Air Quality	38332 38495	R307-357-4 R307-357-4	AMD NSC	05/08/2014 05/29/2014	2014-7/16 Not Printed	

<u>consumer rights</u>						
Human Services, Substance Abuse and Mental Health	38298	R523-6	NEW	04/07/2014	2014-5/45	
<u>consumers</u>						
Commerce, Consumer Protection	38266	R152-21	5YR	01/29/2014	2014-4/67	
	38125	R152-26	AMD	01/07/2014	2013-23/4	
<u>contract requirements</u>						
Administrative Services, Facilities Construction and Management	38587	R23-23	5YR	06/10/2014	2014-13/133	
<u>contractors</u>						
Administrative Services, Facilities Construction and Management	38587	R23-23	5YR	06/10/2014	2014-13/133	
Capitol Preservation Board (State), Administration	38476	R131-13	5YR	05/01/2014	2014-10/113	
	38479	R131-13	AMD	07/08/2014	2014-11/103	
Commerce, Occupational and Professional Licensing	38549	R156-15A-231	AMD	07/22/2014	2014-12/10	
	38533	R156-38a-401	NSC	05/29/2014	Not Printed	
	38151	R156-55a	AMD	01/21/2014	2013-24/10	
	38380	R156-55a-301	NSC	04/14/2014	Not Printed	
<u>contracts</u>						
Administrative Services, Facilities Construction and Management	38587	R23-23	5YR	06/10/2014	2014-13/133	
Administrative Services, Purchasing and General Services	38510	R33-12	R&R	07/08/2014	2014-11/71	
	38700	R33-12	5YR	07/08/2014	2014-15/67	
	38512	R33-14	NEW	07/08/2014	2014-11/83	
Capitol Preservation Board (State), Administration	38546	R131-4	EMR	05/21/2014	2014-12/49	
	38557	R131-4	AMD	07/22/2014	2014-12/8	
	38476	R131-13	5YR	05/01/2014	2014-10/113	
	38479	R131-13	AMD	07/08/2014	2014-11/103	
<u>controlled substances</u>						
Health, Disease Control and Prevention, Health Promotion	38081	R384-203	NEW	03/01/2014	2013-22/68	
<u>controversies</u>						
Administrative Services, Purchasing and General Services	38514	R33-16	NEW	07/08/2014	2014-11/86	
<u>conveyance</u>						
Natural Resources, Water Rights	38723	R655-3	5YR	08/01/2014	Not Printed	
<u>cooperative purchasing</u>						
Administrative Services, Purchasing and General Services	38520	R33-21	NEW	07/08/2014	2014-11/92	
<u>corrections</u>						
Corrections, Administration	38255	R251-111	NEW	03/26/2014	2014-4/25	
<u>costs</u>						
Administrative Services, Purchasing and General Services	38510	R33-12	R&R	07/08/2014	2014-11/71	
	38700	R33-12	5YR	07/08/2014	2014-15/67	
<u>cougar</u>						
Natural Resources, Wildlife Resources	38231	R657-10	AMD	03/11/2014	2014-3/23	
<u>counselors</u>						
Education, Administration	38591	R277-462	5YR	06/10/2014	2014-13/137	
<u>coverage</u>						
Workforce Services, Unemployment Insurance	38666	R994-310	5YR	07/01/2014	2014-14/85	

RULES INDEX

coverage groups

Health, Health Care Financing, Coverage and Reimbursement Policy	38401	R414-303	AMD	06/01/2014	2014-8/27
	38465	R414-303	AMD	07/01/2014	2014-10/51

credit insurance filings

Insurance, Administration	38366	R590-228	5YR	03/18/2014	2014-8/46
---------------------------	-------	----------	-----	------------	-----------

credit services

Commerce, Consumer Protection	38266	R152-21	5YR	01/29/2014	2014-4/67
-------------------------------	-------	---------	-----	------------	-----------

criminal records

Corrections, Administration	38255	R251-111	NEW	03/26/2014	2014-4/25
-----------------------------	-------	----------	-----	------------	-----------

curation

Regents (Board Of), University of Utah, Museum of Natural History (Utah)	38354	R807-1	5YR	03/14/2014	2014-7/95
--	-------	--------	-----	------------	-----------

custody

Education, Administration	38352	R277-735	5YR	03/14/2014	2014-7/91
	38360	R277-735	AMD	05/08/2014	2014-7/11

Cytomegalovirus

Health, Family Health and Preparedness, Children with Special Health Care Needs	38139	R398-4	NEW	01/17/2014	2013-23/25
---	-------	--------	-----	------------	------------

dairy inspections

Agriculture and Food, Regulatory Services	38467	R70-310	NSC	05/16/2014	Not Printed
	38636	R70-310	EXT	06/18/2014	2014-14/87
	38651	R70-310	5YR	06/24/2014	2014-14/79
	38652	R70-310	NSC	07/11/2014	Not Printed

debarment

Administrative Services, Purchasing and General Services	38508	R33-9	R&R	07/08/2014	2014-11/59
	38697	R33-9	5YR	07/08/2014	2014-15/65

decommissioning

Environmental Quality, Radiation Control	38145	R313-22-34	AMD	02/14/2014	2013-23/19
--	-------	------------	-----	------------	------------

definitions

Administrative Services, Purchasing and General Services	38500	R33-1	R&R	07/08/2014	2014-11/4
	38689	R33-1	5YR	07/08/2014	2014-15/61
Environmental Quality, Air Quality	38494	R307-101	5YR	05/08/2014	2014-11/172
	38330	R307-840	5YR	03/06/2014	2014-7/92
Human Resource Management, Administration	38456	R477-1	AMD	07/01/2014	2014-10/57

degreasing

Environmental Quality, Air Quality	37829	R307-335	AMD	06/02/2014	2013-15/23
	37829	R307-335	CPR	06/02/2014	2013-23/54
	37829	R307-335	CPR	06/02/2014	2014-7/85
	37829	R307-335	CPR	06/02/2014	2014-9/46

delegation of authority

Administrative Services, Purchasing and General Services	38502	R33-3	R&R	07/08/2014	2014-11/9
	38691	R33-3	5YR	07/08/2014	2014-15/62

delegations

Administrative Services, Facilities Construction and Management	38404	R23-29	5YR	04/03/2014	2014-9/49
	38425	R23-29	R&R	06/09/2014	2014-9/4

demonstration

Health, Health Care Financing, Coverage and Reimbursement Policy	38321	R414-310	AMD	04/21/2014	2014-6/32
--	-------	----------	-----	------------	-----------

<u>dental</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38135	R414-51	REP	01/10/2014	2013-23/33	
<u>dental hygienists</u>						
Commerce, Occupational and Professional Licensing	38149	R156-69	AMD	01/21/2014	2013-24/20	
<u>dentists</u>						
Commerce, Occupational and Professional Licensing	38149	R156-69	AMD	01/21/2014	2013-24/20	
<u>depleted uranium</u>						
Environmental Quality, Radiation Control	38082	R313-25	AMD	04/03/2014	2013-22/49	
	38082	R313-25	CPR	04/03/2014	2014-4/53	
<u>design</u>						
Administrative Services, Facilities Construction and Management	38405	R23-3	5YR	04/03/2014	2014-9/49	
<u>design-build transportation projects</u>						
Administrative Services, Purchasing and General Services	38512	R33-14	NEW	07/08/2014	2014-11/83	
<u>designated examiners</u>						
Human Services, Substance Abuse and Mental Health	38293	R523-5	NEW	04/07/2014	2014-5/42	
<u>direct-entry midwife</u>						
Commerce, Occupational and Professional Licensing	38375	R156-77	AMD	05/22/2014	2014-8/7	
<u>disabilities</u>						
Health, Family Health and Preparedness, Children with Special Health Care Needs	37984	R398-20	AMD	01/28/2014	2013-19/61	
Pardons (Board Of), Administration	38324	R671-102	AMD	05/08/2014	2014-7/76	
<u>disabled persons</u>						
Education, Rehabilitation	38353	R280-202	5YR	03/14/2014	2014-7/91	
	38361	R280-202	AMD	05/08/2014	2014-7/14	
	38540	R280-202-3	NSC	05/29/2014	Not Printed	
Natural Resources, Wildlife Resources	38169	R657-12	AMD	02/10/2014	2014-1/52	
<u>disasters</u>						
Education, Administration	38296	R277-400	5YR	02/13/2014	2014-5/59	
	38300	R277-400	AMD	04/07/2014	2014-5/17	
	38426	R277-400-5	NSC	04/29/2014	Not Printed	
<u>discipline of employees</u>						
Human Resource Management, Administration	38462	R477-14	AMD	07/01/2014	2014-10/88	
<u>discretionary funds</u>						
Education, Administration	38357	R277-119	NEW	05/08/2014	2014-7/7	
<u>discrimination</u>						
Labor Commission, Adjudication	38327	R602-7	5YR	03/05/2014	2014-7/94	
<u>dissemination of information</u>						
Education, Administration	38593	R277-714	5YR	06/10/2014	2014-13/140	
<u>diversion programs</u>						
Commerce, Occupational and Professional Licensing	38157	R156-1-501	AMD	01/21/2014	2013-24/6	
	38253	R156-1-501	NSC	01/31/2014	Not Printed	
<u>dogs</u>						
Natural Resources, Wildlife Resources	38558	R657-46	5YR	05/29/2014	2014-12/58	
<u>drinking water</u>						
Environmental Quality, Drinking Water	38013	R309-511	AMD	01/21/2014	2013-19/48	

RULES INDEX

	38012	R309-515	AMD	01/21/2014	2013-19/51
<u>drip irrigation</u> Environmental Quality, Water Quality	38481	R317-401	5YR	05/06/2014	2014-11/173
<u>driver license restrictions</u> Public Safety, Driver License	38370	R708-10	5YR	03/18/2014	2014-8/48
<u>drug abuse</u> Human Resource Management, Administration	38462	R477-14	AMD	07/01/2014	2014-10/88
<u>drug and alcohol testing</u> Administrative Services, Purchasing and General Services	38511	R33-13	NEW	07/08/2014	2014-11/79
<u>drug/alcohol education</u> Human Resource Management, Administration	38462	R477-14	AMD	07/01/2014	2014-10/88
<u>dual employment</u> Human Resource Management, Administration	38459	R477-8	AMD	07/01/2014	2014-10/80
<u>dual enrollment</u> Education, Administration	38347	R277-438	5YR	03/14/2014	2014-7/89
<u>due process</u> Human Services, Substance Abuse and Mental Health	38297	R523-1	REP	04/07/2014	2014-5/27
	38298	R523-6	NEW	04/07/2014	2014-5/45
<u>DUI programs</u> Human Services, Substance Abuse and Mental Health	38451	R523-22	AMD	06/26/2014	2014-10/96
<u>dumping of wastes</u> Environmental Quality, Water Quality	38387	R317-550	AMD	07/30/2014	2014-8/14
<u>early intervention</u> Health, Family Health and Preparedness, Children with Special Health Care Needs	37984	R398-20	AMD	01/28/2014	2013-19/61
<u>economic development</u> Governor, Economic Development	38154	R357-7	NEW	01/24/2014	2013-24/22
<u>economics</u> Education, Administration	38113	R277-704	AMD	01/08/2014	2013-23/11
<u>education</u> Education, Administration	38186	R277-470-6	AMD	02/07/2014	2014-1/14
	38116	R277-709	AMD	01/14/2014	2013-23/13
	38359	R277-709-11	AMD	05/08/2014	2014-7/10
Health, Family Health and Preparedness, Children with Special Health Care Needs	37984	R398-20	AMD	01/28/2014	2013-19/61
<u>education finance</u> Education, Administration	38585	R277-419-9	EMR	06/09/2014	2014-13/129
<u>educational administration</u> Education, Administration	38183	R277-116	AMD	02/07/2014	2014-1/10
	38592	R277-800	5YR	06/10/2014	2014-13/140
<u>educational tuition</u> Human Resource Management, Administration	38461	R477-10-1	AMD	07/01/2014	2014-10/87
<u>educator licensing</u> Education, Administration	38241	R277-518	AMD	03/10/2014	2014-3/8

