

# UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
Filed February 17, 2016, 12:00 a.m. through March 01, 2016, 11:59 p.m.

Number 2016-6  
March 15, 2016

Nancy L. Lancaster, Editor  
Patricia Smith-Mansfield, 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

---

<b>SPECIAL NOTICES</b> .....	<b>1</b>
Health	
Health Care Financing, Coverage and Reimbursement Policy	
Notice for April 2016 Medicaid Rate Changes.....	1
Mental Health Diagnostic and Rehabilitative Services.....	1
Pharmacy Services.....	1
<b>NOTICES OF PROPOSED RULES</b> .....	<b>3</b>
Commerce	
Occupational and Professional Licensing	
No. 40217 (Amendment): R156-17b Pharmacy Practice Act Rule.....	4
No. 40218 (Amendment): R156-17b-614a Operating Standards - General	
Operating Standards, Class A and B Pharmacy.....	11
No. 40216 (Amendment): R156-37 Utah Controlled Substances Act Rule.....	14
No. 40219 (Amendment): R156-55a Utah Construction Trades Licensing	
Act Rule.....	16
Natural Resources	
Parks and Recreation	
No. 40213 (Amendment): R651-412 Curriculum Standards for OHV Education	
Programs Offered by Non-Division Entities.....	22
No. 40215 (Amendment): R651-637 Antelope Island State Park Special Mule Deer	
and Bighorn Sheep Hunt.....	23
Workforce Services	
Employment Development	
No. 40241 (Amendment): R986-200-240 Additional Payments Available Under	
Certain Circumstances.....	25
<b>FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION</b> .....	<b>27</b>
Agriculture and Food	
Administration	
No. 40234: R51-3 Government Records Access and Management Act.....	27
No. 40235: R51-4 ADA Complaint Procedure.....	27
Marketing and Development	
No. 40233: R65-8 Management of the Junior Livestock Show Appropriation.....	28
Plant Industry	
No. 40232: R68-7 Utah Pesticide Control Rule.....	28
Fair Corporation (Utah State)	
Administration	
No. 40220: R325-1 Utah State Fair Competitive Exhibitor Rules.....	29
No. 40221: R325-2 Utah State Fair Commercial Exhibitor Rules.....	30
No. 40222: R325-3 Utah State Fair Patron Rules.....	30
No. 40223: R325-4 Interim Patrons Rules (Other Than Utah State Fair).....	31
No. 40224: R325-5 Interim Renters Rules (Other Than Utah State Fair).....	32
Health	
Family Health and Preparedness, Primary Care and Rural Health	
No. 40240: R434-50 Assistance for People with Bleeding Disorders.....	32
Insurance	
Administration	
No. 40236: R590-144 Commercial Aviation Insurance Exemption from	
Rate and Form Filings.....	33
No. 40237: R590-177 Life Insurance Illustrations Rule.....	33
No. 40238: R590-200 Diabetes Treatment and Management.....	34

TABLE OF CONTENTS

---

Money Management Council  
Administration  
    No. 40227: R628-12 Certification of Qualified Depositories for Public Funds..... 35  
    No. 40228: R628-13 Collateralization of Public Funds..... 35  
    No. 40229: R628-16 Certification as a Dealer..... 36  
Natural Resources  
    Geological Survey  
        No. 40214: R638-1 Acceptance and Maintenance of Confidential Information..... 36  
    Wildlife Resources  
        No. 40231: R657-63 Self Defense Against Wild Animals..... 37  
**NOTICES OF RULE EFFECTIVE DATES..... 39**  
  
**RULES INDEX  
BY AGENCY (CODE NUMBER)  
AND  
BY KEYWORD (SUBJECT)..... 41**

# SPECIAL NOTICES

---

## Health Health Care Financing, Coverage and Reimbursement Policy

### Notice for April 2016 Medicaid Rate Changes

Effective April 1, 2016, 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>.

---

## Health Health Care Financing, Coverage and Reimbursement Policy

### Mental Health Diagnostic and Rehabilitative Services

The Division of Medicaid and Health Financing (DMHF) will amend Attachment 4.19-B of the Medicaid State Plan to remove obsolete provisions for retroactive cost settlement in both San Juan County and Wasatch County. This change is necessary because mental health providers are no longer limited under contract to provide services in mental health centers only.

This State Plan Amendment (SPA 16-0006-UT) does not affect total annual expenditures for the Medicaid program.

The SPA is pending approval from the Centers for Medicare and Medicaid Services and the proposed effective date is April 1, 2016.

*A copy of this change may be obtained from Craig Devashrayee (801-538-6641), or by writing the Technical Writing Unit, Utah Department of Health, PO Box 143102, Salt Lake City, UT 84114-3102. Comments are welcome at the same address. Copies of the change are also available at local county health department offices.*

---

## Health Health Care Financing, Coverage and Reimbursement Policy

### Pharmacy Services

The Division of Medicaid and Health Financing (DMHF) will submit changes to the Medicaid State Plan to implement the new Federal Upper Limits published by the Centers for Medicare and Medicaid Services (CMS).

SPA 16-0010-UT Federal Upper Limit, therefore, amends the pricing for medications that have a Federal Upper Limit established by CMS.

The reimbursement for drugs will be amended to reimburse the lesser of the Utah Estimated Acquisition Cost, Utah Maximum Allowable Cost, Federal Upper Limit, or the Submitted Cost.

DMHF does not expect an impact to total annual expenditures due to these changes.

These proposed changes, if approved, become effective on May 1, 2016.

SPECIAL NOTICES

---

These proposed changes are pending CMS approval.

*A copy of the changes may be obtained from Craig Devashrayee (801-538-6641), or by writing the Technical Writing Unit, Utah Department of Health, PO Box 143102, Salt Lake City, UT 84114-3102. Comments are welcome at the same address. Copies of the changes are also available at local county health department offices.*

**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 February 17, 2016, 12:00 a.m., and March 01, 2016, 11:59 p.m. are included in this, the March 15, 2016, 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 April 14, 2016. 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 July 13, 2016, 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**

**Commerce, Occupational and  
Professional Licensing  
R156-17b  
Pharmacy Practice Act Rule**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 40217

FILED: 02/22/2016

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The Division and the Utah State Board of Pharmacy are proposing these amendments. The purpose of this rule filing is to create the same exemption for licensure for device manufacturers as it currently applies to drug manufacturers. The current version of Subsection R156-17b-615(2) exempts a drug manufacturer from obtaining a Utah Class C pharmacy license if it is registered with the Food and Drug Administration (FDA) and only manufactures and distributes its own or co-licensed products. There is no exemption for FDA-registered medical device manufacturers. When Subsection R156-17b-615(2) was originally written, the definition of "drug" included "device". Subsequently, these terms were defined separately. Currently, device manufacturers must obtain a Class C pharmacy license, but drug manufacturers are exempted. This rule change will treat these two types of entities equally. It should also be noted that concurrent to this rule filing, there is another, separate rule filing that will modify Rule R156-17b, the Pharmacy Practice Act Rule. The proposed rule changes are filed separately due to the entities affected by the proposed changes being different. (DAR NOTE: The proposed amendment to Section R156-17b-614a is under DAR No. 40218 in this issue, March 15, 2016, of the Bulletin.)

**SUMMARY OF THE RULE OR CHANGE:** In Section R156-17b-102, the proposed amendments create separate definitions for "co-licensed partner" and "co-licensed product" in order to add clarification and to add "device" in the definition for "co-licensed product". A definition for "FDA-approved" is also added to this section. Also in this section, the United States Pharmacopeia (USP)/National Formulary (NF) books are updated to USP 39-NF 34, which will be effective on 05/01/2016. In Section R156-17b-615, amendments modify to exempt FDA-registered device manufacturers from obtaining a Class C pharmacy license (i.e. an entity that manufactures, produces, wholesales, or distributes drugs or devices). The proposed amendments include: 1) the term "device"; 2) products that are referred to as convenience kits, which contain certain drugs or materials with the device to ensure a health care provider has everything necessary when the device is needed for use; and 3) a reference to the federal rule under which a device manufacturer must register with the FDA.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 58-17b-101 and Section 58-37-1 and Subsection 58-1-106(1)(a) and Subsection 58-1-202(1)(a) and Subsection 58-17b-601(1)

**MATERIALS INCORPORATED BY REFERENCES:**

- ◆ Updates United States Pharmacopeia-National Formulary (USP 39-NF34), published by United States Pharmacopeia, 05/01/2016

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** The Division will incur minimal costs of approximately \$75 to print and distribute the rule once the proposed amendments are made effective. Also, the Division will experience a revenue loss. The impact will be a loss of \$200 per initial license application and \$103 per biennial license renewal application not submitted. The Division is unable to estimate the number of entities that will no longer be required to submit a license application due to the proposed amendments but believes that number is small. It should also be noted that to maintain a subscription to the updated United States Pharmacopeia-National Formulary (USP-NF) books, the Division incurs a yearly cost of approximately \$900. This amount is handled within the Division's current budget.

◆ **LOCAL GOVERNMENTS:** The proposed amendments apply only to those entities that manufacture and distribute medical devices. As a result, the proposed amendments do not apply to local governments.