<u>educators</u>					
Education, Administration	38289	R277-510-4	NSC	02/27/2014	Not Printed
	38242	R277-528	NEW	03/10/2014	2014-3/12
Public Education Job Enhancement Program, Job Enhancement Committee	38243	R690-100	REP	03/10/2014	2014-3/37
<u>effective date</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	38466	R414-306	AMD	07/01/2014	2014-10/53
	38129	R414-306-5	AMD	01/10/2014	2013-23/35
<u>effluent standards</u>					
Environmental Quality, Water Quality	38235	R317-1-7	AMD	03/27/2014	2014-3/13
	38402	R317-1-7	AMD	08/01/2014	2014-8/13
<u>eggs</u>					
Agriculture and Food, Regulatory Services	38315	R70-410	AMD	05/08/2014	2014-6/5
<u>elderly</u>					
Human Services, Aging and Adult Services	38670	R510-104	5YR	07/02/2014	2014-15/67
<u>elections</u>					
Lieutenant Governor, Elections	38384	R623-2	5YR	03/26/2014	2014-8/47
	38385	R623-3	5YR	03/26/2014	2014-8/48
<u>electronic data interchanges</u>					
Health, Administration	38586	R380-25	5YR	06/09/2014	2014-13/140
<u>electronic devices</u>					
Education, Administration	38301	R277-495	AMD	04/07/2014	2014-5/20
<u>electronic high school</u>					
Education, Administration	38411	R277-725	5YR	04/04/2014	2014-9/52
	38437	R277-725	AMD	06/09/2014	2014-9/18
<u>electronic meetings</u>					
Administrative Services, Child Welfare Parental Defense (Office of)	38547	R19-1	5YR	05/21/2014	2014-12/53
<u>elevators</u>					
Labor Commission, Boiler and Elevator Safety	38378	R616-3-3	AMD	05/22/2014	2014-8/31
<u>emergency medical services</u>					
Health, Family Health and Preparedness, Emergency Medical Services	38672	R426-5-2600	NSC	07/31/2014	Not Printed
	38272	R426-8	AMD	03/24/2014	2014-4/42
	38079	R426-100	REP	01/06/2014	2013-22/119
<u>emergency preparedness</u>					
Education, Administration	38296	R277-400	5YR	02/13/2014	2014-5/59
	38300	R277-400	AMD	04/07/2014	2014-5/17
	38426	R277-400-5	NSC	04/29/2014	Not Printed
<u>emergency procurement</u>					
Administrative Services, Purchasing and General Services	38507	R33-8	R&R	07/08/2014	2014-11/56
	38696	R33-8	5YR	07/08/2014	2014-15/65
<u>employee benefit plans</u>					
Human Resource Management, Administration	38469	R477-6	AMD	07/01/2014	2014-10/67
	38092	R477-6-9	AMD	01/14/2014	2013-22/125
<u>employee performance evaluations</u>					
Human Resource Management, Administration	38461	R477-10-1	AMD	07/01/2014	2014-10/87
<u>employee productivity</u>					
Human Resource Management, Administration	38461	R477-10-1	AMD	07/01/2014	2014-10/87

RULES INDEX

<u>employment</u>					
Human Resource Management, Administration	38458	R477-4	AMD	07/01/2014	2014-10/63
	38077	R477-4-4	AMD	01/14/2014	2013-22/124
<u>employment support procedures</u>					
Workforce Services, Employment Development	38158	R986-100-117	AMD	03/01/2014	2013-24/36
	38268	R986-100-117	AMD	04/15/2014	2014-4/45
<u>energy</u>					
Governor, Energy Development (Office of)	38163	R362-2	AMD	01/22/2014	2013-24/23
<u>enforcement</u>					
Environmental Quality, Radiation Control	38076	R313-14	AMD	04/03/2014	2013-22/45
	38076	R313-14	CPR	04/03/2014	2014-4/50
<u>engineering</u>					
Environmental Quality, Water Quality	38271	R317-5	R&R	03/26/2014	2014-4/26
<u>engineers</u>					
Administrative Services, Purchasing and General Services	38513	R33-15	NEW	07/08/2014	2014-11/84
<u>enrollment options</u>					
Education, Administration	38185	R277-437	AMD	02/07/2014	2014-1/12
<u>enrollment reporting</u>					
Education, Administration	38590	R277-463	5YR	06/10/2014	2014-13/138
<u>environment</u>					
Agriculture and Food, Conservation Commission	38071	R64-3	NEW	05/08/2014	2013-22/15
	38071	R64-3	CPR	05/08/2014	2014-7/82
Tax Commission, Auditing	38223	R865-7H	5YR	01/06/2014	2014-3/53
<u>equipment leasing</u>					
Commerce, Corporations and Commercial Code	38320	R154-2	R&R	04/21/2014	2014-6/9
<u>evaluation cycles</u>					
Judicial Performance Evaluation Commission, Administration	38304	R597-3	5YR	02/17/2014	2014-6/77
	38438	R597-3	AMD	06/12/2014	2014-9/30
<u>evidentiary restrictions</u>					
Commerce, Occupational and Professional Licensing	38157	R156-1-501	AMD	01/21/2014	2013-24/6
	38253	R156-1-501	NSC	01/31/2014	Not Printed
<u>exceptions to procurement requirements</u>					
Administrative Services, Purchasing and General Services	38507	R33-8	R&R	07/08/2014	2014-11/56
	38696	R33-8	5YR	07/08/2014	2014-15/65
<u>executive branch employees</u>					
Administrative Services, Purchasing and General Services	38521	R33-24	NEW	07/08/2014	2014-11/95
<u>executive branch insurance procurement</u>					
Administrative Services, Purchasing and General Services	38522	R33-25	NEW	07/08/2014	2014-11/97
<u>exiting provider</u>					
Public Service Commission, Administration	38234	R746-350	5YR	01/13/2014	2014-3/52
<u>expenses</u>					
Public Safety, Emergency Management	38688	R704-1	5YR	07/07/2014	2014-15/68
<u>facilities</u>					
Education, Administration	38351	R277-724	5YR	03/14/2014	2014-7/90

<u>facility</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38528	R414-9	AMD	07/11/2014	2014-11/150	
<u>fair employment practices</u>						
Human Resource Management, Administration	38457	R477-2-3	AMD	07/01/2014	2014-10/62	
	38458	R477-4	AMD	07/01/2014	2014-10/63	
	38077	R477-4-4	AMD	01/14/2014	2013-22/124	
<u>family employment program</u>						
Workforce Services, Employment Development	38140	R986-200-204	AMD	01/14/2014	2013-23/50	
	38472	R986-200-207	AMD	07/01/2014	2014-10/108	
<u>family involvement</u>						
Human Services, Substance Abuse and Mental Health	38298	R523-6	NEW	04/07/2014	2014-5/45	
<u>federal election reform</u>						
Lieutenant Governor, Elections	38385	R623-3	5YR	03/26/2014	2014-8/48	
<u>federal surplus property</u>						
Administrative Services, Purchasing and General Services	38523	R33-26	NEW	07/08/2014	2014-11/98	
<u>fees</u>						
Environmental Quality, Radiation Control	38146	R313-70-5	AMD	02/18/2014	2013-23/22	
Human Services, Substance Abuse and Mental Health	38297	R523-1	REP	04/07/2014	2014-5/27	
<u>filing deadlines</u>						
Labor Commission, Industrial Accidents	38553	R612-200-8	AMD	07/22/2014	2014-12/43	
<u>filing documents</u>						
Commerce, Corporations and Commercial Code	38320	R154-2	R&R	04/21/2014	2014-6/9	
<u>finance</u>						
Administrative Services, Finance	38653	R25-10	5YR	06/25/2014	2014-14/79	
<u>financial</u>						
Education, Administration	38113	R277-704	AMD	01/08/2014	2013-23/11	
<u>financial disclosures</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38317	R414-304-5	AMD	04/21/2014	2014-6/30	
<u>financial reimbursement</u>						
Public Safety, Emergency Management	38688	R704-1	5YR	07/07/2014	2014-15/68	
<u>fire</u>						
Regents (Board Of), University of Utah, Administration	38355	R805-3	5YR	03/14/2014	2014-7/95	
<u>fireplaces</u>						
Environmental Quality, Air Quality	38166	R307-302	AMD	03/06/2014	2014-1/20	
<u>fish</u>						
Natural Resources, Wildlife Resources	38167	R657-13	AMD	02/10/2014	2014-1/54	
	38316	R657-13	AMD	04/21/2014	2014-6/66	
	38483	R657-13	AMD	07/08/2014	2014-11/160	
	38236	R657-60	AMD	03/11/2014	2014-3/32	
	38477	R657-60	AMD	06/24/2014	2014-10/99	
<u>fishing</u>						
Natural Resources, Wildlife Resources	38167	R657-13	AMD	02/10/2014	2014-1/54	
	38316	R657-13	AMD	04/21/2014	2014-6/66	
	38483	R657-13	AMD	07/08/2014	2014-11/160	

RULES INDEX

<u>fleet expansion</u>						
Administrative Services, Fleet Operations	38312	R27-4-13	AMD	04/22/2014	2014-6/4	
<u>food</u>						
Agriculture and Food, Regulatory Services	38262	R70-530	R&R	03/27/2014	2014-4/5	
<u>food inspections</u>						
Agriculture and Food, Regulatory Services	38315	R70-410	AMD	05/08/2014	2014-6/5	
<u>food program</u>						
Education, Administration	38351	R277-724	5YR	03/14/2014	2014-7/90	
<u>food services</u>						
Health, Disease Control and Prevention, Environmental Services	38229	R392-101	5YR	01/10/2014	2014-3/49	
<u>forced medication hearings and treatment procedures for children</u>						
Human Services, Substance Abuse and Mental Health	38298	R523-6	NEW	04/07/2014	2014-5/45	
<u>foreign deposits</u>						
Money Management Council, Administration	38179	R628-20	NEW	02/18/2014	2014-1/41	
<u>former foster care youth</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38401	R414-303	AMD	06/01/2014	2014-8/27	
	38465	R414-303	AMD	07/01/2014	2014-10/51	
<u>foster care</u>						
Human Services, Child and Family Services	38217	R512-43	AMD	03/10/2014	2014-3/15	
<u>fraud</u>						
Commerce, Consumer Protection	38125	R152-26	AMD	01/07/2014	2013-23/4	
<u>freedom of information</u>						
Natural Resources, Parks and Recreation	38343	R651-102	NSC	04/01/2014	Not Printed	
<u>freedom of religion</u>						
Education, Administration	38409	R277-105	5YR	04/04/2014	2014-9/51	
	38432	R277-105	AMD	06/09/2014	2014-9/8	
<u>funding formula</u>						
Human Services, Substance Abuse and Mental Health	38292	R523-4	NEW	04/07/2014	2014-5/36	
<u>game laws</u>						
Natural Resources, Wildlife Resources	38168	R657-5	AMD	02/10/2014	2014-1/44	
	38231	R657-10	AMD	03/11/2014	2014-3/23	
	38172	R657-67	NEW	02/10/2014	2014-1/70	
	38484	R657-67	AMD	07/08/2014	2014-11/165	
<u>general construction provisions</u>						
Administrative Services, Purchasing and General Services	38511	R33-13	NEW	07/08/2014	2014-11/79	
<u>general procurement provisions</u>						
Administrative Services, Purchasing and General Services	38500	R33-1	R&R	07/08/2014	2014-11/4	
	38689	R33-1	5YR	07/08/2014	2014-15/61	
	38503	R33-4	R&R	07/08/2014	2014-11/28	
	38692	R33-4	5YR	07/08/2014	2014-15/62	
<u>general provisions</u>						
Administrative Services, Purchasing and General Services	38518	R33-19	NEW	07/08/2014	2014-11/90	
	38519	R33-20	NEW	07/08/2014	2014-11/91	