◆ **SMALL BUSINESSES:** The Division does not have sufficient information about device and drug manufacturers to determine whether any particular entity employs 50 or fewer people. Because drug and device manufacturers require highly technical manufacturing practices and must comply with numerous detailed laws and regulations, the Division believes that most such entities would employ more than 50 people.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The proposed amendments will reduce costs for medical device manufacturers and distributors by not: 1) requiring them to hire a drug specialist in all cases; 2) having to manage and administer state licensing requirements; and 3) paying licensing fees for a Class C pharmacy license in Utah. The overall savings cannot be quantified by the Division.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** The affected persons will experience a cost savings because they will not incur administrative costs to monitor state licensing when they are already complying for strict federal oversight by the FDA. Also Section R156-17b-615 currently requires Class C pharmacies that manufacture and distribute their own devices to hire a person experienced in pharmacy or dispensing, distribution, and recordkeeping of prescription drugs. This requirement is a wasteful financial burden for a device manufacturer or wholesaler that does not store or sell prescription drugs. The overall savings cannot be quantified by the Division. It should also be noted that to maintain a



subscription to the updated United States Pharmacopeia-National Formulary (USP-NF) books, licensed pharmacies would incur a yearly cost of approximately \$900.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change creates an exemption so medical device manufacturers do not need to obtain a Class C pharmacy license. No fiscal impact to businesses is anticipated. This change will be cost-saving for included businesses, which will now not need to obtain a pharmacy license and monitor state compliance.

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

COMMERCE  
OCCUPATIONAL AND PROFESSIONAL  
LICENSING  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY, UT 84111-2316  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Dane Ishihara by phone at 801-530-7632, by FAX at 801-530-6511, or by Internet E-mail at dishihara@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/14/2016

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

◆ 03/22/2016 08:30 AM, Heber Wells Bldg, 160 E 300 S, Conference Room 474, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016

AUTHORIZED BY: Mark Steinagel, Director

#### **R156. Commerce, Occupational and Professional Licensing.**

##### **R156-17b. Pharmacy Practice Act Rule.**

##### **R156-17b-102. Definitions.**

In addition to the definitions in Title 58, Chapters 1 and 17b, as used in Title 58, Chapters 1 and 17b or this rule:

(1) "Accredited by ASHP" means a program that:

(a) was accredited by the ASHP on the day the applicant for licensure completed the program; or

(b) was in ASHP candidate status on the day the applicant for licensure completed the program.

(2) "ACPE" means the American Council on Pharmaceutical Education or Accreditation Council for Pharmacy Education.

(3) "Analytical laboratory":

(a) means a facility in possession of prescription drugs for the purpose of analysis; and

(b) does not include a laboratory possessing prescription drugs used as standards and controls in performing drug monitoring or drug screening analysis if the prescription drugs are pre-diluted in a human or animal body fluid, human or animal body fluid components, organic solvents, or inorganic buffers at a concentration not exceeding one milligram per milliliter when labeled or otherwise designated as being for in-vitro diagnostic use.

(4) "ASHP" means the American Society of Health System Pharmacists.

(5) "Authorized distributor of record" means a pharmaceutical wholesaler with whom a manufacturer has established an ongoing relationship to distribute the manufacturer's prescription drugs. An ongoing relationship is deemed to exist between such pharmaceutical wholesaler and a manufacturer, as defined in Section 1504 of the Internal Revenue Code, when the pharmaceutical wholesaler has a written agreement currently in effect with the manufacturer evidencing such ongoing relationship, and the pharmaceutical wholesaler is listed on the manufacturer's current list of authorized distributors of record.

(6) "Authorized personnel" means any person who is a part of the pharmacy staff who participates in the operational processes of the pharmacy and contributes to the natural flow of pharmaceutical care.

(7) "Centralized Prescription Filling" means the filling by a pharmacy of a request from another pharmacy to fill or refill a prescription drug order.

(8) "Centralized Prescription Processing" means the processing by a pharmacy of a request from another pharmacy to fill or refill a prescription drug order or to perform processing functions such as dispensing, drug utilization review (DUR), claims adjudication, refill authorizations, and therapeutic interventions.

(9) "Chain pharmacy warehouse" means a physical location for prescription drugs that acts as a central warehouse and performs intracompany sales or transfers of the prescription drugs to a group of chain pharmacies that have the same common ownership and control.

(10) [~~"Co-licensed partner or product" means an instance where two or more parties have the right to engage in the manufacturing and/or marketing of a prescription drug, consistent with FDA's implementation of the Prescription Drug Marketing Act.~~]"Co-licensed partner" means a person that has the right to engage in the manufacturing or marketing of a co-licensed product.

(11) "Co-licensed product" means a device or prescription drug for which two or more persons have the right to engage in the manufacturing, marketing, or both consistent with FDA's implementation of the Prescription Drug Marketing Act as applicable.

([H]12) "Cooperative pharmacy warehouse" means a physical location for drugs that acts as a central warehouse and is owned, operated or affiliated with a group purchasing organization (GPO) or pharmacy buying cooperative and distributes those drugs exclusively to its members.

([H]13) "Counterfeit prescription drug" has the meaning given that term in 21 USC 321(g)(2), including any amendments thereto.

([H]14) "Counterfeiting" means engaging in activities that create a counterfeit prescription drug.

(~~14~~15) "Dispense", as defined in Subsection 58-17b-102(22), does not include transferring medications for a patient from a legally dispensed prescription for that particular patient into a daily or weekly drug container to facilitate the patient taking the correct medication.

(~~15~~16) "Device" means an instrument, apparatus, implement, machine, contrivance, implant, or other similar or related article, including any component part or accessory, which is required under Federal law to bear the label, "Caution: Federal or State law requires dispensing by or on the order of a physician."

(~~16~~17) "DMP" means a dispensing medical practitioner licensed under Section 58-17b, Part 8.

(~~17~~18) "DMP designee" means an individual, acting under the direction of a DMP, who:

(a)(i) holds an active health care professional license under one of the following chapters:

- (A) Chapter 67, Utah Medical Practice Act;
- (B) Chapter 68, Utah Osteopathic Medical Practice Act;
- (C) Chapter 70a, Physician Assistant Act;
- (D) Chapter 31b, Nurse Practice Act;
- (E) Chapter 16a, Utah Optometry Practice Act;
- (F) Chapter 44a, Nurse Midwife Practice Act; or
- (G) Chapter 17b, Pharmacy Practice Act; or

(ii) is a medical assistant as defined in Subsection 58-67-102 (9);

(b) meets requirements established in Subsection 58-17b-803 (4)(c); and

(c) can document successful completion of a formal or on-the-job dispensing training program that meets standards established in Section R156-17b-622.

(~~18~~19) "DMPIC" means a dispensing medical practitioner licensed under Section 58-17b, Part 8 who is designated by a dispensing medical practitioner clinic pharmacy to be responsible for activities of the pharmacy.

(~~19~~20) "Drop shipment" means the sale of a prescription drug to a pharmaceutical wholesaler by the manufacturer of the drug; by the manufacturer's co-licensed product partner, third party logistics provider, or exclusive distributor; or by an authorized distributor of record that purchased the product directly from the manufacturer or from one of these entities; whereby:

(a) the pharmaceutical wholesale distributor takes title to but not physical possession of such prescription drug;

(b) the pharmaceutical wholesale distributor invoices the pharmacy, pharmacy warehouse, or other person authorized by law to dispense to administer such drug; and

(c) the pharmacy, pharmacy warehouse, or other person authorized by law to dispense or administer such drug receives delivery of the prescription drug directly from the manufacturer; from the co-licensed product partner, third party logistics provider, or exclusive distributor; or from an authorized distributor of record that purchases the product directly from the manufacturer or from one of these entities.

(~~20~~21) "Drug therapy management" means the review of a drug therapy regimen of a patient by one or more pharmacists for the purpose of evaluating and rendering advice to one or more practitioners regarding adjustment of the regimen.

(~~21~~22) "Drugs", as used in this rule, means drugs or devices.

(~~22~~23) "Durable medical equipment" or "DME" means equipment that:

(a) can withstand repeated use;

(b) is primarily and customarily used to serve a medical purpose;

(c) generally is not useful to a person in the absence of an illness or injury;

(d) is suitable for use in a health care facility or in the home; and

(e) may include devices and medical supplies.

(~~23~~24) "Entities under common administrative control" means an entity holds the power, actual as well as legal to influence the management, direction, or functioning of a business or organization.

(~~24~~25) "Entities under common ownership" means entity assets are held indivisibly rather than in the names of individual members.

(~~25~~26) "ExCPT", as used in this rule, means the Exam for the Certification of Pharmacy Technicians.

(~~26~~27) "FDA" means the United States Food and Drug Administration and any successor agency.

(28) "FDA-approved" means the federal Food, Drug, and Cosmetic Act, 21 U.S.C.A. Section 301 et seq. and regulations promulgated thereunder permit the subject drug or device to be lawfully manufactured, marketed, distributed, and sold.

(~~27~~29) "High-risk, medium-risk, and low-risk drugs" refers to the risk to a patient's health from compounding sterile preparations, as referred to in USP-NF Chapter 797, for details of determining risk level.

(~~28~~30) "Hospice facility pharmacy" means a pharmacy that supplies drugs to patients in a licensed healthcare facility for terminal patients.

(~~29~~31) "Hospital clinic pharmacy" means a pharmacy that is located in an outpatient treatment area where a pharmacist or pharmacy intern is compounding, admixing, or dispensing prescription drugs, and where:

(a) prescription drugs or devices are under the control of the pharmacist, or the facility for administration to patients of that facility;

(b) prescription drugs or devices are dispensed by the pharmacist or pharmacy intern; or

(c) prescription drugs are administered in accordance with the order of a practitioner by an employee or agent of the facility.

(~~30~~32) "Legend drug" or "prescription drug" means any drug or device that has been determined to be unsafe for self-medication or any drug or device that bears or is required to bear the legend:

(a) "Caution: federal law prohibits dispensing without prescription";

(b) "Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian"; or

(c) "Rx only".