<u>geothermal natural bathing places</u>						
Health, Disease Control and Prevention, Environmental Services	38285	R392-303	5YR	02/11/2014	2014-5/60	
	38176	R392-303	AMD	02/24/2014	2014-1/25	
<u>geothermal pools</u>						
Health, Disease Control and Prevention, Environmental Services	38285	R392-303	5YR	02/11/2014	2014-5/60	
	38176	R392-303	AMD	02/24/2014	2014-1/25	
<u>geothermal spas</u>						
Health, Disease Control and Prevention, Environmental Services	38285	R392-303	5YR	02/11/2014	2014-5/60	
	38176	R392-303	AMD	02/24/2014	2014-1/25	
<u>government access management</u>						
Crime Victim Reparations, Administration	38499	R270-4	5YR	05/12/2014	2014-11/171	
<u>government corporations</u>						
Workforce Services, Unemployment Insurance	38667	R994-311	5YR	07/01/2014	2014-14/85	
<u>government documents</u>						
Administrative Services, Records Committee	38572	R35-1	5YR	06/03/2014	2014-13/133	
	38573	R35-1a	5YR	06/03/2014	2014-13/134	
	38574	R35-2	5YR	06/03/2014	2014-13/135	
	38575	R35-3	5YR	06/03/2014	2014-13/135	
	38576	R35-4	5YR	06/03/2014	2014-13/136	
	38577	R35-5	5YR	06/03/2014	2014-13/136	
	38578	R35-6	5YR	06/03/2014	2014-13/137	
Attorney General, Administration	38245	R105-2	NSC	01/30/2014	Not Printed	
Environmental Quality, Administration	38244	R305-1	NSC	01/30/2014	Not Printed	
Natural Resources, Parks and Recreation	38343	R651-102	NSC	04/01/2014	Not Printed	
<u>government ethics</u>						
Human Resource Management, Administration	38460	R477-9	AMD	07/01/2014	2014-10/84	
<u>government purchasing</u>						
Administrative Services, Purchasing and General Services	38500	R33-1	R&R	07/08/2014	2014-11/4	
	38689	R33-1	5YR	07/08/2014	2014-15/61	
	38501	R33-2	R&R	07/08/2014	2014-11/6	
	38690	R33-2	5YR	07/08/2014	2014-15/61	
	38502	R33-3	R&R	07/08/2014	2014-11/9	
	38691	R33-3	5YR	07/08/2014	2014-15/62	
	38503	R33-4	R&R	07/08/2014	2014-11/28	
	38692	R33-4	5YR	07/08/2014	2014-15/62	
	38504	R33-5	R&R	07/08/2014	2014-11/32	
	38693	R33-5	5YR	07/08/2014	2014-15/63	
	38218	R33-6	EXT	01/02/2014	2014-3/57	
	38446	R33-6	5YR	04/17/2014	2014-10/111	
	38505	R33-6	R&R	07/08/2014	2014-11/43	
	38694	R33-6	5YR	07/08/2014	2014-15/64	
	38219	R33-7	EXT	01/02/2014	2014-3/57	
	38447	R33-7	5YR	04/17/2014	2014-10/111	
	38506	R33-7	R&R	07/08/2014	2014-11/49	
	38695	R33-7	5YR	07/08/2014	2014-15/64	
	38507	R33-8	R&R	07/08/2014	2014-11/56	
	38696	R33-8	5YR	07/08/2014	2014-15/65	
	38220	R33-9	EXT	01/02/2014	2014-3/57	
	38448	R33-9	5YR	04/17/2014	2014-10/112	
	38508	R33-9	R&R	07/08/2014	2014-11/59	
	38697	R33-9	5YR	07/08/2014	2014-15/65	
	38513	R33-15	NEW	07/08/2014	2014-11/84	
	38514	R33-16	NEW	07/08/2014	2014-11/86	
	38526	R33-22	NEW	07/08/2014	2014-11/94	
	38527	R33-23	NEW	07/08/2014	2014-11/95	

RULES INDEX

	38522	R33-25	NEW	07/08/2014	2014-11/97
<u>government records</u>					
Corrections, Administration	38255	R251-111	NEW	03/26/2014	2014-4/25
<u>government records access</u>					
Crime Victim Reparations, Administration	38259	R270-4	EXT	01/27/2014	2014-4/75
<u>Governmental Immunity Act caps</u>					
Administrative Services, Risk Management	38250	R37-4	AMD	04/30/2014	2014-4/4
<u>grading system</u>					
Education, Administration	38111	R277-497	AMD	01/08/2014	2013-23/8
<u>GRAMA</u>					
Attorney General, Administration	38245	R105-2	NSC	01/30/2014	Not Printed
Corrections, Administration	38255	R251-111	NEW	03/26/2014	2014-4/25
Environmental Quality, Administration	38244	R305-1	NSC	01/30/2014	Not Printed
Regents (Board Of), Salt Lake Community College	38362	R784-1	5YR	03/17/2014	2014-8/50
<u>GRAMA appeals</u>					
Administrative Services, Administration	38570	R13-2	5YR	06/02/2014	2014-12/53
	38569	R13-2	AMD	07/22/2014	2014-12/6
<u>GRAMA requests</u>					
Administrative Services, Administration	38570	R13-2	5YR	06/02/2014	2014-12/53
	38569	R13-2	AMD	07/22/2014	2014-12/6
<u>grants</u>					
Education, Administration	38295	R277-117	5YR	02/13/2014	2014-5/59
	38299	R277-117	AMD	04/07/2014	2014-5/16
Health, Family Health and Preparedness, Primary Care and Rural Health	38305	R434-40	NEW	05/08/2014	2014-6/53
<u>grants and loans</u>					
Environmental Quality, Administration	38525	R305-4	AMD	07/08/2014	2014-11/118
<u>graywater</u>					
Environmental Quality, Water Quality	38481	R317-401	5YR	05/06/2014	2014-11/173
<u>great seal</u>					
Lieutenant Governor, Administration	38379	R622-2	5YR	03/24/2014	2014-8/46
<u>greenhouse gases</u>					
Environmental Quality, Air Quality	37833	R307-401-19	AMD	01/06/2014	2013-15/29
	37833	R307-401-19	CPR	01/06/2014	2013-23/55
	38260	R307-405	5YR	01/28/2014	2014-4/70
<u>grievance procedures</u>					
Human Services, Child and Family Services	38264	R512-75	5YR	01/28/2014	2014-4/72
<u>grievances</u>					
Human Resource Management, Administration	38454	R477-3-4	AMD	07/01/2014	2014-10/63
<u>Hatch Act</u>					
Human Resource Management, Administration	38460	R477-9	AMD	07/01/2014	2014-10/84
<u>hazardous air pollutant</u>					
Environmental Quality, Air Quality	38105	R307-214-3	AMD	03/06/2014	2013-23/18
<u>hazardous waste</u>					
Environmental Quality, Solid and Hazardous Waste	38334	R315-8-14	NSC	04/01/2014	Not Printed
	38335	R315-12	NSC	04/01/2014	Not Printed
<u>health</u>					
Health, Administration	38586	R380-25	5YR	06/09/2014	2014-13/140

health care

Health, Family Health and Preparedness, Children with Special Health Care Needs 38319 R398-1 AMD 07/01/2014 2014-6/25

health care facilities

Health, Family Health and Preparedness, Licensing 38086 R432-2-5 AMD 01/24/2014 2013-22/123
 38173 R432-3 AMD 02/27/2014 2014-1/37
 38391 R432-7 5YR 04/01/2014 2014-8/40
 38392 R432-8 5YR 04/01/2014 2014-8/41
 38393 R432-9 5YR 04/01/2014 2014-8/41
 38394 R432-10 5YR 04/01/2014 2014-8/42
 38395 R432-11 5YR 04/01/2014 2014-8/42
 38396 R432-12 5YR 04/01/2014 2014-8/43
 38397 R432-13 5YR 04/01/2014 2014-8/43
 38422 R432-14 5YR 04/10/2014 2014-9/54
 38398 R432-30 5YR 04/01/2014 2014-8/44
 38399 R432-32 5YR 04/01/2014 2014-8/44
 38423 R432-270 5YR 04/10/2014 2014-9/54
 38341 R432-270 AMD 05/20/2014 2014-7/65

health care professionals

Public Safety, Driver License 38487 R708-7 NSC 05/29/2014 Not Printed

health facility administrators

Commerce, Occupational and Professional Licensing 38337 R156-15 AMD 05/08/2014 2014-7/5

health insurance

Administrative Services, Facilities Construction and Management 38587 R23-23 5YR 06/10/2014 2014-13/133
 Capitol Preservation Board (State), Administration 38476 R131-13 5YR 05/01/2014 2014-10/113
 38479 R131-13 AMD 07/08/2014 2014-11/103

health insurance exclusions

Insurance, Administration 38286 R590-249-1 NSC 02/27/2014 Not Printed

health insurance filings

Insurance, Administration 38311 R590-220 5YR 02/24/2014 2014-6/75

hearing aids

Commerce, Occupational and Professional Licensing 38155 R156-46a AMD 01/21/2014 2013-24/7
 38257 R156-46a 5YR 01/27/2014 2014-4/69

hearing instrument interns

Commerce, Occupational and Professional Licensing 38155 R156-46a AMD 01/21/2014 2013-24/7
 38257 R156-46a 5YR 01/27/2014 2014-4/69

hearing instrument specialists

Commerce, Occupational and Professional Licensing 38155 R156-46a AMD 01/21/2014 2013-24/7
 38257 R156-46a 5YR 01/27/2014 2014-4/69

hearings

Administrative Services, Purchasing and General Services 38515 R33-17 NEW 07/08/2014 2014-11/87
 Environmental Quality, Air Quality 38252 R307-103-1 NSC 01/31/2014 Not Printed
 Environmental Quality, Solid and Hazardous Waste 38335 R315-12 NSC 04/01/2014 Not Printed
 Labor Commission, Adjudication 38306 R602-2 AMD 04/22/2014 2014-6/61
 38554 R602-2-4 AMD 07/22/2014 2014-12/41
 38193 R602-2-5 AMD 02/21/2014 2014-2/7
 38327 R602-7 5YR 03/05/2014 2014-7/94
 38328 R602-8 5YR 03/05/2014 2014-7/94
 Pardons (Board Of), Administration 38325 R671-201 AMD 05/08/2014 2014-7/78
 38314 R671-201-1 EMR 03/01/2014 2014-6/73

Help America Vote Act

Lieutenant Governor, Elections 38384 R623-2 5YR 03/26/2014 2014-8/47

RULES INDEX

<u>hemp extract registration</u>						
Health, Center for Health Data, Vital Records and Statistics	38537	R436-55	NEW	07/08/2014	2014-11/155	
<u>higher education</u>						
Money Management Council, Administration	38179	R628-20	NEW	02/18/2014	2014-1/41	
<u>highly qualified</u>						
Education, Administration	38289	R277-510-4	NSC	02/27/2014	Not Printed	
<u>hiring practices</u>						
Human Resource Management, Administration	38458	R477-4	AMD	07/01/2014	2014-10/63	
	38077	R477-4-4	AMD	01/14/2014	2013-22/124	
<u>holidays</u>						
Human Resource Management, Administration	38084	R477-7	AMD	01/14/2014	2013-22/126	
	38455	R477-7	AMD	07/01/2014	2014-10/71	
<u>home-delivered meals</u>						
Human Services, Aging and Adult Services	38670	R510-104	5YR	07/02/2014	2014-15/67	
<u>hospitals</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38369	R414-1B	5YR	03/18/2014	2014-8/39	
<u>hostile work environment</u>						
Human Resource Management, Administration	38463	R477-15	AMD	07/01/2014	2014-10/90	
<u>hot springs</u>						
Health, Disease Control and Prevention, Environmental Services	38285	R392-303	5YR	02/11/2014	2014-5/60	
	38176	R392-303	AMD	02/24/2014	2014-1/25	
<u>housing finance</u>						
Housing Corporation (Utah), Administration	38452	R460-6	AMD	07/10/2014	2014-10/55	
<u>hunter education</u>						
Natural Resources, Wildlife Resources	38172	R657-67	NEW	02/10/2014	2014-1/70	
	38484	R657-67	AMD	07/08/2014	2014-11/165	
<u>hunting</u>						
Natural Resources, Wildlife Resources	38170	R657-38	AMD	02/10/2014	2014-1/61	
<u>hydraulic modeling</u>						
Environmental Quality, Drinking Water	38013	R309-511	AMD	01/21/2014	2013-19/48	
<u>identity theft</u>						
Technology Services, Administration	38480	R895-13	5YR	05/05/2014	2014-11/174	
<u>ignition interlock systems</u>						
Public Safety, Driver License	38196	R708-31	AMD	02/21/2014	2014-2/8	
	38374	R708-31	5YR	03/18/2014	2014-8/49	
<u>in-service training</u>						
Public Safety, Peace Officer Standards and Training	38377	R728-502	5YR	03/19/2014	2014-8/50	
<u>incidents</u>						
Administrative Services, Fleet Operations	38073	R27-7-3	AMD	03/11/2014	2013-22/14	
<u>income</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38317	R414-304-5	AMD	04/21/2014	2014-6/30	
<u>individual open enrollment period</u>						
Insurance, Administration	38088	R590-269	NEW	01/13/2014	2013-22/144	
	38376	R590-269-4	AMD	06/02/2014	2014-8/29	

<u>industrial waste</u>						
Environmental Quality, Water Quality	38235	R317-1-7	AMD	03/27/2014	2014-3/13	
	38402	R317-1-7	AMD	08/01/2014	2014-8/13	
<u>information technology resources</u>						
Technology Services, Administration	38428	R895-7	5YR	04/15/2014	2014-9/60	
<u>inmates</u>						
Education, Administration	38352	R277-735	5YR	03/14/2014	2014-7/91	
	38360	R277-735	AMD	05/08/2014	2014-7/11	
Pardons (Board Of), Administration	38325	R671-201	AMD	05/08/2014	2014-7/78	
	38314	R671-201-1	EMR	03/01/2014	2014-6/73	
<u>inspections</u>						
Agriculture and Food, Animal Industry	38251	R58-20	5YR	01/17/2014	2014-4/67	
Agriculture and Food, Regulatory Services	38262	R70-530	R&R	03/27/2014	2014-4/5	
<u>instructor certification</u>						
Commerce, Real Estate	38270	R162-2g	AMD	03/31/2014	2014-4/16	
	38389	R162-2g	AMD	05/22/2014	2014-8/8	
Public Safety, Peace Officer Standards and Training	38377	R728-502	5YR	03/19/2014	2014-8/50	
<u>insurance</u>						
Human Resource Management, Administration	38469	R477-6	AMD	07/01/2014	2014-10/67	
	38092	R477-6-9	AMD	01/14/2014	2013-22/125	
Insurance, Administration	38417	R590-166	5YR	04/07/2014	2014-9/57	
	38283	R590-170	5YR	02/11/2014	2014-5/62	
	38555	R590-171	5YR	05/27/2014	2014-12/56	
	38273	R590-186-8	AMD	03/26/2014	2014-4/43	
	38090	R590-229	AMD	03/11/2014	2013-22/139	
	38090	R590-229	CPR	03/11/2014	2014-3/44	
	38342	R590-229-9	AMD	05/27/2014	2014-7/72	
	38559	R590-230	5YR	05/30/2014	2014-12/57	
Natural Resources, Parks and Recreation	38441	R651-409	AMD	06/09/2014	2014-9/38	
<u>insurance company financial reporting</u>						
Insurance, Administration	38669	R590-254	5YR	07/02/2014	2014-15/68	
<u>insurance email address requirements</u>						
Insurance, Administration	38284	R590-258-1	NSC	02/27/2014	Not Printed	
<u>insurance law</u>						
Insurance, Administration	38069	R590-96	AMD	01/21/2014	2013-22/137	
	38414	R590-98	5YR	04/07/2014	2014-9/56	
	38416	R590-190	5YR	04/07/2014	2014-9/57	
	38415	R590-191	5YR	04/07/2014	2014-9/58	
	38635	R590-192	5YR	06/17/2014	2014-14/83	
<u>insurance licensing</u>						
Insurance, Administration	38307	R590-195	5YR	02/20/2014	2014-6/75	
	38308	R590-195	REP	04/22/2014	2014-6/59	
<u>insurance licensing requirements</u>						
Insurance, Administration	38620	R590-244	5YR	06/16/2014	2014-13/141	
<u>intellectual disability</u>						
Health, Family Health and Preparedness, Children with Special Health Care Needs	38340	R398-10	NSC	04/01/2014	Not Printed	
<u>international guest teachers</u>						
Education, Administration	38190	R277-527	AMD	02/07/2014	2014-1/18	
<u>inventories</u>						
Environmental Quality, Air Quality	38261	R307-150	5YR	01/28/2014	2014-4/70	
<u>investment advisers</u>						
Money Management Council, Administration	38281	R628-19	5YR	02/10/2014	2014-5/63	

RULES INDEX

<u>involuntary commitment</u>						
Human Services, Substance Abuse and Mental Health	38293	R523-5	NEW	04/07/2014	2014-5/42	
<u>IRIS</u>						
Technology Services, Administration	38480	R895-13	5YR	05/05/2014	2014-11/174	
<u>IT planning</u>						
Technology Services, Administration	38386	R895-6	5YR	03/27/2014	2014-8/51	
<u>job descriptions</u>						
Human Resource Management, Administration	38454	R477-3-4	AMD	07/01/2014	2014-10/63	
<u>judges</u>						
Judicial Performance Evaluation Commission, Administration	38303	R597-1	5YR	02/17/2014	2014-6/77	
	38304	R597-3	5YR	02/17/2014	2014-6/77	
	38438	R597-3	AMD	06/12/2014	2014-9/30	
<u>judicial evaluations</u>						
Judicial Performance Evaluation Commission, Administration	38303	R597-1	5YR	02/17/2014	2014-6/77	
<u>judicial performance evaluations</u>						
Judicial Performance Evaluation Commission, Administration	38303	R597-1	5YR	02/17/2014	2014-6/77	
	38304	R597-3	5YR	02/17/2014	2014-6/77	
	38438	R597-3	AMD	06/12/2014	2014-9/30	
<u>judiciary</u>						
Judicial Performance Evaluation Commission, Administration	38303	R597-1	5YR	02/17/2014	2014-6/77	
<u>justice court classifications</u>						
Judicial Performance Evaluation Commission, Administration	38440	R597-4	NEW	06/12/2014	2014-9/34	
<u>justice court evaluations</u>						
Judicial Performance Evaluation Commission, Administration	38440	R597-4	NEW	06/12/2014	2014-9/34	
<u>justice court multiple jurisdictions</u>						
Judicial Performance Evaluation Commission, Administration	38440	R597-4	NEW	06/12/2014	2014-9/34	
<u>justice court multiple retention election years</u>						
Judicial Performance Evaluation Commission, Administration	38440	R597-4	NEW	06/12/2014	2014-9/34	
<u>juvenile courts</u>						
Education, Administration	38116	R277-709	AMD	01/14/2014	2013-23/13	
	38359	R277-709-11	AMD	05/08/2014	2014-7/10	
<u>juvenile offenders</u>						
Education, Administration	38593	R277-714	5YR	06/10/2014	2014-13/140	
<u>landowner permits</u>						
Natural Resources, Wildlife Resources	38232	R657-43	AMD	03/11/2014	2014-3/30	
<u>large underground wastewater</u>						
Environmental Quality, Water Quality	38271	R317-5	R&R	03/26/2014	2014-4/26	
<u>law enforcement</u>						
Public Safety, Highway Patrol	38711	R714-600	5YR	07/22/2014	Not Printed	

<u>law enforcement officer certification</u>						
Public Safety, Administration	38310	R698-4	5YR	02/21/2014	2014-6/78	
<u>law enforcement officers</u>						
Public Safety, Peace Officer Standards and Training	38377	R728-502	5YR	03/19/2014	2014-8/50	
<u>lead-based paint</u>						
Environmental Quality, Air Quality	38330	R307-840	5YR	03/06/2014	2014-7/92	
<u>learner permits</u>						
Public Safety, Driver License	38373	R708-26	5YR	03/18/2014	2014-8/49	
	38372	R708-26	NSC	04/14/2014	Not Printed	
<u>leave benefits</u>						
Human Resource Management, Administration	38084	R477-7	AMD	01/14/2014	2013-22/126	
	38455	R477-7	AMD	07/01/2014	2014-10/71	
<u>liability</u>						
Natural Resources, Parks and Recreation	38441	R651-409	AMD	06/09/2014	2014-9/38	
<u>licenses</u>						
Natural Resources, Wildlife Resources	38482	R657-45	AMD	07/08/2014	2014-11/163	
<u>licensing</u>						
Commerce, Occupational and Professional Licensing	38157	R156-1-501	AMD	01/21/2014	2013-24/6	
	38253	R156-1-501	NSC	01/31/2014	Not Printed	
	38337	R156-15	AMD	05/08/2014	2014-7/5	
	38549	R156-15A-231	AMD	07/22/2014	2014-12/10	
	38473	R156-24b	AMD	06/23/2014	2014-10/9	
	38475	R156-31b	R&R	06/23/2014	2014-10/11	
	38533	R156-38a-401	NSC	05/29/2014	Not Printed	
	38517	R156-40	AMD	07/08/2014	2014-11/105	
	38548	R156-40a-302a	AMD	07/22/2014	2014-12/13	
	38254	R156-42a	5YR	01/21/2014	2014-4/68	
	38313	R156-42a	AMD	04/21/2014	2014-6/24	
	38249	R156-44a	5YR	01/16/2014	2014-4/69	
	38155	R156-46a	AMD	01/21/2014	2013-24/7	
	38257	R156-46a	5YR	01/27/2014	2014-4/69	
	38151	R156-55a	AMD	01/21/2014	2013-24/10	
	38380	R156-55a-301	NSC	04/14/2014	Not Printed	
	38421	R156-60	5YR	04/08/2014	2014-9/50	
	38390	R156-60-102	AMD	05/22/2014	2014-8/6	
	38233	R156-61	5YR	01/13/2014	2014-3/49	
	38450	R156-63a	AMD	06/23/2014	2014-10/45	
	38474	R156-63b	AMD	06/23/2014	2014-10/48	
	38106	R156-67	AMD	01/07/2014	2013-23/5	
	38107	R156-68	AMD	01/07/2014	2013-23/6	
	38552	R156-68	AMD	07/28/2014	2014-12/14	
	38149	R156-69	AMD	01/21/2014	2013-24/20	
	38165	R156-72	AMD	02/10/2014	2014-1/8	
	38375	R156-77	AMD	05/22/2014	2014-8/7	
	38388	R156-80a	5YR	03/31/2014	2014-8/37	
	38382	R156-81	5YR	03/25/2014	2014-8/37	
Governor, Economic Development, Pete Suazo Utah Athletic Commission	38033	R359-1-604	AMD	01/24/2014	2013-20/25	
Natural Resources, Wildlife Resources	38230	R657-27	AMD	03/11/2014	2014-3/26	
Public Safety, Driver License	38370	R708-10	5YR	03/18/2014	2014-8/48	
	38407	R708-24	5YR	04/03/2014	2014-9/59	
	38486	R708-24	NSC	05/29/2014	Not Printed	
<u>liens</u>						
Commerce, Occupational and Professional Licensing	38533	R156-38a-401	NSC	05/29/2014	Not Printed	
<u>life insurance</u>						
Insurance, Administration	38413	R590-93	5YR	04/07/2014	2014-9/56	

RULES INDEX

<u>life insurance filings</u>					
Insurance, Administration	38364	R590-226	5YR	03/18/2014	2014-8/45
	38290	R590-226-5	NSC	02/27/2014	Not Printed
<u>lifeline rates</u>					
Public Service Commission, Administration	38198	R746-341	AMD	02/24/2014	2014-2/9
<u>limitation on judgments</u>					
Administrative Services, Risk Management	38250	R37-4	AMD	04/30/2014	2014-4/4
<u>liquid waste</u>					
Environmental Quality, Water Quality	38387	R317-550	AMD	07/30/2014	2014-8/14
<u>literacy</u>					
Education, Administration	38113	R277-704	AMD	01/08/2014	2013-23/11
<u>loans</u>					
Agriculture and Food, Conservation Commission	38712	R64-1	5YR	07/23/2014	Not Printed
<u>lobbyist regulations</u>					
Lieutenant Governor, Elections	38383	R623-1	5YR	03/26/2014	2014-8/47
<u>Local Mental Health Authority</u>					
Human Services, Substance Abuse and Mental Health	38292	R523-4	NEW	04/07/2014	2014-5/36
<u>Local Substance Abuse Authority</u>					
Human Services, Substance Abuse and Mental Health	38292	R523-4	NEW	04/07/2014	2014-5/36
<u>lt. governor</u>					
Lieutenant Governor, Administration	38379	R622-2	5YR	03/24/2014	2014-8/46
<u>MACT</u>					
Environmental Quality, Air Quality	38105	R307-214-3	AMD	03/06/2014	2013-23/18
<u>MAGI-based</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	38401	R414-303	AMD	06/01/2014	2014-8/27
	38465	R414-303	AMD	07/01/2014	2014-10/51
<u>Medicaid</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	38191	R414-1-5	AMD	05/01/2014	2014-1/32
	38381	R414-1-5	AMD	07/28/2014	2014-8/22
	38369	R414-1B	5YR	03/18/2014	2014-8/39
	38560	R414-7A	5YR	05/30/2014	2014-12/54
	38528	R414-9	AMD	07/11/2014	2014-11/150
	38430	R414-10A-6	AMD	06/11/2014	2014-9/27
	38371	R414-11	5YR	03/18/2014	2014-8/39
	38130	R414-14	AMD	01/10/2014	2013-23/26
	38561	R414-14	5YR	05/30/2014	2014-12/54
	38630	R414-14A	5YR	06/17/2014	2014-14/80
	38132	R414-21	AMD	01/10/2014	2013-23/28
	38650	R414-31	5YR	06/24/2014	2014-14/80
	38431	R414-45	REP	06/11/2014	2014-9/29
	38133	R414-49	AMD	01/10/2014	2013-23/30
	38201	R414-49	NSC	01/23/2014	Not Printed
	38631	R414-49	5YR	06/17/2014	2014-14/81
	38134	R414-50	REP	01/10/2014	2013-23/32
	38135	R414-51	REP	01/10/2014	2013-23/33
	38227	R414-54	5YR	01/07/2014	2014-3/50
	38318	R414-61	AMD	04/21/2014	2014-6/29
	38368	R414-90	5YR	03/18/2014	2014-8/40
	38529	R414-99	AMD	07/11/2014	2014-11/151
	38321	R414-310	AMD	04/21/2014	2014-6/32
	38322	R414-320	AMD	04/21/2014	2014-6/42