(~~31~~33) "Maintenance medications" means medications the patient takes on an ongoing basis.

(~~32~~34) "Manufacturer's exclusive distributor" means an entity that contracts with a manufacturer to provide or coordinate warehousing, distribution, or other services on behalf of a

manufacturer and who takes title to that manufacturer's prescription drug, but who does not have general responsibility to direct the drug's sale or disposition. Such manufacturer's exclusive distributor shall be licensed as a pharmaceutical wholesaler under this chapter and be an "authorized distributor of record" to be considered part of the "normal distribution channel".

(~~33~~~~35~~) "Medical supplies" means items for medical use that are suitable for use in a health care facility or in the home and that are disposable or semi-disposable and are non-reusable.

(~~34~~~~36~~) "MPJE" means the Multistate Jurisprudence Examination.

(~~35~~~~37~~) "NABP" means the National Association of Boards of Pharmacy.

(~~36~~~~38~~) "NAPLEX" means North American Pharmacy Licensing Examination.

(~~37~~~~39~~) "Normal distribution channel" means a chain of custody for a prescription drug that goes directly, by drop shipment as defined in Subsection (19), or via intracompany transfer from a manufacturer; or from the manufacturer's co-licensed partner, third-party logistics provider, or the exclusive distributor to:

(a) a pharmacy or other designated persons authorized under this chapter to dispense or administer prescription drugs to a patient;

(b) a chain pharmacy warehouse that performs intracompany sales or transfers of such drugs to a group of pharmacies under common ownership and control;

(c) a cooperative pharmacy warehouse to a pharmacy that is a member of the pharmacy buying cooperative or GPO to a patient;

(d) an authorized distributor of record, and then to either a pharmacy or other designated persons authorized under this chapter to dispense or administer such drug for use by a patient;

(e) an authorized distributor of record, and then to a chain pharmacy warehouse that performs intracompany sales or transfers of such drugs to a group of pharmacies under common ownership and control; or

(f) an authorized distributor of record to another authorized distributor of record to a licensed pharmaceutical facility or a licensed healthcare practitioner authorized under this chapter to dispense or administer such drug for use by a patient.

(~~38~~~~40~~) "Other health care facilities" means any entity as defined in Utah Code Subsection 26-21-2(13)(a) or Utah Administrative Code R432-1-3(55).

(~~39~~~~41~~) "Parenteral" means a method of drug delivery injected into body tissues but not via the gastrointestinal tract.

(~~40~~~~42~~) "Patient's agent" means a:

(a) relative, friend or other authorized designee of the patient involved in the patient's care; or

(b) if requested by the patient or the individual under Subsection (40)(a), one of the following facilities:

(i) an office of a licensed prescribing practitioner in Utah;

(ii) a long-term care facility where the patient resides; or

(iii) a hospital, office, clinic or other medical facility that provides health care services.

(~~41~~~~43~~) "Pedigree" means a document or electronic file containing information that records each distribution of any given prescription drug.

(~~42~~~~44~~) "PIC", as used in this rule, means the pharmacist-in-charge.

(~~43~~~~45~~) "Prepackaged" or "Prepackaging" means the act of transferring a drug, manually or by use of an automated pharmacy system, from a manufacturer's or distributor's original container to another container in advance of receiving a prescription drug order or for a patient's immediate need for dispensing by a pharmacy or practitioner authorized to dispense in the establishment where the prepackaging occurred.

(~~44~~~~46~~) "Prescription files" means all hard-copy and electronic prescriptions that includes pharmacist notes or technician notes, clarifications or information written or attached that is pertinent to the prescription.

(~~45~~~~47~~) "PTCB" means the Pharmacy Technician Certification Board.

(~~46~~~~48~~) "Qualified continuing education", as used in this rule, means continuing education that meets the standards set forth in Section R156-17b-309.

(~~47~~~~49~~) "Refill" means to fill again.

(~~48~~~~50~~) "Repackage" means repackaging or otherwise changing the container, wrapper, or labeling to further the distribution of a prescription drug, excluding that completed by the pharmacist or DMP responsible for dispensing the product to a patient.

(~~49~~~~51~~) "Research facility" means a facility where research takes place that has policies and procedures describing such research.

(~~50~~~~52~~) "Reverse distributor" means a person or company that retrieves unusable or outdated drugs from a pharmacy for the purpose of removing those drugs from stock and destroying them.

(~~51~~~~53~~) "Sterile products preparation facility" means any facility, or portion of the facility, that compounds sterile products using aseptic technique.

(~~52~~~~54~~) "Supervisor" means a licensed pharmacist or DMP in good standing with the Division.

(~~53~~~~55~~) "Third party logistics provider" means anyone who contracts with a prescription drug manufacturer to provide or coordinate warehousing, distribution, or other similar services on behalf of a manufacturer, but does not take title to the prescription drug or have any authoritative control over the prescription drug's sale. Such third party logistics provider shall be licensed as a pharmaceutical wholesaler under this chapter and be an "authorized distributor of record" to be considered part of the "normal distribution channel".

(~~54~~~~56~~) "Unauthorized personnel" means any person who is not participating in the operational processes of the pharmacy who in some way would interrupt the natural flow of pharmaceutical care.

(~~55~~~~57~~) "Unit dose" means the ordered amount of a drug in a dosage form prepared for a one-time administration to an individual and indicates the name, strength, lot number and beyond use date for the drug.

(~~56~~~~58~~) "Unprofessional conduct", as defined in Title 58, Chapters 1 and 17b, is further defined, in accordance with Subsection 58-1-203(1)(e), in Section R156-17b-502.

(~~57~~59) "USP-NF" means the United States Pharmacopeia-National Formulary (USP [~~38~~39-NF [~~33~~34], [~~2015~~2016] edition, which is official from May 1, [~~2015~~2016] through Supplement 2, dated December 1, 2015, which is hereby adopted and incorporated by reference.

(~~58~~60) "Wholesaler" means a wholesale distributor who supplies or distributes drugs or medical devices that are restricted by federal law to sales based on the order of a physician to a person other than the consumer or patient.

(~~59~~61) "Wholesale distribution" means the distribution of drugs to persons other than consumers or patients, but does not include:

- (a) intracompany sales or transfers;
  - (b) the sale, purchase, distribution, trade, or other transfer of a prescription drug for emergency medical reasons, as defined under 21 CFR 203.3(m), including any amendments thereto;
  - (c) the sale, purchase, or trade of a drug pursuant to a prescription;
  - (d) the distribution of drug samples;
  - (e) the return or transfer of prescription drugs to the original manufacturer, original wholesale distributor, reverse distributor, or a third party returns processor;
  - (f) the sale, purchase, distribution, trade, or transfer of a prescription drug from one authorized distributor of record to one additional authorized distributor of record during a time period for which there is documentation from the manufacturer that the manufacturer is able to supply a prescription drug and the supplying authorized distributor of record states in writing that the prescription drug being supplied had until that time been exclusively in the normal distribution channel;
  - (g) the sale, purchase or exchange of blood or blood components for transfusions;
  - (h) the sale, transfer, merger or consolidation of all or part of the business of a pharmacy;
  - (i) delivery of a prescription drug by a common carrier;
- or
- (j) other transactions excluded from the definition of "wholesale distribution" under 21 CFR 203.3 (cc), including any amendments thereto.

**R156-17b-615. Operating Standards - Class C Pharmacy - Pharmaceutical Wholesaler/Distributor and Pharmaceutical Manufacturer.**

In accordance with Subsections 58-17b-102(47) and 58-17b-601(1), the operating standards for Class C pharmacies designated as pharmaceutical wholesaler/distributor and pharmaceutical manufacturer licensees includes the following:

(1) Each pharmaceutical wholesaler or manufacturer that distributes or manufactures drugs or medical devices in Utah shall be licensed by the Division. A separate license shall be obtained for each separate location engaged in the distribution or manufacturing of prescription drugs. Business names cannot be identical to the name used by another unrelated wholesaler licensed to purchase drugs and devices in Utah.

(2) ~~Manufacturers distributing only their own FDA-approved prescription drugs or co-licensed product shall satisfy this requirement by registering their establishment with the Federal Food and Drug Administration pursuant to 21 CFR Part 207 and~~

~~submitting the information required by 21 CFR Part 205, including any amendments thereto, to the Division.]~~

(a) prescription drugs or prescription drugs that are co-licensed products satisfy the requirement in Subsection (1) by registering their establishment with the FDA pursuant to 21 CFR Part 207 and submitting the information required by 21 CFR Part 205 including any amendments thereto, to the Division; or

(b) devices or devices that are co-licensed products, including products packaged with devices, such as convenience kits, that are exempt from the definition of transaction in 21 USC sec. 360eee (24)(B)(xii-xvi) satisfy the requirement in Subsection (1) by registering their establishment with the FDA pursuant to 21 CFR.

(3) An applicant for licensure as a pharmaceutical wholesale distributor shall provide the following minimum information:

(a) All trade or business names used by the licensee (including "doing business as" and "formerly known as");

(b) Name of the owner and operator of the license as follows:

(i) if a person, the name, business address, social security number and date of birth;

(ii) if a partnership, the name, business address, and social security number and date of birth of each partner, and the partnership's federal employer identification number;

(iii) if a corporation, the name, business address, social security number and date of birth, and title of each corporate officer and director, the corporate names, the name of the state of incorporation, federal employer identification number, and the name of the parent company, if any, but if a publicly traded corporation, the social security number and date of birth for each corporate officer shall not be required;

(iv) if a sole proprietorship, the full name, business address, social security number and date of birth of the sole proprietor and the name and federal employer identification number of the business entity;

(v) if a limited liability company, the name of each member, social security number of each member, the name of each manager, the name of the limited liability company and federal employer identification number, and the name of the state where the limited liability company was organized; and

(c) any other relevant information required by the Division.