	38418	R414-401	5YR	04/07/2014	2014-9/53
	38478	R414-401-3	AMD	07/01/2014	2014-10/53
	38632	R414-501	5YR	06/17/2014	2014-14/82
	38633	R414-502	5YR	06/17/2014	2014-14/82
	38141	R414-503	R&R	01/07/2014	2013-23/37
	38660	R414-503	5YR	07/01/2014	2014-14/83
	38584	R414-503-2	NSC	06/18/2014	Not Printed
	38532	R414-510	AMD	07/15/2014	2014-11/153
	38103	R414-511	NEW	01/13/2014	2013-23/42
<u>medical examiner</u>					
Health, Disease Control and Prevention, Medical Examiner	38419	R448-10	5YR	04/07/2014	2014-9/55
	38420	R448-20	5YR	04/07/2014	2014-9/55
<u>medical language interpreter</u>					
Commerce, Occupational and Professional Licensing	38388	R156-80a	5YR	03/31/2014	2014-8/37
<u>medical transportation</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	38466	R414-306	AMD	07/01/2014	2014-10/53
	38129	R414-306-5	AMD	01/10/2014	2013-23/35
<u>medically underserved</u>					
Health, Family Health and Preparedness, Primary Care and Rural Health	38305	R434-40	NEW	05/08/2014	2014-6/53
<u>mental health</u>					
Commerce, Occupational and Professional Licensing	38421	R156-60	5YR	04/08/2014	2014-9/50
	38390	R156-60-102	AMD	05/22/2014	2014-8/6
<u>mental retardation</u>					
Health, Family Health and Preparedness, Children with Special Health Care Needs	38339	R398-10	5YR	03/12/2014	2014-7/92
<u>midwife</u>					
Commerce, Occupational and Professional Licensing	38375	R156-77	AMD	05/22/2014	2014-8/7
<u>midwifery</u>					
Commerce, Occupational and Professional Licensing	38249	R156-44a	5YR	01/16/2014	2014-4/69
<u>mineral resources</u>					
Tax Commission, Auditing	38222	R865-16R	5YR	01/06/2014	2014-3/54
<u>monitoring</u>					
Education, Administration	38187	R277-481	AMD	02/07/2014	2014-1/15
<u>motor carrier</u>					
Public Safety, Highway Patrol	38711	R714-600	5YR	07/22/2014	Not Printed
<u>motor vehicles</u>					
Environmental Quality, Administration	38525	R305-4	AMD	07/08/2014	2014-11/118
<u>multiple stage bidding</u>					
Administrative Services, Purchasing and General Services	38505	R33-6	R&R	07/08/2014	2014-11/43
	38694	R33-6	5YR	07/08/2014	2014-15/64
<u>NCLB</u>					
Education, Administration	38349	R277-524	5YR	03/14/2014	2014-7/90
	38358	R277-524	AMD	05/08/2014	2014-7/8
<u>NESHAP</u>					
Environmental Quality, Air Quality	38105	R307-214-3	AMD	03/06/2014	2013-23/18
<u>new source review</u>					
Environmental Quality, Air Quality	38104	R307-210-2	AMD	03/06/2014	2013-23/17

RULES INDEX

<u>newborn hearing screening</u> Health, Family Health and Preparedness, Children with Special Health Care Needs	38139	R398-4	NEW	01/17/2014	2013-23/25
<u>newborn screening</u> Health, Family Health and Preparedness, Children with Special Health Care Needs	38319	R398-1	AMD	07/01/2014	2014-6/25
<u>nonprofit organizations</u> Workforce Services, Unemployment Insurance	38665	R994-309	5YR	07/01/2014	2014-14/84
<u>nonpublic schools</u> Education, Administration	38434	R277-410-5	AMD	06/09/2014	2014-9/13
<u>notification requirements</u> Commerce, Real Estate	38213	R162-2f	AMD	02/25/2014	2014-2/4
<u>nurses</u> Commerce, Occupational and Professional Licensing	38475	R156-31b	R&R	06/23/2014	2014-10/11
<u>nursing facility</u> Health, Health Care Financing, Coverage and Reimbursement Policy	38418	R414-401	5YR	04/07/2014	2014-9/53
	38478	R414-401-3	AMD	07/01/2014	2014-10/53
<u>nutrition</u> Human Services, Aging and Adult Services	38670	R510-104	5YR	07/02/2014	2014-15/67
<u>occupational licensing</u> Commerce, Occupational and Professional Licensing	38548	R156-40a-302a	AMD	07/22/2014	2014-12/13
	38151	R156-55a	AMD	01/21/2014	2013-24/10
	38380	R156-55a-301	NSC	04/14/2014	Not Printed
<u>occupational safety and health</u> Labor Commission, Adjudication	38328	R602-8	5YR	03/05/2014	2014-7/94
<u>occupational therapy</u> Commerce, Occupational and Professional Licensing	38254	R156-42a	5YR	01/21/2014	2014-4/68
	38313	R156-42a	AMD	04/21/2014	2014-6/24
<u>off-highway vehicles</u> Natural Resources, Parks and Recreation	38216	R651-411	5YR	01/02/2014	2014-3/51
<u>operational requirements</u> Commerce, Real Estate	38213	R162-2f	AMD	02/25/2014	2014-2/4
<u>orthodontia</u> Health, Health Care Financing, Coverage and Reimbursement Policy	38135	R414-51	REP	01/10/2014	2013-23/33
<u>osteopathic physician</u> Commerce, Occupational and Professional Licensing	38107	R156-68	AMD	01/07/2014	2013-23/6
	38552	R156-68	AMD	07/28/2014	2014-12/14
<u>osteopaths</u> Commerce, Occupational and Professional Licensing	38107	R156-68	AMD	01/07/2014	2013-23/6
	38552	R156-68	AMD	07/28/2014	2014-12/14
<u>out of school time child care programs</u> Health, Family Health and Preparedness, Child Care Licensing	38543	R430-70	5YR	05/19/2014	2014-12/55
<u>out-of-home care</u> Human Services, Child and Family Services	38265	R512-306	5YR	01/28/2014	2014-4/73

<u>overpayments</u>						
Human Services, Recovery Services	38550	R527-332	5YR	05/22/2014	2014-12/55	
<u>oversight</u>						
Education, Administration	38187	R277-481	AMD	02/07/2014	2014-1/15	
<u>overtime</u>						
Human Resource Management, Administration	38459	R477-8	AMD	07/01/2014	2014-10/80	
<u>ownership</u>						
Natural Resources, Water Rights	38723	R655-3	5YR	08/01/2014	Not Printed	
<u>ozone</u>						
Environmental Quality, Air Quality	38061	R307-110-17	AMD	01/09/2014	2013-21/8	
<u>paint</u>						
Environmental Quality, Air Quality	38330	R307-840	5YR	03/06/2014	2014-7/92	
<u>paleontological resources</u>						
Regents (Board Of), University of Utah, Museum of Natural History (Utah)	38354	R807-1	5YR	03/14/2014	2014-7/95	
<u>paraeducators</u>						
Education, Administration	38302	R277-526	AMD	04/07/2014	2014-5/23	
<u>paraprofessional qualifications</u>						
Education, Administration	38349	R277-524	5YR	03/14/2014	2014-7/90	
	38358	R277-524	AMD	05/08/2014	2014-7/8	
<u>parental defense</u>						
Administrative Services, Child Welfare Parental Defense (Office of)	38547	R19-1	5YR	05/21/2014	2014-12/53	
<u>parental rights</u>						
Human Services, Administration	38280	R495-882	5YR	02/10/2014	2014-5/61	
<u>parks</u>						
Natural Resources, Parks and Recreation	38444	R651-205	AMD	06/09/2014	2014-9/36	
	38441	R651-409	AMD	06/09/2014	2014-9/38	
	38439	R651-608	AMD	06/09/2014	2014-9/40	
	38442	R651-619	AMD	06/09/2014	2014-9/41	
	38225	R651-636	5YR	01/06/2014	2014-3/51	
<u>parole</u>						
Pardons (Board Of), Administration	38325	R671-201	AMD	05/08/2014	2014-7/78	
	38314	R671-201-1	EMR	03/01/2014	2014-6/73	
<u>passport</u>						
Human Services, Recovery Services	38336	R527-275	5YR	03/06/2014	2014-7/93	
<u>payers</u>						
Health, Center for Health Data, Health Care Statistics	38144	R428-15	AMD	01/07/2014	2013-23/43	
<u>payment bonds</u>						
Administrative Services, Purchasing and General Services	38524	R33-11	R&R	07/08/2014	2014-11/64	
	38699	R33-11	5YR	07/08/2014	2014-15/66	
<u>PCN</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38322	R414-320	AMD	04/21/2014	2014-6/42	
<u>penalties</u>						
Environmental Quality, Radiation Control	38076	R313-14	AMD	04/03/2014	2013-22/45	
	38076	R313-14	CPR	04/03/2014	2014-4/50	

RULES INDEX

per diem allowances

Administrative Services, Finance	38175	R25-7	AMD	02/07/2014	2014-1/4
	38471	R25-7	AMD	06/23/2014	2014-10/4

performance bonds

Administrative Services, Purchasing and General Services	38524	R33-11	R&R	07/08/2014	2014-11/64
	38699	R33-11	5YR	07/08/2014	2014-15/66

permits

Environmental Quality, Air Quality	37833	R307-401-19	AMD	01/06/2014	2013-15/29
	37833	R307-401-19	CPR	01/06/2014	2013-23/55
Natural Resources, Wildlife Resources	38482	R657-45	AMD	07/08/2014	2014-11/163
	38427	R657-62	5YR	04/14/2014	2014-9/58
Transportation, Motor Carrier	38619	R909-2	5YR	06/16/2014	2014-13/144

personnel management

Human Resource Management, Administration	38456	R477-1	AMD	07/01/2014	2014-10/57
	38469	R477-6	AMD	07/01/2014	2014-10/67
	38092	R477-6-9	AMD	01/14/2014	2013-22/125
	38460	R477-9	AMD	07/01/2014	2014-10/84
	38462	R477-14	AMD	07/01/2014	2014-10/88

physical therapist assistants

Commerce, Occupational and Professional Licensing	38473	R156-24b	AMD	06/23/2014	2014-10/9
---	-------	----------	-----	------------	-----------

physical therapists

Commerce, Occupational and Professional Licensing	38473	R156-24b	AMD	06/23/2014	2014-10/9
---	-------	----------	-----	------------	-----------

physical therapy

Commerce, Occupational and Professional Licensing	38473	R156-24b	AMD	06/23/2014	2014-10/9
---	-------	----------	-----	------------	-----------

physically impaired

Public Service Commission, Administration	38278	R746-343-15	AMD	05/01/2014	2014-5/51
---	-------	-------------	-----	------------	-----------

physicians

Commerce, Occupational and Professional Licensing	38106	R156-67	AMD	01/07/2014	2013-23/5
Health, Health Care Financing, Coverage and Reimbursement Policy	38369	R414-1B	5YR	03/18/2014	2014-8/39
Public Safety, Driver License	38487	R708-7	NSC	05/29/2014	Not Printed

planning

Administrative Services, Facilities Construction and Management	38405	R23-3	5YR	04/03/2014	2014-9/49
---	-------	-------	-----	------------	-----------

PM10

Environmental Quality, Air Quality	38061	R307-110-17	AMD	01/09/2014	2013-21/8
------------------------------------	-------	-------------	-----	------------	-----------

PM2.5

Environmental Quality, Air Quality	38061	R307-110-17	AMD	01/09/2014	2013-21/8
------------------------------------	-------	-------------	-----	------------	-----------

policy

Education, Administration	38301	R277-495	AMD	04/07/2014	2014-5/20
---------------------------	-------	----------	-----	------------	-----------

pollution

Environmental Quality, Water Quality	38387	R317-550	AMD	07/30/2014	2014-8/14
--------------------------------------	-------	----------	-----	------------	-----------

pools

Health, Disease Control and Prevention, Environmental Services	38089	R392-302	AMD	02/14/2014	2013-22/69
--	-------	----------	-----	------------	------------

position classifications

Human Resource Management, Administration	38454	R477-3-4	AMD	07/01/2014	2014-10/63
---	-------	----------	-----	------------	------------

post-retirement benefits

Education, Administration	38433	R277-118	NEW	06/09/2014	2014-9/11
---------------------------	-------	----------	-----	------------	-----------