(4) The licensed facility need not be under the supervision of a licensed pharmacist, but shall be under the supervision of a designated representative who meets the following criteria:

(a) is at least 21 years of age;

(b) has been employed full time for at least three years in a pharmacy or with a pharmaceutical wholesaler in a capacity related to the dispensing and distribution of, and recordkeeping related to prescription drugs;

(c) is employed by the applicant full time in a managerial level position;

(d) is actively involved in and aware of the actual daily operation of the pharmaceutical wholesale distribution;

(e) is physically present at the facility during regular business hours, except when the absence of the designated representative is authorized, including but not limited to, sick leave and vacation leave; and

(f) is serving in the capacity of a designated representative for only one licensee at a time.

(5) The licensee shall provide the name, business address, and telephone number of a person to serve as the designated representative for each facility of the pharmaceutical wholesaler that engages in the distribution of drugs or devices.

(6) All pharmaceutical wholesalers and manufacturer shall publicly display or have readily available all licenses and the most recent inspection report administered by the Division.

(7) All Class C pharmacies shall:

(a) be of suitable size and construction to facilitate cleaning, maintenance and proper operations;

(b) have storage areas designed to provide adequate lighting, ventilation, sanitation, space, equipment and security conditions;

(c) have the ability to control temperature and humidity within tolerances required by all prescription drugs and prescription drug precursors handled or used in the distribution or manufacturing activities of the applicant or licensee;

(d) provide for a quarantine area for storage of prescription drugs and prescription drug precursors that are outdated, damaged, deteriorated, misbranded, adulterated, opened or unsealed containers that have once been appropriately sealed or closed or in any other way unsuitable for use or entry into distribution or manufacturing;

(e) be maintained in a clean and orderly condition; and

(f) be free from infestation by insects, rodents, birds or vermin of any kind.

(8) Each facility used for wholesale drug distribution or manufacturing of prescription drugs shall:

(a) be secure from unauthorized entry;

(b) limit access from the outside to a minimum in conformance with local building codes, life and safety codes and control access to persons to ensure unauthorized entry is not made;

(c) limit entry into areas where prescription drugs, prescription drug precursors, or prescription drug devices are held to authorized persons who have a need to be in those areas;

(d) be well lighted on the outside perimeter;

(e) be equipped with an alarm system to permit detection of entry and notification of appropriate authorities at all times when the facility is not occupied for the purpose of engaging in distribution or manufacturing of prescription drugs; and

(f) be equipped with security measures, systems and procedures necessary to provide reasonable security against theft and diversion of prescription drugs or alteration or tampering with computers and records pertaining to prescription drugs or prescription drug precursors.

(9) Each facility shall provide the storage of prescription drugs, prescription drug precursors, and prescription drug devices in accordance with the following:

(a) all prescription drugs and prescription drug precursors shall be stored at appropriate temperature, humidity and other conditions in accordance with labeling of such prescription drugs or prescription drug precursors or with requirements in the USP-NF;

(b) if no storage requirements are established for a specific prescription drug, prescription drug precursor, or prescription drug devices, the products shall be held in a condition of controlled temperature and humidity as defined in the USP-NF to

ensure that its identity, strength, quality and purity are not adversely affected; and

(c) there shall be established a system of manual, electromechanical or electronic recording of temperature and humidity in the areas in which prescription drugs, prescription drug precursors, and prescription drug devices are held to permit review of the record and ensure that the products have not been subjected to conditions that are outside of established limits.

(10) Each person who is engaged in pharmaceutical wholesale distribution of prescription drugs for human use that leave, or have ever left, the normal distribution channel shall, before each pharmaceutical wholesale distribution of such drug, provide a pedigree to the person who receives such drug. A retail pharmacy or pharmacy warehouse shall comply with the requirements of this section only if the pharmacy engages in pharmaceutical wholesale distribution of prescription drugs. The pedigree shall:

(a) include all necessary identifying information concerning each sale in the chain of distribution of the product from the manufacturer, through acquisition and sale by any pharmaceutical wholesaler, until sale to a pharmacy or other person dispensing or administering the prescription drug. At a minimum, the necessary chain of distribution information shall include:

(i) name, address, telephone number, and if available, the email address of each owner of the prescription drug, and each pharmaceutical wholesaler of the prescription drug;

(ii) name and address of each location from which the product was shipped, if different from the owner's;

(iii) transaction dates;

(iv) name of the prescription drug;

(v) dosage form and strength of the prescription drug;

(vi) size of the container;

(vii) number of containers;

(viii) lot number of the prescription drug;

(ix) name of the manufacturer of the finished dose form;

and

(x) National Drug Code (NDC) number.

(b) be maintained by the purchaser and the pharmaceutical wholesaler for five years from the date of sale or transfer and be available for inspection or use upon a request of an authorized officer of the law.

(11) Each facility shall comply with the following requirements:

(a) in general, each person who is engaged in pharmaceutical wholesale distribution of prescription drugs shall establish and maintain inventories and records of all transactions regarding the receipt and distribution or other disposition of the prescription drugs. These records shall include pedigrees for all prescription drugs that leave the normal distribution channel;

(b) upon receipt, each outside shipping container containing prescription drugs, prescription drug precursors, or prescription drug devices shall be visibly examined for identity and to prevent the acceptance of prescription drugs, prescription drug precursors, or prescription drug devices that are contaminated, reveal damage to the containers or are otherwise unfit for distribution:

(i) prescription drugs, prescription drug precursors, or prescription drug devices that are outdated, damaged, deteriorated, misbranded, adulterated or in any other way unfit for distribution or

use in manufacturing shall be quarantined and physically separated from other prescription drugs, prescription drug precursors or prescription drug devices until they are appropriately destroyed or returned to their supplier; and

(ii) any prescription drug or prescription drug precursor whose immediate sealed or outer secondary sealed container has been opened or in any other way breached shall be identified as such and shall be quarantined and physically separated from other prescription drugs and prescription drug precursors until they are appropriately destroyed or returned to their supplier;

(c) each outgoing shipment shall be carefully inspected for identity of the prescription drug products or devices and to ensure that there is no delivery of prescription drugs or devices that have been damaged in storage or held under improper conditions:

(i) if the conditions or circumstances surrounding the return of any prescription drug or prescription drug precursor cast any doubt on the product's safety, identity, strength, quality or purity, then the drug shall be appropriately destroyed or returned to the supplier, unless examination, testing or other investigation proves that the product meets appropriate and applicable standards related to the product's safety, identity, strength, quality and purity;

(ii) returns of expired, damaged, recalled, or otherwise non-saleable prescription drugs shall be distributed by the receiving pharmaceutical wholesale distributor only to the original manufacturer or a third party returns processor that is licensed as a pharmaceutical wholesale distributor under this chapter;

(iii) returns or exchanges of prescription drugs (saleable or otherwise), including any redistribution by a receiving pharmaceutical wholesaler, shall not be subject to the pedigree requirements, so long as they are exempt from the pedigree requirement under the FDA's Prescription Drug Marketing Act guidance or regulations; and

(d) licensee under this Act and pharmacies or other persons authorized by law to dispense or administer prescription drugs for use by a patient shall be accountable for administering their returns process and ensuring that all aspects of their operation are secure and do not permit the entry of adulterated and counterfeit prescription drugs.

(12) A manufacturer or pharmaceutical wholesaler shall furnish prescription drugs only to a person licensed by the Division or to another appropriate state licensing authority to possess, dispense or administer such drugs for use by a patient.

(13) Prescription drugs furnished by a manufacturer or pharmaceutical wholesaler shall be delivered only to the business address of a person described in Subsections R156-17b-102(19)(c) and R156-17b-615(13), or to the premises listed on the license, or to an authorized person or agent of the licensee at the premises of the manufacturer or pharmaceutical wholesaler if the identity and authority of the authorized agent is properly established.

(14) Each facility shall establish and maintain records of all transactions regarding the receipt and distribution or other disposition of prescription drugs and prescription drug precursors and shall make inventories of prescription drugs and prescription drug precursors and required records available for inspection by authorized representatives of the federal, state and local law enforcement agencies in accordance with the following:

(a) there shall be a record of the source of the prescription drugs or prescription drug precursors to include the name and

principal address of the seller or transferor and the address of the location from which the drugs were shipped;

(b) there shall be a record of the identity and quantity of the prescription drug or prescription drug precursor received, manufactured, distributed or shipped or otherwise disposed of by specific product and strength;

(c) there shall be a record of the dates of receipt and distribution or other disposal of any product;

(d) there shall be a record of the identity of persons to whom distribution is made to include name and principal address of the receiver and the address of the location to which the products were shipped;

(e) inventories of prescription drugs and prescription drug precursors shall be made available during regular business hours to authorized representatives of federal, state and local law enforcement authorities;

(f) required records shall be made available for inspection during regular business hours to authorized representatives of federal, state and local law enforcement authorities and such records shall be maintained for a period of two years following disposition of the products; and

(g) records that are maintained on site or immediately retrievable from computer or other electronic means shall be made readily available for authorized inspection during the retention period; or if records are stored at another location, they shall be made available within two working days after request by an authorized law enforcement authority during the two year period of retention.