<u>preferences for resident contractors</u>						
Administrative Services, Purchasing and General Services	38509	R33-10	R&R	07/08/2014	2014-11/62	
	38698	R33-10	5YR	07/08/2014	2014-15/66	
<u>prescription drug database</u>						
Health, Disease Control and Prevention, Health Promotion	38081	R384-203	NEW	03/01/2014	2013-22/68	
<u>presumptive eligibility</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38401	R414-303	AMD	06/01/2014	2014-8/27	
	38465	R414-303	AMD	07/01/2014	2014-10/51	
<u>primary care</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38321	R414-310	AMD	04/21/2014	2014-6/32	
<u>prioritization</u>						
Administrative Services, Facilities Construction and Management	38247	R23-33	NEW	03/10/2014	2014-3/2	
<u>private security officers</u>						
Commerce, Occupational and Professional Licensing	38450	R156-63a	AMD	06/23/2014	2014-10/45	
<u>procedures</u>						
Public Service Commission, Administration	38363	R746-340	AMD	05/27/2014	2014-8/32	
	38556	R746-340-2	NSC	06/05/2014	Not Printed	
<u>procurement</u>						
Administrative Services, Facilities Construction and Management	38405	R23-3	5YR	04/03/2014	2014-9/49	
Administrative Services, Purchasing and General Services	38504	R33-5	R&R	07/08/2014	2014-11/32	
	38693	R33-5	5YR	07/08/2014	2014-15/63	
	38512	R33-14	NEW	07/08/2014	2014-11/83	
Capitol Preservation Board (State), Administration	38546	R131-4	EMR	05/21/2014	2014-12/49	
	38557	R131-4	AMD	07/22/2014	2014-12/8	
<u>Procurement Appeals Board</u>						
Administrative Services, Purchasing and General Services	38515	R33-17	NEW	07/08/2014	2014-11/87	
<u>procurement code</u>						
Administrative Services, Purchasing and General Services	38518	R33-19	NEW	07/08/2014	2014-11/90	
	38519	R33-20	NEW	07/08/2014	2014-11/91	
	38521	R33-24	NEW	07/08/2014	2014-11/95	
<u>procurement methods</u>						
Administrative Services, Purchasing and General Services	38522	R33-25	NEW	07/08/2014	2014-11/97	
<u>Procurement Policy Board</u>						
Administrative Services, Purchasing and General Services	38501	R33-2	R&R	07/08/2014	2014-11/6	
	38690	R33-2	5YR	07/08/2014	2014-15/61	
<u>procurement procedures</u>						
Administrative Services, Purchasing and General Services	38524	R33-11	R&R	07/08/2014	2014-11/64	
	38699	R33-11	5YR	07/08/2014	2014-15/66	
	38523	R33-26	NEW	07/08/2014	2014-11/98	
<u>procurement professionals</u>						
Administrative Services, Purchasing and General Services	38521	R33-24	NEW	07/08/2014	2014-11/95	

RULES INDEX

<u>procurement units</u>						
Administrative Services, Purchasing and General Services	38520	R33-21	NEW	07/08/2014	2014-11/92	
<u>professional education</u>						
Education, Administration	38241	R277-518	AMD	03/10/2014	2014-3/8	
<u>professional engineers</u>						
Commerce, Occupational and Professional Licensing	38279	R156-22	AMD	04/08/2014	2014-5/7	
<u>professional land surveyors</u>						
Commerce, Occupational and Professional Licensing	38279	R156-22	AMD	04/08/2014	2014-5/7	
<u>professional staff</u>						
Education, Administration	38348	R277-486	5YR	03/14/2014	2014-7/89	
	38356	R277-486	NSC	04/01/2014	Not Printed	
<u>professional structural engineers</u>						
Commerce, Occupational and Professional Licensing	38279	R156-22	AMD	04/08/2014	2014-5/7	
<u>program benefits</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38466	R414-306	AMD	07/01/2014	2014-10/53	
	38129	R414-306-5	AMD	01/10/2014	2013-23/35	
<u>prohibited items and devices</u>						
Human Services, Substance Abuse and Mental Health	38297	R523-1	REP	04/07/2014	2014-5/27	
<u>promotions</u>						
Agriculture and Food, Marketing and Development	38287	R65-12	NEW	04/16/2014	2014-5/5	
<u>property</u>						
Natural Resources, Parks and Recreation	38224	R651-700	5YR	01/06/2014	2014-3/52	
<u>property casualty insurance filings</u>						
Insurance, Administration	38309	R590-225	5YR	02/20/2014	2014-6/76	
<u>protection</u>						
Commerce, Consumer Protection	38266	R152-21	5YR	01/29/2014	2014-4/67	
<u>protests</u>						
Administrative Services, Purchasing and General Services	38514	R33-16	NEW	07/08/2014	2014-11/86	
	38516	R33-18	NEW	07/08/2014	2014-11/89	
	38518	R33-19	NEW	07/08/2014	2014-11/90	
<u>PSD</u>						
Environmental Quality, Air Quality	38260	R307-405	5YR	01/28/2014	2014-4/70	
<u>psychologists</u>						
Commerce, Occupational and Professional Licensing	38233	R156-61	5YR	01/13/2014	2014-3/49	
<u>public assistance</u>						
Public Service Commission, Administration	38278	R746-343-15	AMD	05/01/2014	2014-5/51	
<u>public buildings</u>						
Administrative Services, Facilities Construction and Management	38405	R23-3	5YR	04/03/2014	2014-9/49	
Capitol Preservation Board (State), Administration	38546	R131-4	EMR	05/21/2014	2014-12/49	
	38557	R131-4	AMD	07/22/2014	2014-12/8	
<u>public education</u>						
Education, Administration	38409	R277-105	5YR	04/04/2014	2014-9/51	
	38432	R277-105	AMD	06/09/2014	2014-9/8	
	38185	R277-437	AMD	02/07/2014	2014-1/12	

	38347	R277-438	5YR	03/14/2014	2014-7/89
	38591	R277-462	5YR	06/10/2014	2014-13/137
	38593	R277-714	5YR	06/10/2014	2014-13/140
	38352	R277-735	5YR	03/14/2014	2014-7/91
	38360	R277-735	AMD	05/08/2014	2014-7/11
<u>public funds</u>					
Money Management Council, Administration	38281	R628-19	5YR	02/10/2014	2014-5/63
	38179	R628-20	NEW	02/18/2014	2014-1/41
	38180	R628-21	NEW	04/15/2014	2014-1/42
	38180	R628-21	CPR	04/15/2014	2014-6/70
<u>public health</u>					
Health, Disease Control and Prevention, Environmental Services	38229	R392-101	5YR	01/10/2014	2014-3/49
	38177	R392-200-4	AMD	02/19/2014	2014-1/24
<u>public information</u>					
Administrative Services, Administration	38570	R13-2	5YR	06/02/2014	2014-12/53
	38569	R13-2	AMD	07/22/2014	2014-12/6
Human Resource Management, Administration	38457	R477-2-3	AMD	07/01/2014	2014-10/62
<u>public records</u>					
Attorney General, Administration	38245	R105-2	NSC	01/30/2014	Not Printed
Environmental Quality, Administration	38244	R305-1	NSC	01/30/2014	Not Printed
Natural Resources, Parks and Recreation	38343	R651-102	NSC	04/01/2014	Not Printed
<u>public sales</u>					
Administrative Services, Purchasing and General Services	38523	R33-26	NEW	07/08/2014	2014-11/98
<u>public schools</u>					
Education, Administration	38434	R277-410-5	AMD	06/09/2014	2014-9/13
	38590	R277-463	5YR	06/10/2014	2014-13/138
	38412	R277-916	5YR	04/04/2014	2014-9/53
<u>pump installers</u>					
Natural Resources, Water Rights	38722	R655-4	5YR	08/01/2014	Not Printed
<u>pupil-teacher ratio reporting</u>					
Education, Administration	38590	R277-463	5YR	06/10/2014	2014-13/138
<u>qualified depository</u>					
Money Management Council, Administration	38180	R628-21	NEW	04/15/2014	2014-1/42
	38180	R628-21	CPR	04/15/2014	2014-6/70
<u>radiation</u>					
Environmental Quality, Radiation Control	38082	R313-25	AMD	04/03/2014	2013-22/49
	38082	R313-25	CPR	04/03/2014	2014-4/53
<u>radioactive materials</u>					
Environmental Quality, Radiation Control	38145	R313-22-34	AMD	02/14/2014	2013-23/19
	38147	R313-38-3	AMD	04/07/2014	2013-23/20
	38147	R313-38-3	CPR	04/07/2014	2014-5/56
	38146	R313-70-5	AMD	02/18/2014	2013-23/22
<u>radioactive waste disposal</u>					
Environmental Quality, Radiation Control	38082	R313-25	AMD	04/03/2014	2013-22/49
	38082	R313-25	CPR	04/03/2014	2014-4/53
<u>rates</u>					
Public Service Commission, Administration	38278	R746-343-15	AMD	05/01/2014	2014-5/51
<u>real estate appraisals</u>					
Commerce, Real Estate	38270	R162-2g	AMD	03/31/2014	2014-4/16
	38389	R162-2g	AMD	05/22/2014	2014-8/8

RULES INDEX

<u>real estate business</u>						
Commerce, Real Estate	38213	R162-2f	AMD	02/25/2014	2014-2/4	
<u>reciprocal deposits</u>						
Money Management Council, Administration	38180	R628-21	NEW	04/15/2014	2014-1/42	
	38180	R628-21	CPR	04/15/2014	2014-6/70	
<u>reciprocal preferences</u>						
Administrative Services, Purchasing and General Services	38509	R33-10	R&R	07/08/2014	2014-11/62	
	38698	R33-10	5YR	07/08/2014	2014-15/66	
<u>records</u>						
Administrative Services, Purchasing and General Services	38519	R33-20	NEW	07/08/2014	2014-11/91	
Health, Disease Control and Prevention, Medical Examiner	38420	R448-20	5YR	04/07/2014	2014-9/55	
<u>records access</u>						
Attorney General, Administration	38245	R105-2	NSC	01/30/2014	Not Printed	
<u>records appeal hearings</u>						
Administrative Services, Records Committee	38572	R35-1	5YR	06/03/2014	2014-13/133	
	38573	R35-1a	5YR	06/03/2014	2014-13/134	
	38574	R35-2	5YR	06/03/2014	2014-13/135	
	38575	R35-3	5YR	06/03/2014	2014-13/135	
	38576	R35-4	5YR	06/03/2014	2014-13/136	
	38577	R35-5	5YR	06/03/2014	2014-13/136	
	38578	R35-6	5YR	06/03/2014	2014-13/137	
<u>recreation</u>						
Natural Resources, Wildlife Resources	38170	R657-38	AMD	02/10/2014	2014-1/61	
<u>recreation therapy</u>						
Commerce, Occupational and Professional Licensing	38517	R156-40	AMD	07/08/2014	2014-11/105	
<u>recreational therapy</u>						
Commerce, Occupational and Professional Licensing	38517	R156-40	AMD	07/08/2014	2014-11/105	
<u>registration</u>						
Environmental Quality, Radiation Control	38146	R313-70-5	AMD	02/18/2014	2013-23/22	
<u>rehabilitation</u>						
Education, Rehabilitation	38353	R280-202	5YR	03/14/2014	2014-7/91	
	38361	R280-202	AMD	05/08/2014	2014-7/14	
	38540	R280-202-3	NSC	05/29/2014	Not Printed	
<u>reimbursement</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38528	R414-9	AMD	07/11/2014	2014-11/150	
<u>rejections</u>						
Administrative Services, Purchasing and General Services	38508	R33-9	R&R	07/08/2014	2014-11/59	
	38697	R33-9	5YR	07/08/2014	2014-15/65	
<u>religious activities</u>						
Tax Commission, Auditing	38237	R865-19S-30	NSC	01/30/2014	Not Printed	
<u>renewable</u>						
Governor, Energy Development (Office of)	38163	R362-2	AMD	01/22/2014	2013-24/23	
<u>replacement providers</u>						
Public Service Commission, Administration	38234	R746-350	5YR	01/13/2014	2014-3/52	