(15) Each facility shall establish, maintain and adhere to written policies and procedures that shall be followed for the receipt, security, storage, inventory, manufacturing, distribution or other disposal of prescription drugs or prescription drug precursors, including policies and procedures for identifying, recording and reporting losses or thefts, and for correcting all errors and inaccuracies in inventories. In addition, the policies shall include the following:

(a) a procedure whereby the oldest approved stock of a prescription drug or precursor product is distributed or used first with a provision for deviation from the requirement if such deviation is temporary and appropriate;

(b) a procedure to be followed for handling recalls and withdrawals of prescription drugs adequate to deal with recalls and withdrawals due to:

(i) any action initiated at the request of the FDA or other federal, state or local law enforcement or other authorized administrative or regulatory agency;

(ii) any voluntary action to remove defective or potentially defective drugs from the market; or

(iii) any action undertaken to promote public health, safety or welfare by replacement of existing product with an improved product or new package design;

(c) a procedure to prepare for, protect against or handle any crisis that affects security or operation of any facility in the event of strike, fire, flood or other natural disaster or other situations of local, state or national emergency;

(d) a procedure to ensure that any outdated prescription drugs or prescription drug precursors shall be segregated from other drugs or precursors and either returned to the manufacturer, other appropriate party or appropriately destroyed;

(e) a procedure for providing for documentation of the disposition of outdated, adulterated or otherwise unsafe prescription drugs or prescription drug precursors and the maintenance of that documentation available for inspection by authorized federal, state or local authorities for a period of five years after disposition of the product;

(f) a procedure for identifying, investigating and reporting significant drug inventory discrepancies (involving counterfeit drugs suspected of being counterfeit, contraband, or suspect of being contraband) and reporting of such discrepancies within three (3) business days to the Division and/or appropriate federal or state agency upon discovery of such discrepancies; and

(g) a procedure for reporting criminal or suspected criminal activities involving the inventory of drugs and devices to the Division, FDA and if applicable, Drug Enforcement Administration (DEA), within three (3) business days.

(16) Each facility shall establish, maintain and make available for inspection by authorized federal, state and local law enforcement authorities, lists of all officers, directors, managers and other persons in charge which lists shall include a description of their duties and a summary of their background and qualifications.

(17) Each facility shall comply with laws including:

(a) operating within applicable federal, state and local laws and regulations;

(b) permitting the state licensing authority and authorized federal, state and local law enforcement officials, upon presentation of proper credentials, to enter and inspect their premises and delivery vehicles and to audit their records and written operating policies and procedures, at reasonable times and in a reasonable manner, to the extent authorized by law; and

(c) obtaining a controlled substance license from the Division and registering with the Drug Enforcement Administration (DEA) if they engage in distribution or manufacturing of controlled substances and shall comply with all federal, state and local regulations applicable to the distribution or manufacturing of controlled substances.

(18) Each facility shall be subject to and shall abide by applicable federal, state and local laws that relate to the salvaging or reprocessing of prescription drug products.

(19) A Class C pharmacy shall not be located in the same building as a separately licensed Class A, B, D, or E pharmacy unless the two pharmacies are located in different suites as recognized by the United States Postal Service. Two Class C pharmacies may be located at the same address in the same suite if the pharmacies:

(a) are under the same ownership;

(b) have processes and systems for separating and securing all aspects of the operation; and

(c) have traceability with a clear audit trail that distinguishes a pharmacy's purchases and distributions.

**KEY: pharmacists, licensing, pharmacies**

**Date of Enactment or Last Substantive Amendment:**  
[December 1, 2015]2016

**Notice of Continuation: January 5, 2015**

**Authorizing, and Implemented or Interpreted Law: 58-17b-101; 58-17b-601(1); 58-37-1; 58-1-106(1)(a); 58-1-202(1)(a)**

## Commerce, Occupational and Professional Licensing **R156-17b-614a** Operating Standards - General Operating Standards, Class A and B Pharmacy

### NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 40218

FILED: 02/22/2016

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The Division and Utah State Board of Pharmacy are proposing these amendments to clarify the documentation requirements for compounded preparations in Class A and Class B pharmacies. Concurrent to this proposed rule filing, there is an additional rule filing that will modify Rule R156-17b, the Pharmacy Practice Act Rule. The two proposed rule amendment filings are being filed separately due to the entities affected by the proposed changes are different. (DAR NOTE: The proposed amendment to Rule R156-17b is under DAR No. 40217 in this issue, March 15, 2016, of the Bulletin.)

**SUMMARY OF THE RULE OR CHANGE:** Subsections are added, renumbered, and modified to add clarification to the documentation standards that compounding pharmacies must adhere to and to become more consistent with the federal compounded preparation documentation standards. The proposed rule changes do not add new requirements. The intent of the proposed changes are to list the documentation standards in a single location to provide licensees easier access to the information.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 58-17b-101 and Section 58-37-1 and Subsection 58-1-106(1)(a) and Subsection 58-1-202(1)(a) and Subsection 58-17b-601(1)

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** The Division will incur minimal costs of approximately \$75 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.

♦ **LOCAL GOVERNMENTS:** The proposed amendments apply only to licensed Class A and Class B pharmacies that are involved in compounding. As a result, the proposed amendments do not apply to local governments.

♦ **SMALL BUSINESSES:** The proposed amendments apply only to licensed Class A and Class B pharmacies that are involved in compounding. No fiscal impact to small business is anticipated. The proposed amendments add clarification to existing practices in the industry.

◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: The proposed amendments apply only to licensed Class A and Class B pharmacies that are involved in compounding. No fiscal impact to other persons is anticipated. The proposed amendments add clarification to existing practices in the industry.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The proposed amendments should have no increased compliance cost or impact for licensed Class A and Class B pharmacies that are involved in compounding. The proposed amendments add clarification to existing practices in the industry.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change clarifies documentation standards for compounding pharmacies, and makes the documentation standards more consistent with federal standards. No new requirements are added. No fiscal impact to businesses is anticipated.

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

COMMERCE  
OCCUPATIONAL AND PROFESSIONAL  
LICENSING  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY, UT 84111-2316  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Dane Ishihara by phone at 801-530-7632, by FAX at 801-530-6511, or by Internet E-mail at dishihara@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/14/2016

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

◆ 03/22/2016 08:30 AM, Heber Wells Bldg, 160 E 300 S, Conference Room 474, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016

AUTHORIZED BY: Mark Steinagel, Director

**R156. Commerce, Occupational and Professional Licensing.  
R156-17b. Pharmacy Practice Act Rule.  
R156-17b-614a. Operating Standards - General Operating Standards, Class A and B Pharmacy.**

(1) In accordance with Subsection 58-17b-601(1), the following operating standards apply to all Class A and Class B pharmacies, which may be supplemented by additional standards

defined in this rule applicable to specific types of Class A and B pharmacies. The general operating standards include:

(a) shall be well lighted, well ventilated, clean and sanitary;

(b) if transferring a drug from a manufacturer's or distributor's original container to another container, the dispensing area, if any, shall have a sink with hot and cold culinary water separate and apart from any restroom facilities. This does not apply to clean rooms where sterile products are prepared. Clean rooms should not have sinks or floor drains that expose the area to an open sewer. All required equipment shall be clean and in good operating condition;

(c) be equipped to permit the orderly storage of prescription drugs and durable medical equipment in a manner to permit clear identification, separation and easy retrieval of products and an environment necessary to maintain the integrity of the product inventory;

(d) be equipped to permit practice within the standards and ethics of the profession as dictated by the usual and ordinary scope of practice to be conducted within that facility;

(e) be stocked with the quality and quantity of product necessary for the facility to meet its scope of practice in a manner consistent with the public health, safety and welfare; and

(f) if dispensing controlled substances, be equipped with a security system to:

(i) permit detection of entry at all times when the facility is closed; and

(ii) provide notice of unauthorized entry to an individual; and

(g) be equipped with a lock on any entrances to the facility where drugs are stored.

(2) The temperature of the pharmacy shall be maintained within a range compatible with the proper storage of drugs. If a refrigerator or freezer is necessary to properly store drugs at the pharmacy, the pharmacy shall keep a daily written or electronic log of the temperature of the refrigerator or freezer on days of operation. The pharmacy shall retain each log entry for at least three years.

(3) Facilities engaged in simple, moderate or complex non-sterile or any level of sterile compounding activities shall be required to maintain proper records and procedure manuals and establish quality control measures to ensure stability, equivalency where applicable and sterility. The following requirements shall be met:

(a) Facilities shall follow USP-NF Chapter 795, compounding of non-sterile preparations, and USP-NF Chapter 797 if compounding sterile preparations[§].

(b) Facilities may compound in anticipation of receiving prescriptions in limited amounts[§].

(c) [b]Bulk active ingredients shall:

(i) be procured from a facility registered with the federal Food and Drug Administration; and

(ii) not be listed on the federal Food and Drug Administration list of drug products withdrawn or removed from the market for reasons of safety or effectiveness[§].

(d) All facilities that dispense prescriptions must comply with the record keeping requirements of their State Boards of Pharmacy. When a facility compounds a preparation according to



the manufacturer's labeling instructions, then further documentation is not required. All other compounded preparations require further documentation as described in this section.