<u>reporting</u>						
Health, Family Health and Preparedness, Children with Special Health Care Needs	38339	R398-10	5YR	03/12/2014	2014-7/92	
	38340	R398-10	NSC	04/01/2014	Not Printed	
<u>reporting deaths</u>						
Health, Disease Control and Prevention, Medical Examiner	38419	R448-10	5YR	04/07/2014	2014-9/55	
<u>reporting requirements and procedures</u>						
Health, Disease Control and Prevention, Health Promotion	38367	R384-100	5YR	03/18/2014	2014-8/38	
<u>reports</u>						
Environmental Quality, Air Quality	38261	R307-150	5YR	01/28/2014	2014-4/70	
<u>request for information</u>						
Administrative Services, Purchasing and General Services	38504	R33-5	R&R	07/08/2014	2014-11/32	
	38693	R33-5	5YR	07/08/2014	2014-15/63	
<u>request for proposals</u>						
Administrative Services, Purchasing and General Services	38506	R33-7	R&R	07/08/2014	2014-11/49	
	38695	R33-7	5YR	07/08/2014	2014-15/64	
<u>reserved</u>						
Administrative Services, Purchasing and General Services	38526	R33-22	NEW	07/08/2014	2014-11/94	
	38527	R33-23	NEW	07/08/2014	2014-11/95	
<u>reverse auction</u>						
Administrative Services, Purchasing and General Services	38505	R33-6	R&R	07/08/2014	2014-11/43	
	38694	R33-6	5YR	07/08/2014	2014-15/64	
<u>revolving account</u>						
Education, Administration	38588	R277-480	5YR	06/10/2014	2014-13/139	
<u>RFPs</u>						
Education, Administration	38295	R277-117	5YR	02/13/2014	2014-5/59	
	38299	R277-117	AMD	04/07/2014	2014-5/16	
<u>risk management</u>						
Administrative Services, Risk Management	38250	R37-4	AMD	04/30/2014	2014-4/4	
<u>rules and procedures</u>						
Education, Administration	38408	R277-102	5YR	04/04/2014	2014-9/51	
Education, Rehabilitation	38538	R280-150	5YR	05/15/2014	2014-11/172	
	38539	R280-150	AMD	07/08/2014	2014-11/117	
Human Resource Management, Administration	38456	R477-1	AMD	07/01/2014	2014-10/57	
Natural Resources, Wildlife Resources	38230	R657-27	AMD	03/11/2014	2014-3/26	
Public Service Commission, Administration	38198	R746-341	AMD	02/24/2014	2014-2/9	
<u>rules of procedure</u>						
Administrative Services, Purchasing and General Services	38501	R33-2	R&R	07/08/2014	2014-11/6	
	38690	R33-2	5YR	07/08/2014	2014-15/61	
<u>safety</u>						
Education, Administration	38296	R277-400	5YR	02/13/2014	2014-5/59	
	38300	R277-400	AMD	04/07/2014	2014-5/17	
	38426	R277-400-5	NSC	04/29/2014	Not Printed	
Labor Commission, Boiler and Elevator Safety	38226	R616-2-3	AMD	03/10/2014	2014-3/22	
	38378	R616-3-3	AMD	05/22/2014	2014-8/31	
Transportation, Motor Carrier	38215	R909-3	5YR	01/02/2014	2014-3/55	

RULES INDEX

safety education

Education, Administration	38296	R277-400	5YR	02/13/2014	2014-5/59
	38300	R277-400	AMD	04/07/2014	2014-5/17
	38426	R277-400-5	NSC	04/29/2014	Not Printed

safety regulations

Transportation, Motor Carrier	38619	R909-2	5YR	06/16/2014	2014-13/144
	38449	R909-19	AMD	07/08/2014	2014-10/102

salaries

Human Resource Management, Administration	38092	R477-6-9	AMD	01/14/2014	2013-22/125
---	-------	----------	-----	------------	-------------

sales tax

Tax Commission, Auditing	38237	R865-19S-30	NSC	01/30/2014	Not Printed
--------------------------	-------	-------------	-----	------------	-------------

scholarships

Education, Administration	38302	R277-526	AMD	04/07/2014	2014-5/23
Health, Family Health and Preparedness, Primary Care and Rural Health	38305	R434-40	NEW	05/08/2014	2014-6/53
Public Education Job Enhancement Program, Job Enhancement Committee	38243	R690-100	REP	03/10/2014	2014-3/37

school

Education, Administration	38410	R277-601	5YR	04/04/2014	2014-9/52
---------------------------	-------	----------	-----	------------	-----------

school buses

Education, Administration	38436	R277-601-3	AMD	06/09/2014	2014-9/17
Transportation, Motor Carrier	38215	R909-3	5YR	01/02/2014	2014-3/55

school certification

Commerce, Real Estate	38270	R162-2g	AMD	03/31/2014	2014-4/16
	38389	R162-2g	AMD	05/22/2014	2014-8/8

school community councils

Education, Administration	38542	R277-491	AMD	07/08/2014	2014-11/113
---------------------------	-------	----------	-----	------------	-------------

school employees

Education, Administration	38594	R277-516	5YR	06/10/2014	2014-13/139
---------------------------	-------	----------	-----	------------	-------------

school enrollment

Education, Administration	38585	R277-419-9	EMR	06/09/2014	2014-13/129
---------------------------	-------	------------	-----	------------	-------------

school reports

Education, Administration	38111	R277-497	AMD	01/08/2014	2013-23/8
---------------------------	-------	----------	-----	------------	-----------

school transportation

Education, Administration	38410	R277-601	5YR	04/04/2014	2014-9/52
	38436	R277-601-3	AMD	06/09/2014	2014-9/17

schools

Education, Administration	38541	R277-477	AMD	07/08/2014	2014-11/109
	38326	R277-477-3	NSC	04/01/2014	Not Printed
Health, Disease Control and Prevention, Environmental Services	38177	R392-200-4	AMD	02/19/2014	2014-1/24

scoring

Administrative Services, Facilities Construction and Management	38247	R23-33	NEW	03/10/2014	2014-3/2
---	-------	--------	-----	------------	----------

sealed bidding

Administrative Services, Purchasing and General Services	38505	R33-6	R&R	07/08/2014	2014-11/43
	38694	R33-6	5YR	07/08/2014	2014-15/64

search and rescue

Public Safety, Emergency Management	38688	R704-1	5YR	07/07/2014	2014-15/68
-------------------------------------	-------	--------	-----	------------	------------

<u>securities</u>						
Money Management Council, Administration	38281	R628-19	5YR	02/10/2014	2014-5/63	
<u>security guards</u>						
Commerce, Occupational and Professional Licensing	38450	R156-63a	AMD	06/23/2014	2014-10/45	
	38474	R156-63b	AMD	06/23/2014	2014-10/48	
<u>self reporting</u>						
Education, Administration	38594	R277-516	5YR	06/10/2014	2014-13/139	
<u>senior-specific insurance designations</u>						
Insurance, Administration	38282	R590-252	5YR	02/11/2014	2014-5/62	
<u>services</u>						
Public Service Commission, Administration	38234	R746-350	5YR	01/13/2014	2014-3/52	
<u>settlements</u>						
Labor Commission, Adjudication	38306	R602-2	AMD	04/22/2014	2014-6/61	
	38554	R602-2-4	AMD	07/22/2014	2014-12/41	
	38193	R602-2-5	AMD	02/21/2014	2014-2/7	
	38327	R602-7	5YR	03/05/2014	2014-7/94	
	38328	R602-8	5YR	03/05/2014	2014-7/94	
<u>sewerage</u>						
Environmental Quality, Water Quality	38271	R317-5	R&R	03/26/2014	2014-4/26	
<u>shooting range</u>						
Regents (Board Of), University of Utah, Administration	38018	R805-6	NEW	02/11/2014	2013-20/46	
<u>single event permits</u>						
Alcoholic Beverage Control, Administration	38275	R81-7	AMD	03/25/2014	2014-4/11	
<u>SLCC</u>						
Regents (Board Of), Salt Lake Community College	38362	R784-1	5YR	03/17/2014	2014-8/50	
<u>small employer stop-loss</u>						
Insurance, Administration	38087	R590-268	NEW	03/13/2014	2013-22/142	
	38087	R590-268	CPR	03/13/2014	2014-3/45	
<u>small purchases</u>						
Administrative Services, Purchasing and General Services	38503	R33-4	R&R	07/08/2014	2014-11/28	
	38692	R33-4	5YR	07/08/2014	2014-15/62	
<u>solar</u>						
Governor, Energy Development (Office of)	38163	R362-2	AMD	01/22/2014	2013-24/23	
<u>solid fuel burning</u>						
Environmental Quality, Air Quality	38166	R307-302	AMD	03/06/2014	2014-1/20	
<u>solvent cleaning</u>						
Environmental Quality, Air Quality	37829	R307-335	AMD	06/02/2014	2013-15/23	
	37829	R307-335	CPR	06/02/2014	2013-23/54	
	37829	R307-335	CPR	06/02/2014	2014-7/85	
	37829	R307-335	CPR	06/02/2014	2014-9/46	
<u>source development</u>						
Environmental Quality, Drinking Water	38012	R309-515	AMD	01/21/2014	2013-19/51	
<u>source maintenance</u>						
Environmental Quality, Drinking Water	38012	R309-515	AMD	01/21/2014	2013-19/51	
<u>spas</u>						
Health, Disease Control and Prevention, Environmental Services	38089	R392-302	AMD	02/14/2014	2013-22/69	

RULES INDEX

<u>special educators</u>						
Education, Administration	38114	R277-525	AMD	01/08/2014	2013-23/9	
<u>specific licenses</u>						
Environmental Quality, Radiation Control	38145	R313-22-34	AMD	02/14/2014	2013-23/19	
<u>specifications</u>						
Administrative Services, Purchasing and General Services	38503	R33-4	R&R	07/08/2014	2014-11/28	
	38692	R33-4	5YR	07/08/2014	2014-15/62	
<u>speech-language pathology services</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	38227	R414-54	5YR	01/07/2014	2014-3/50	
<u>sportsmen</u>						
Natural Resources, Wildlife Resources	38171	R657-41	AMD	02/10/2014	2014-1/68	
<u>standard procurement process</u>						
Administrative Services, Purchasing and General Services	38506	R33-7	R&R	07/08/2014	2014-11/49	
	38695	R33-7	5YR	07/08/2014	2014-15/64	
<u>standards</u>						
Health, Administration	38256	R380-70	5YR	01/24/2014	2014-4/71	
<u>State Board of Education</u>						
Education, Administration	38357	R277-119	NEW	05/08/2014	2014-7/7	
<u>state contracts</u>						
Administrative Services, Purchasing and General Services	38511	R33-13	NEW	07/08/2014	2014-11/79	
	38520	R33-21	NEW	07/08/2014	2014-11/92	
<u>state custody</u>						
Human Services, Administration	38280	R495-882	5YR	02/10/2014	2014-5/61	
<u>state employees</u>						
Administrative Services, Finance	38175	R25-7	AMD	02/07/2014	2014-1/4	
	38471	R25-7	AMD	06/23/2014	2014-10/4	
	38653	R25-10	5YR	06/25/2014	2014-14/79	
<u>state flag</u>						
Lieutenant Governor, Administration	38379	R622-2	5YR	03/24/2014	2014-8/46	
<u>state plan</u>						
Lieutenant Governor, Elections	38385	R623-3	5YR	03/26/2014	2014-8/48	
<u>state products</u>						
Administrative Services, Purchasing and General Services	38509	R33-10	R&R	07/08/2014	2014-11/62	
	38698	R33-10	5YR	07/08/2014	2014-15/66	
<u>state records committee</u>						
Administrative Services, Records Committee	38572	R35-1	5YR	06/03/2014	2014-13/133	
	38573	R35-1a	5YR	06/03/2014	2014-13/134	
	38574	R35-2	5YR	06/03/2014	2014-13/135	
	38575	R35-3	5YR	06/03/2014	2014-13/135	
	38577	R35-5	5YR	06/03/2014	2014-13/136	
	38578	R35-6	5YR	06/03/2014	2014-13/137	
<u>state records committee order</u>						
Administrative Services, Records Committee	38576	R35-4	5YR	06/03/2014	2014-13/136	
<u>state surplus property</u>						
Administrative Services, Purchasing and General Services	38523	R33-26	NEW	07/08/2014	2014-11/98	

<u>stationary sources</u>						
Environmental Quality, Air Quality	38104	R307-210-2	AMD	03/06/2014	2013-23/17	
<u>stewardships</u>						
Agriculture and Food, Conservation Commission	38071	R64-3	NEW	05/08/2014	2013-22/15	
	38071	R64-3	CPR	05/08/2014	2014-7/82	
<u>stipends</u>						
Education, Administration	38114	R277-525	AMD	01/08/2014	2013-23/9	
<u>stoves</u>						
Environmental Quality, Air Quality	38166	R307-302	AMD	03/06/2014	2014-1/20	
<u>stream alterations</u>						
Natural Resources, Water Rights	38267	R655-13	5YR	01/29/2014	2014-4/73	
<u>students</u>						
Education, Administration	38589	R277-472	5YR	06/10/2014	2014-13/138	
	38116	R277-709	AMD	01/14/2014	2013-23/13	
	38359	R277-709-11	AMD	05/08/2014	2014-7/10	
<u>substance abuse database</u>						
Health, Disease Control and Prevention, Health Promotion	38081	R384-203	NEW	03/01/2014	2013-22/68	
<u>subsurface tracer studies</u>						
Environmental Quality, Radiation Control	38147	R313-38-3	AMD	04/07/2014	2013-23/20	
	38147	R313-38-3	CPR	04/07/2014	2014-5/56	
<u>supervision</u>						
Commerce, Occupational and Professional Licensing	38157	R156-1-501	AMD	01/21/2014	2013-24/6	
	38253	R156-1-501	NSC	01/31/2014	Not Printed	
<u>surveys</u>						
Environmental Quality, Radiation Control	38147	R313-38-3	AMD	04/07/2014	2013-23/20	
	38147	R313-38-3	CPR	04/07/2014	2014-5/56	
Judicial Performance Evaluation Commission, Administration	38304	R597-3	5YR	02/17/2014	2014-6/77	
	38438	R597-3	AMD	06/12/2014	2014-9/30	
<u>tax credits</u>						
Governor, Energy Development (Office of)	38163	R362-2	AMD	01/22/2014	2013-24/23	
<u>tax exemptions</u>						
Tax Commission, Auditing	38237	R865-19S-30	NSC	01/30/2014	Not Printed	
<u>taxation</u>						
Tax Commission, Auditing	38223	R865-7H	5YR	01/06/2014	2014-3/53	
	38222	R865-16R	5YR	01/06/2014	2014-3/54	
<u>teachers</u>						
Education, Administration	38240	R277-503	AMD	03/10/2014	2014-3/4	
	38435	R277-503-4	AMD	06/09/2014	2014-9/14	
<u>telecommunications</u>						
Public Service Commission, Administration	38363	R746-340	AMD	05/27/2014	2014-8/32	
	38556	R746-340-2	NSC	06/05/2014	Not Printed	
	38198	R746-341	AMD	02/24/2014	2014-2/9	
	38278	R746-343-15	AMD	05/01/2014	2014-5/51	
	38234	R746-350	5YR	01/13/2014	2014-3/52	
<u>telecommuting</u>						
Human Resource Management, Administration	38459	R477-8	AMD	07/01/2014	2014-10/80	
<u>telephone utility regulations</u>						
Public Service Commission, Administration	38363	R746-340	AMD	05/27/2014	2014-8/32	

RULES INDEX

	38556	R746-340-2	NSC	06/05/2014	Not Printed
<u>telephones</u>					
Commerce, Consumer Protection	38125	R152-26	AMD	01/07/2014	2013-23/4
Public Service Commission, Administration	38198	R746-341	AMD	02/24/2014	2014-2/9
<u>temporary beer event permits</u>					
Alcoholic Beverage Control, Administration	38276	R81-10b	AMD	03/25/2014	2014-4/14
<u>terms and conditions</u>					
Administrative Services, Purchasing and General Services	38510	R33-12	R&R	07/08/2014	2014-11/71
	38700	R33-12	5YR	07/08/2014	2014-15/67
<u>therapists</u>					
Commerce, Occupational and Professional Licensing	38421	R156-60	5YR	04/08/2014	2014-9/50
	38390	R156-60-102	AMD	05/22/2014	2014-8/6
<u>tickets</u>					
Administrative Services, Fleet Operations	38073	R27-7-3	AMD	03/11/2014	2013-22/14
<u>time</u>					
Labor Commission, Industrial Accidents	38553	R612-200-8	AMD	07/22/2014	2014-12/43
<u>title insurance</u>					
Insurance, Title and Escrow Commission	38612	R592-6	5YR	06/13/2014	2014-13/142
	38156	R592-11	AMD	03/10/2014	2013-24/34
	38156	R592-11	CPR	03/10/2014	2014-4/64
<u>title insurance continuing education</u>					
Insurance, Title and Escrow Commission	38606	R592-7	5YR	06/13/2014	2014-13/143
<u>title insurance recovery assessment</u>					
Insurance, Title and Escrow Commission	38608	R592-9	5YR	06/13/2014	2014-13/144
<u>towing</u>					
Public Safety, Highway Patrol	38711	R714-600	5YR	07/22/2014	Not Printed
Transportation, Motor Carrier	38449	R909-19	AMD	07/08/2014	2014-10/102
<u>training</u>					
Natural Resources, Wildlife Resources	38558	R657-46	5YR	05/29/2014	2014-12/58
<u>training programs</u>					
Human Resource Management, Administration	38461	R477-10-1	AMD	07/01/2014	2014-10/87
<u>transfers</u>					
Education, Administration	38589	R277-472	5YR	06/10/2014	2014-13/138
<u>Transition to Adult Living</u>					
Human Services, Child and Family Services	38265	R512-306	5YR	01/28/2014	2014-4/73
<u>transparency</u>					
Administrative Services, Finance	38653	R25-10	5YR	06/25/2014	2014-14/79
Health, Center for Health Data, Health Care Statistics	38144	R428-15	AMD	01/07/2014	2013-23/43
<u>transportation</u>					
Administrative Services, Finance	38175	R25-7	AMD	02/07/2014	2014-1/4
	38471	R25-7	AMD	06/23/2014	2014-10/4
<u>trucks</u>					
Transportation, Motor Carrier	38619	R909-2	5YR	06/16/2014	2014-13/144
	38449	R909-19	AMD	07/08/2014	2014-10/102
<u>trust account records</u>					
Commerce, Real Estate	38213	R162-2f	AMD	02/25/2014	2014-2/4

<u>trust lands funds</u>					
Education, Administration	38541	R277-477	AMD	07/08/2014	2014-11/109
	38326	R277-477-3	NSC	04/01/2014	Not Printed
<u>unarmed combat</u>					
Governor, Economic Development, Pete Suazo Utah Athletic Commission	38033	R359-1-604	AMD	01/24/2014	2013-20/25
<u>unattended deaths</u>					
Health, Disease Control and Prevention, Medical Examiner	38419	R448-10	5YR	04/07/2014	2014-9/55
<u>unemployment compensation</u>					
Workforce Services, Unemployment Insurance	38665	R994-309	5YR	07/01/2014	2014-14/84
	38666	R994-310	5YR	07/01/2014	2014-14/85
	38667	R994-311	5YR	07/01/2014	2014-14/85
	38668	R994-312	5YR	07/01/2014	2014-14/86
	38248	R994-312-102	AMD	04/15/2014	2014-3/41
<u>unlawful conduct</u>					
Administrative Services, Purchasing and General Services	38521	R33-24	NEW	07/08/2014	2014-11/95
<u>UPP</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	38322	R414-320	AMD	04/21/2014	2014-6/42
<u>Utah Court of Appeals</u>					
Administrative Services, Purchasing and General Services	38516	R33-18	NEW	07/08/2014	2014-11/89
<u>Utah procurement rules</u>					
Administrative Services, Purchasing and General Services	38500	R33-1	R&R	07/08/2014	2014-11/4
	38689	R33-1	5YR	07/08/2014	2014-15/61
<u>Utah Public Financial Website</u>					
Administrative Services, Finance	38653	R25-10	5YR	06/25/2014	2014-14/79
<u>utah.gov</u>					
Technology Services, Administration	38238	R895-4	5YR	01/14/2014	2014-3/54
	38239	R895-4	NSC	01/30/2014	Not Printed
<u>vacations</u>					
Human Resource Management, Administration	38084	R477-7	AMD	01/14/2014	2013-22/126
	38455	R477-7	AMD	07/01/2014	2014-10/71
<u>vaccinations</u>					
Agriculture and Food, Animal Industry	38294	R58-3	AMD	04/16/2014	2014-5/4
<u>vehicle replacement</u>					
Administrative Services, Fleet Operations	38312	R27-4-13	AMD	04/22/2014	2014-6/4
<u>verification of legal authority</u>					
Administrative Services, Purchasing and General Services	38515	R33-17	NEW	07/08/2014	2014-11/87
<u>veterans' and military affairs</u>					
Veterans' Affairs, Administration	38228	R978-1	NSC	01/30/2014	Not Printed
<u>victim compensation</u>					
Crime Victim Reparations, Administration	38221	R270-1-13	EMR	01/04/2014	2014-3/47
<u>victims of crimes</u>					
Crime Victim Reparations, Administration	38221	R270-1-13	EMR	01/04/2014	2014-3/47

RULES INDEX

violations

Environmental Quality, Radiation Control	38076	R313-14	AMD	04/03/2014	2013-22/45
	38076	R313-14	CPR	04/03/2014	2014-4/50

volunteer health care practitioner

Commerce, Occupational and Professional Licensing	38382	R156-81	5YR	03/25/2014	2014-8/37
---	-------	---------	-----	------------	-----------

voting

Lieutenant Governor, Elections	38384	R623-2	5YR	03/26/2014	2014-8/47
--------------------------------	-------	--------	-----	------------	-----------

wages

Human Resource Management, Administration	38469	R477-6	AMD	07/01/2014	2014-10/67
---	-------	--------	-----	------------	------------

waste disposal

Environmental Quality, Water Quality	38235	R317-1-7	AMD	03/27/2014	2014-3/13
	38402	R317-1-7	AMD	08/01/2014	2014-8/13

wastewater

Environmental Quality, Water Quality	38481	R317-401	5YR	05/06/2014	2014-11/173
--------------------------------------	-------	----------	-----	------------	-------------

water pollution

Environmental Quality, Water Quality	38235	R317-1-7	AMD	03/27/2014	2014-3/13
	38402	R317-1-7	AMD	08/01/2014	2014-8/13
	38288	R317-2-14	AMD	07/02/2014	2014-5/25
	38288	R317-2-14	CPR	07/02/2014	2014-11/168
	38271	R317-5	R&R	03/26/2014	2014-4/26

water quality standards

Environmental Quality, Water Quality	38288	R317-2-14	AMD	07/02/2014	2014-5/25
	38288	R317-2-14	CPR	07/02/2014	2014-11/168

water rights

Natural Resources, Water Rights	38723	R655-3	5YR	08/01/2014	Not Printed
---------------------------------	-------	--------	-----	------------	-------------

water slides

Health, Disease Control and Prevention, Environmental Services	38089	R392-302	AMD	02/14/2014	2013-22/69
---	-------	----------	-----	------------	------------

water wells

Natural Resources, Water Rights	38722	R655-4	5YR	08/01/2014	Not Printed
---------------------------------	-------	--------	-----	------------	-------------

well drillers license

Natural Resources, Water Rights	38722	R655-4	5YR	08/01/2014	Not Printed
---------------------------------	-------	--------	-----	------------	-------------

well logging

Environmental Quality, Radiation Control	38147	R313-38-3	AMD	04/07/2014	2013-23/20
	38147	R313-38-3	CPR	04/07/2014	2014-5/56

white-collar contests

Governor, Economic Development, Pete Suazo Utah Athletic Commission	38033	R359-1-604	AMD	01/24/2014	2013-20/25
--	-------	------------	-----	------------	------------

wildlife

Natural Resources, Wildlife Resources	38168	R657-5	AMD	02/10/2014	2014-1/44
	38231	R657-10	AMD	03/11/2014	2014-3/23
	38169	R657-12	AMD	02/10/2014	2014-1/52
	38167	R657-13	AMD	02/10/2014	2014-1/54
	38316	R657-13	AMD	04/21/2014	2014-6/66
	38483	R657-13	AMD	07/08/2014	2014-11/160
	38230	R657-27	AMD	03/11/2014	2014-3/26
	38170	R657-38	AMD	02/10/2014	2014-1/61
	38171	R657-41	AMD	02/10/2014	2014-1/68
	38232	R657-43	AMD	03/11/2014	2014-3/30
	38558	R657-46	5YR	05/29/2014	2014-12/58
	38236	R657-60	AMD	03/11/2014	2014-3/32
	38477	R657-60	AMD	06/24/2014	2014-10/99
	38427	R657-62	5YR	04/14/2014	2014-9/58

	38172	R657-67	NEW	02/10/2014	2014-1/70
	38484	R657-67	AMD	07/08/2014	2014-11/165
<u>wildlife conservation</u>					
Natural Resources, Wildlife Resources	38170	R657-38	AMD	02/10/2014	2014-1/61
<u>wildlife law</u>					
Natural Resources, Wildlife Resources	38169	R657-12	AMD	02/10/2014	2014-1/52
	38167	R657-13	AMD	02/10/2014	2014-1/54
	38316	R657-13	AMD	04/21/2014	2014-6/66
	38483	R657-13	AMD	07/08/2014	2014-11/160
	38230	R657-27	AMD	03/11/2014	2014-3/26
	38236	R657-60	AMD	03/11/2014	2014-3/32
	38477	R657-60	AMD	06/24/2014	2014-10/99
<u>wildlife permits</u>					
Natural Resources, Wildlife Resources	38171	R657-41	AMD	02/10/2014	2014-1/68
<u>work-based learning programs</u>					
Education, Administration	38412	R277-916	5YR	04/04/2014	2014-9/53
<u>workers' compensation</u>					
Labor Commission, Adjudication	38306	R602-2	AMD	04/22/2014	2014-6/61
	38554	R602-2-4	AMD	07/22/2014	2014-12/41
	38193	R602-2-5	AMD	02/21/2014	2014-2/7
Labor Commission, Industrial Accidents	38553	R612-200-8	AMD	07/22/2014	2014-12/43
<u>x-rays</u>					
Environmental Quality, Radiation Control	38146	R313-70-5	AMD	02/18/2014	2013-23/22