(e) A master formulation record [a master worksheet sheet] shall be approved by a pharmacist or DMP for each batch of sterile or non-sterile pharmaceuticals to be prepared. Once approved, a duplicate of the master formulation record [worksheet sheet] shall be used as the [preparation worksheet sheet] compounding record from which each batch is prepared and on which all documentation for that batch occurs. The master [worksheet sheet] formulation record may be stored electronically and shall contain at a minimum:

(i) [the formula] official or assigned name;  
(ii) [the components] strength;  
(iii) [the compounding directions] dosage form of the preparation;

(iv) [a sample label information] calculations needed to determine and verify quantities of components and doses of active pharmaceutical ingredients;

(v) [evaluation and testing requirements] description of all ingredients and their quantities;

(vi) [sterilization methods, if applicable] compatibility and stability information, including references when available;

(vii) [specific equipment used during preparation such as specific compounding device] equipment needed to prepare the preparation; [and]

(viii) [storage requirements;] mixing instructions, which shall include:

(A) order of mixing;

(B) mixing temperatures or other environmental controls;

(C) duration of mixing; and

(D) other factors pertinent to the replication of the preparation as compounded;

(ix) sample labeling information, which shall contain, in addition to legally required information:

(A) generic name and quantity or concentration of each active ingredient;

(B) assigned beyond use date;

(C) storage conditions; and

(D) prescription or control number, whichever is applicable;

(x) container used in dispensing;

(xi) packaging and storage requirements;

(xii) description of final preparation; and

(xiii) quality control procedures and expected results.

(e) [f] [a preparation worksheet sheet] A compounding record for each batch of sterile or non-sterile pharmaceuticals shall document the following:

(i) [identity of all solutions and ingredients and their corresponding amounts, concentrations, or volumes] official or assigned name;

(ii) [manufacturer lot number for each component] strength and dosage of the preparation;

(iii) [component manufacturer or suitable identifying number] Master Formulation Record reference for the preparation;

(iv) [container specifications (e.g. syringe, pump cassette)] names and quantities of all components;

(v) [unique lot or control number assigned to batch] sources, lot numbers, and expiration dates of components;

(vi) [beyond use date of batch prepared products] total quantity compounded;

(vii) [date of preparation] name of the person who prepared the preparation;

(viii) [name, initials or electronic signature of the person or persons involved in the preparation];

(ix) [names, initials or electronic signature of the responsible pharmacist or DMP] name of the person who performed the quality control procedures;

(x) [end-product evaluation and testing specifications, if applicable; and] date of preparation;

(xi) [comparison of actual yield to anticipated yield, when appropriate] assigned control, if for anticipation of use or prescription number, if patient specific, whichever is applicable;

(xii) duplicate label as described in the Master Formulation Record means the sample labeling information that is dispensed on the final product given to the patient and shall at minimum contain:

(A) active ingredients;

(B) beyond-use-date;

(C) storage conditions; and

(D) lot number;

(xiv) proof of the duplicate labeling information, which proof shall:

(A) be kept at the pharmacy;

(B) be immediately retrievable;

(C) include an audit trail for any altered form; and

(D) be reproduced in:

(I) the original format that was dispensed;

(II) an electronic format; or

(III) a scanned electronic version;

(xv) description of final preparation;

(xvii) results of quality control procedures (e.g. weight range of filled capsules, pH of aqueous liquids); and

(xix) documentation of any quality control issues and any adverse reactions or preparation problems reported by the patient or caregiver.

(f) [g] [the] The label of each batch prepared of sterile or non-sterile pharmaceuticals shall bear at a minimum:

(i) the unique lot number assigned to the batch;

(ii) all active solution and ingredient names, amounts, strengths and concentrations, when applicable;

(iii) quantity;

(iv) beyond use date and time, when applicable;

(v) appropriate ancillary instructions, such as storage instructions or cautionary statements, including cytotoxic warning labels where appropriate; and

(vi) device-specific instructions, where appropriate[?].

(h) All prescription labels for compounded sterile and non-sterile medications when dispensed to the ultimate user or agent shall bear at a minimum in addition to what is required in Section 58-17b-602 the following:

(i) generic name and quantity or concentration of each active ingredient. In the instance of a sterile preparation for parenteral use, labeling shall include the name and base solution for infusion preparation;

(ii) assigned compounding record or lot number; and

(iii) "this is a compounded preparation" or similar language.

([g]i) [the]The beyond use date assigned shall be based on currently available drug stability information and sterility considerations or appropriate in-house or contract service stability testing;

(i) sources of drug stability information shall include the following:

(A) references can be found in Trissel's "Handbook on Injectable Drugs", 17th Edition, October 31, 2012;

(B) manufacturer recommendations; and

(C) reliable, published research;

(ii) when interpreting published drug stability information, the pharmacist or DMP shall consider all aspects of the final sterile product being prepared such as drug reservoir, drug concentration and storage conditions; and

(iii) methods for establishing beyond use dates shall be documented; and

([h]j) [there]There shall be a documented, ongoing quality control program that monitors and evaluates personnel performance, equipment and facilities that follows the USP-NF Chapters 795 and 797 standards.

(4) The facility shall have current and retrievable editions of the following reference publications in print or electronic format and readily available and retrievable to facility personnel:

(a) Title 58, Chapter 1, Division of Occupational and Professional Licensing Act;

(b) R156-1, General Rule of the Division of Occupational and Professional Licensing;

(c) Title 58, Chapter 17b, Pharmacy Practice Act;

(d) R156-17b, Utah Pharmacy Practice Act Rule;

(e) Title 58, Chapter 37, Utah Controlled Substances Act;

(f) R156-37, Utah Controlled Substances Act Rule;

(g) Title 58, Chapter 37f, Controlled Substance Database

Act;

(h) R156-37f, Controlled Substance Database Act Rule;

(i) Code of Federal Regulations (CFR) 21, Food and Drugs, Part 1300 to end or equivalent such as the USP DI Drug Reference Guides;

(j) current FDA Approved Drug Products (orange book); and

(k) any other general drug references necessary to permit practice dictated by the usual and ordinary scope of practice to be conducted within that facility.

(5) The facility shall maintain a current list of licensed employees involved in the practice of pharmacy at the facility. The list shall include individual licensee names, license classifications, license numbers, and license expiration dates. The list shall be readily retrievable for inspection by the Division and may be maintained in paper or electronic form.

(6) Facilities shall have a counseling area to allow for confidential patient counseling, where applicable.

(7) A pharmacy shall not dispense a prescription drug or device to a patient unless a pharmacist or DMP is physically present and immediately available in the facility.

(8) Only a licensed Utah pharmacist, DMP or authorized pharmacy personnel shall have access to the pharmacy when the pharmacy is closed.

(9) The facility or parent company shall maintain a record for not less than 5 years of the initials or identification codes that identify each dispensing pharmacist or DMP by name. The initials

or identification code shall be unique to ensure that each pharmacist or DMP can be identified; therefore identical initials or identification codes shall not be used.

(10) The pharmacy facility shall maintain copy 3 of DEA order form (Form 222) that has been properly dated, initialed and filed and all copies of each unaccepted or defective order form and any attached statements or other documents.

(11) If applicable, a hard copy of the power of attorney authorizing a pharmacist, DMP, or DMP designee to sign DEA order forms (Form 222) shall be available to the Division whenever necessary.

(12) A pharmacist, DMP or other responsible individual shall verify that controlled substances are listed on the suppliers' invoices and were actually received by clearly recording their initials and the actual date of receipt of the controlled substances.

(13) The pharmacy facility shall maintain a record of suppliers' credit memos for controlled substances.

(14) A copy of inventories required under Section R156-17b-605 shall be made available to the Division when requested.

(15) The pharmacy facility shall maintain hard copy reports of surrender or destruction of controlled substances and legend drugs submitted to appropriate state or federal agencies.

(16) If the pharmacy does not store drugs in a locked cabinet and has a drop/false ceiling, the pharmacy's perimeter walls shall extend to the hard deck, or other measures shall be taken to prevent unauthorized entry into the pharmacy.

**KEY: pharmacists, licensing, pharmacies**

**Date of Enactment or Last Substantive Amendment:**  
**[December 1, 2015]2016**

**Notice of Continuation: January 5, 2015**

**Authorizing, and Implemented or Interpreted Law: 58-17b-101; 58-17b-601(1); 58-37-1; 58-1-106(1)(a); 58-1-202(1)(a)**

**Commerce, Occupational and  
Professional Licensing  
R156-37  
Utah Controlled Substances Act Rule**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 40216

FILED: 02/22/2016

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The Division and Utah State Board of Pharmacy reviewed this rule and determined the following changes need to be made. The purpose of this filing is to: 1) establish a time frame within which an applicant for a controlled substance license must obtain a Drug Enforcement Administration (DEA) registration; 2) establish criteria that excludes particular applicants from having to obtain a DEA registration; and 3) add failing to obtain a DEA registration in the specified time period to unprofessional conduct.

**SUMMARY OF THE RULE OR CHANGE:** Subsection R156-37-305(1) is added to establish that an applicant for a controlled substance license must obtain a DEA registration within 120 days of the date the controlled substance license is issued unless the applicant is described in Subsection R156-37-305(2). Subsection R156-37-305(2) is added to establish that an applicant who obtains the prior written consent of their employer to use the employer's hospital or institution DEA registration to administer and/or prescribe controlled substances is not required to obtain an individual practitioner DEA registration. Section R156-37-306 is renumbered from Section R156-37-305 due to the addition of new Section R156-37-305. Subsection R156-37-502(9) is added to include failing to obtain a DEA registration within the time frame established in Section R156-37-305 to unprofessional conduct.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Subsection 58-1-106(1)(a) and Subsection 58-37-6(1)(a) and Subsection 58-37f-301(1)

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** The Division will incur minimal costs of approximately \$75 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.
- ◆ **LOCAL GOVERNMENTS:** The proposed amendments apply only to licensees provided in Title 58, Chapter 37. As a result, the proposed amendments do not apply to local governments.
- ◆ **SMALL BUSINESSES:** The proposed amendments apply only to licensees provided in Title 58, Chapter 37. Licensees may work in a small business; however, the proposed amendments would not directly affect the business.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The proposed amendments apply only to licensees provided in Title 58, Chapter 37. It is anticipated the proposed amendments will have no increased compliance cost or impact for individuals that obtain a controlled substance license and the corresponding DEA registration. No fiscal impact to other persons is anticipated.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** The proposed amendments apply only to licensees provided in Title 58, Chapter 37. It is anticipated the proposed amendments should have no increased compliance cost or impact for individuals that obtain a controlled substance license.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This rule change establishes a time frame within which a controlled substance license applicant must obtain a DEA registration, establishes criteria that excludes certain applicants from having to obtain a DEA registration, and adds "failing to obtain a DEA registration within the specified time period" to the definition of unprofessional conduct. No fiscal impact to businesses is anticipated.

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

COMMERCE  
OCCUPATIONAL AND PROFESSIONAL  
LICENSING  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY, UT 84111-2316  
or at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Dane Ishihara by phone at 801-530-7632, by FAX at 801-530-6511, or by Internet E-mail at dishihara@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/14/2016

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:

◆ 03/22/2016 08:30 AM, Heber Wells Bldg, 160 E 300 S, Conference Room 474, Salt Lake City, UT

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016

AUTHORIZED BY: Mark Steinagel, Director

**R156. Commerce, Occupational and Professional Licensing.**  
**R156-37. Utah Controlled Substances Act Rule.**  
**R156-37-305. Qualification for Licensure -- Drug Enforcement Administration (DEA) Registration.**

(1) An individual who obtains a controlled substance license except those individuals described in Subsection (2) below, shall obtain a DEA registration within 120 days of the date the controlled substance license is issued.

(2) Any controlled substance licensee who obtains prior written consent of the licensee's employer to use the employer's hospital or institution DEA registration to administer and/or prescribe controlled substances, is not required to obtain an individual practitioner DEA registration.

**~~R156-37-305~~306. Exemption from Licensure -- Law Enforcement Personnel, University Research, Narcotic Detection Training of Animals, and Animal Control.**

In accordance with Subsection 58-37-6(2)(d), the following persons are exempt from licensure under Title 58, Chapter 37:

(1) Law enforcement agencies and their sworn personnel are exempt from the licensing requirements of the Controlled Substance Act to the extent their official duties require them to possess controlled substances; they act within the scope of their enforcement responsibilities; they maintain accurate records of controlled substances that come into their possession; and they maintain an effective audit trail. Nothing herein shall authorize law enforcement personnel to purchase or possess controlled substances for administration to animals unless the purchase or possession is in accordance with a duly issued controlled substance license.

(2) Individuals and entities engaged in research using pharmaceuticals as defined in Subsection 58-17b-102(65) within a research facility as defined in Subsection R156-17b-102(49).

(3) Individuals employed by a facility engaged in the following activities if the facility employing that individual has a controlled substance license in Utah, a DEA registration number, and uses the controlled substances according to a written protocol:

- (a) narcotic detection training of animals for law enforcement use; or
- (b) animal control, including:
  - (i) animal euthanasia; or
  - (ii) animal immobilization.

**R156-37-502. Unprofessional Conduct.**

"Unprofessional conduct" includes:

- (1) a licensee with authority to prescribe or administer controlled substances:
  - (a) prescribing or administering to himself any Schedule II or III controlled substance that is not lawfully prescribed by another licensed practitioner having authority to prescribe the drug;
  - (b) prescribing or administering a controlled substance for a condition he is not licensed or competent to treat;
- (2) violating any federal or state law relating to controlled substances;
- (3) failing to deliver to the Division all controlled substance license certificates issued by the Division to the Division upon an action that revokes, suspends or limits the license;
- (4) failing to maintain controls over controlled substances that would be considered by a prudent practitioner to be effective against diversion, theft, or shortage of controlled substances;
- (5) being unable to account for shortages of any controlled substance inventory for which the licensee has responsibility;
- (6) knowingly prescribing, selling, giving away, or administering, directly or indirectly, or offering to prescribe, sell, furnish, give away, or administer any controlled substance to a drug dependent person, as defined in Subsection 58-37-2(1)(s), except for legitimate medical purposes as permitted by law;
- (7) refusing to make available for inspection controlled substance stock, inventory, and records as required under this rule or other law regulating controlled substances and controlled substance records;
- (8) failing to submit controlled substance prescription information to the database manager after being notified in writing to do so[-];
- (9) failing to obtain a DEA registration within the time frame established in Section R156-37-305.

**KEY: controlled substances, licensing**

**Date of Enactment or Last Substantive Amendment:** ~~February 24, 2015~~ 2016

**Notice of Continuation:** February 21, 2012

**Authorizing, and Implemented or Interpreted Law:** 58-1-106(1)(a); 58-37-6(1)(a); 58-37f-301(1)

**Commerce, Occupational and  
Professional Licensing  
R156-55a  
Utah Construction Trades Licensing Act  
Rule**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 40219

FILED: 02/22/2016

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The Division and Construction Services Commission are proposing amendments to this rule. The purpose of this rule filing is to: 1) correct an error in the rule, which referred to a journeyman plumber when it should have referred to a plumbing contractor; 2) clarify work that a handyman can perform; and 3) clarify the insurance requirements for contractors.

**SUMMARY OF THE RULE OR CHANGE:** In Subsection R156-55a-301(2), S370: The proposed amendment replaces "journeyman plumber" with "plumbing contractor". This corrects an error that exists in the current rule. A licensed apprentice plumber, journeyman plumber, or master plumber who is working for a licensed plumbing contractor should be able to perform this work. Subsections R156-55a-301(4)(q) and (r) are added to the rule to clarify work that can be performed by a handyman. The handyman exemption could be interpreted to mean that all handyman work must be related to a building. The proposed amendments clarify that comparable work outside of the building can be performed by a handyman. In Sections R156-55a-302d and R156-55a-501, the proposed amendments in these sections clarify the liability insurance carried by a contractor must include coverage for the scope of work that the contractor performs and clarifies when a contractor must provide proof of liability insurance to the Division.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 58-55-101 and Subsection 58-1-106(1)(a) and Subsection 58-1-202(1)(a) and Subsection 58-55-102(39)(a) and Subsection 58-55-308(1)(a)

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** The Division will incur minimal costs of approximately \$75 to print and distribute the rule once the proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget.
- ◆ **LOCAL GOVERNMENTS:** The proposed amendments apply only to licensed contractors, applicants for licensure in the contractor classifications, and persons or companies that

hold a handyman exemption registration. As a result, the proposed amendments do not apply to local governments.

♦ **SMALL BUSINESSES:** The change in insurance requirements may result in some increased cost of insurance if the contractor did not have liability insurance coverage for the scope of work that they perform. It is impossible for the Division and Commission to determine the amount of cost that may be incurred in those cases.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** The change in insurance requirements may result in some increased cost of insurance if the contractor did not have liability insurance coverage for the scope of work that they perform. It is impossible for the Division and Commission to determine the amount of cost that may be incurred in those cases.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** The change in insurance requirements may result in some increased cost of insurance if the contractor did not have liability insurance coverage for the scope of work that they perform. It is impossible for the Division and Commission to determine the amount of cost that may be incurred in those cases.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This rule change corrects an error in the rule, which referred to a journeyman plumber that should have referred to a plumbing contractor, clarifies work that a handyman can perform, and clarifies insurance requirements for contractors. Contractors may be fiscally impacted if they did not have liability insurance coverage for the scope of the work that they perform.

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

COMMERCE  
OCCUPATIONAL AND PROFESSIONAL  
LICENSING  
HEBER M WELLS BLDG  
160 E 300 S  
SALT LAKE CITY, UT 84111-2316  
or at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

♦ Dan Jones by phone at 801-530-6720, by FAX at 801-530-6511, or by Internet E-mail at dansjones@utah.gov

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/14/2016**

**INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE:**

♦ 03/30/2016 09:00 AM, Heber Wells Bldg, 160 E 300 S, Conference Room 474, Salt Lake City, UT

**THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016**

**AUTHORIZED BY: Mark Steinagel, Director**

**R156. Commerce, Occupational and Professional Licensing.**

**R156-55a. Utah Construction Trades Licensing Act Rule.**

**R156-55a-301. License Classifications - Scope of Practice.**

(1) In accordance with Subsection 58-55-301(2), the classifications of licensure are listed and described in this section. The construction trades or specialty contractor classifications listed are those determined to significantly impact the public health, safety, and welfare. A person who is engaged in work which is included in the items listed in Subsections R156-55a-301(4) and (5) is exempt from licensure in accordance with Subsection 58-55-305(1)(i).

(2) Licenses shall be issued in the following primary classifications and subclassifications:

**E100 - General Engineering Contractor.** A General Engineering contractor is a contractor licensed to perform work as defined in Subsection 58-55-102(22).

**B100 - General Building Contractor.** A General Building contractor is a contractor licensed to perform work as defined in Subsection 58-55-102(21) and pursuant to Subsection 58-55-102(21)(b) is clarified as follows:

(a) The General Building Contractor scope of practice does not include activities described in this Subsection under specialty classification S202 - Solar Photovoltaic Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the North American Board of Certified Energy Practitioners.

(b) The General Building Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

**B200 - Modular Unit Installation Contractor.** Set up or installation of modular units as defined in Subsection 15A-1-302(8) and constructed in accordance with Section 15A-1-304. The scope of the work permitted under this classification includes construction of the permanent or temporary foundations, placement of the modular unit on a permanent or temporary foundation, securing the units together if required and securing the modular units to the foundations. Work excluded from this classification includes installation of factory built housing and connection of required utilities.

**R100 - Residential and Small Commercial Contractor.** A Residential and Small Commercial contractor is a contractor licensed to perform work as defined in Subsection 58-55-102(32) and pursuant to Subsection 58-55-102(32) is clarified as follows:

(a) The Residential and Small Commercial Contractor scope of practice does not include activities described in this Subsection under specialty classification S202 - Solar Photovoltaic Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the North American Board of Certified Energy Practitioners.

(b) The Residential and Small Commercial Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

R101 - Residential and Small Commercial Non Structural Remodeling and Repair. Remodeling and repair to any existing structure built for support, shelter and enclosure of persons, animals, chattels or movable property of any kind with the restriction that no change is made to the bearing portions of the existing structure, including footings, foundation and weight bearing walls; and the entire project is less than \$50,000 in total cost.

R200 - Factory Built Housing Contractor. Disconnection, setup, installation or removal of manufactured housing on a temporary or permanent basis. The scope of the work permitted under this classification includes placement of the manufactured housing on a permanent or temporary foundation, securing the units together if required, securing the manufactured housing to the foundation, and connection of the utilities from the near proximity, such as a meter, to the manufactured housing unit and construction of foundations of less than four feet six inches in height. Work excluded from this classification includes site preparation or finishing, excavation of the ground in the area where a foundation is to be constructed, back filling and grading around the foundation, construction of foundations of more than four feet six inches in height and construction of utility services from the utility source to and including the meter or meters if required or if not required to the near proximity of the manufactured housing unit from which they are connected to the unit.

I101 - General Engineering Trades Instruction Facility. A General Engineering Trades Instruction Facility is a construction trades instruction facility authorized to teach the construction trades and is subject to the scope of practice defined in Subsection 58-55-102(22).

I102 - General Building Trades Instruction Facility. A General Building Trades Instruction Facility is a construction trades instruction facility authorized to teach the construction trades and is subject to the scope of practice defined in Subsections 58-55-102(21) or 58-55-102(32).

I103 - Electrical Trades Instruction Facility. An Electrical Trades Instruction Facility is a construction trades instruction facility authorized to teach the electrical trades and subject to the scope of practice defined in Subsection R156-55a-301(S200).

I104 - Plumbing Trades Instruction Facility. A Plumbing Trades Instruction Facility is a construction trades instruction facility authorized to teach the plumbing trades and subject to the scope of practice defined in Subsection R156-55a-301(S210).

I105 - Mechanical Trades Instruction Facility. A Mechanical Trades Instruction Facility is a construction trades instruction facility authorized to teach the mechanical trades and subject to the scope of practice defined in Subsection R156-55a-301(S350).

S200 - General Electrical Contractor. Fabrication, construction, and/or installation of generators, transformers, conduits, raceways, panels, switch gear, electrical wires, fixtures, appliances, or apparatus which utilizes electrical energy. The

General Electrical Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

S201 - Residential Electrical Contractor. Fabrication, construction, and/or installation of services, disconnecting means, grounding devices, panels, conductors, load centers, lighting and plug circuits, appliances and fixtures in any residential unit, normally requiring non-metallic sheathed cable, including multiple units up to and including a four-plex, but excluding any work generally recognized in the industry as commercial or industrial.

S202 - Solar Photovoltaic Contractor. Fabrication, construction, installation, and replacement of photovoltaic cell panels and related components. Wiring, connections and wire methods as governed in the National Electrical Code and Subsection R156-55b-102(1) shall only be performed by an S200 General Electrical Contractor or S201 Residential Electrical Contractor. This classification is not required to install stand alone solar systems that do not tie into premises wiring or into the electrical utility, such as signage or street or parking lighting.

A contractor who obtained this classification of licensure between January 1, 2009 and April 25, 2011 and who holds an active license may, in addition to the above, perform the following activities as part of the scope of practice under this subsection: fabrication, construction, installation, and repair of photovoltaic cell panels and related components including battery storage systems, distribution panels, switch gear, electrical wires, inverters, and other electrical apparatus for solar photovoltaic systems. Work excluded from this classification includes work on any alternating current system or system component.

S210 - General Plumbing Contractor. Fabrication and/or installation of material and fixtures to create and maintain sanitary conditions in buildings, by providing a permanent means for a supply of safe and pure water, a means for the timely and complete removal from the premises of all used or contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life and the occupation of such premises, and provision of a safe and adequate supply of gases for lighting, heating, and industrial purposes. Work permitted under this classification shall include the furnishing of materials, fixtures and labor to extend service from a building out to the main water, sewer or gas pipeline. The General Plumbing Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

S211 - Boiler Installation Contractor. Fabrication and/or installation of fire-tube and water-tube power boilers and hot water heating boilers, including all fittings and piping, valves, gauges, pumps, radiators, converters, fuel oil tanks, fuel lines, chimney flues, heat insulation and all other devices, apparatus, and equipment related thereto in a closed system not connected to the culinary water system. Notwithstanding the foregoing, where water delivery for the closed system is connected to the culinary water system and separated from the culinary water system by a backflow

prevention device, a contractor licensed under this subsection may connect the closed system to the backflow prevention device, which must be installed by an actively licensed plumber.

S212 - Irrigation Sprinkling Contractor. Layout, fabrication, and/or installation of water distribution system for artificial watering or irrigation.

S213 - Industrial Piping Contractor. Fabrication and/or installation of pipes and piping for the conveyance or transmission of steam, gases, chemicals, and other substances including excavating, trenching, and back-filling related to such work. This classification includes the above work for geo thermal systems.

S214 - Water Conditioning Equipment Contractor. Fabrication and/or installation of water conditioning equipment and only such pipe and fittings as are necessary for connecting the water conditioning equipment to the water supply system within the premises.

S215 - Solar Thermal Systems Contractor. Construction, repair and/or installation of solar thermal systems up to the system shut off valve or where the system interfaces with any other plumbing system.

S216 - Residential Sewer Connection and Septic Tank Contractor. Construction of residential sewer lines including connection to the public sewer line, and excavation and grading related thereto. Excavation, installation and grading of residential septic tanks and their drainage.

S217 - Residential Plumbing Contractor. Fabrication and/or installation of material and fixtures to create and maintain sanitary conditions in residential building, including multiple units up to and including a four-plex by providing a permanent means for a supply of safe and pure water, a means for the timely and complete removal from the premises of all used or contaminated water, fluid and semi-fluid organic wastes and other impurities incidental to life and the occupation of such premises, and provision of a safe and adequate supply of gases for lighting and heating purposes. Work permitted under this classification shall include the furnishing of materials, fixtures and labor to extend service from a residential building out to the main water, sewer or gas pipeline. Excluded is any new construction and service work generally recognized in the industry as commercial or industrial.

S220 - Carpentry Contractor. Fabrication for structural and finish purposes in a structure or building using wood, wood products, metal studs, vinyl materials, or other wood/plastic/metal composites as is by custom and usage accepted in the building industry as carpentry. Incidental work includes the installation of tub liners and wall systems.

S221 - Cabinet, Millwork and Countertop Installation Contractor. On-site construction and/or installation of milled wood products or countertops.

S222 - Overhead and Garage Door Contractor. The installation of overhead and garage doors and door openers.

S230 - Siding Contractor. Fabrication, construction, and/or installation of siding.

S231 - Raingutter Installation Contractor. On-site fabrication and/or installation of raingutters and drains, roof flashings, gravel stops and metal ridges.

S240 - Glass and Glazing Contractor. Fabrication, construction, installation, and/or removal of all types and sizes of glass, mirrors, substitutes for glass, glass-holding members, frames, hardware, and other incidental related work.

S250 - Insulation Contractor. Installation of any insulating media in buildings and structures for the sole purpose of temperature control, sound control or fireproofing, but shall not include mechanical insulation of pipes, ducts or conduits.

S260 - General Concrete Contractor. Fabrication, construction, mixing, batching, and/or installation of concrete and related concrete products along with the placing and setting of screeds for pavement for flatwork, the construction of forms, placing and erection of steel bars for reinforcing and application of plaster and other cement-related products.

S261 - Concrete Form Setting and Shoring Contractor. Fabrication, construction, and/or installation of forms and shoring material; but, does not include the placement of concrete, finishing of concrete or embedded items such as metal reinforcement bars or mesh.

S262 - Gunitite and Pressure Grouting Contractor. Installation of a concrete product either injected or sprayed under pressure.

S263 - Cementitious Coating Systems Resurfacing and Sealing Contractor. Fabrication, construction, mixing, batching and installation of cementitious coating systems or sealants limited to the resurfacing or sealing of existing surfaces, including the preparation or patching of the surface to be covered or sealed.

S270 - General Drywall and Plastering Contractor. Fabrication, construction, and installation of drywall, gypsum, wallboard panels and assemblies. Preparation of drywall or plaster surfaces for suitable painting or finishing. Application to surfaces of coatings made of plaster, including the preparation of the surface and the provision of a base. This does not include applying stucco to lathe, plaster and other surfaces. Exempted is the plastering of foundations.

S272 - Ceiling Grid Systems, Ceiling Tile and Panel Systems Contractor. Fabrication and/or installation of wood, mineral, fiber, and other types of ceiling tile and panels and the grid systems required for placement.

S273 - Light-weight Metal and Non-bearing Wall Partitions Contractor. Fabrication and/or installation of light-weight metal and other non-bearing wall partitions.

S280 - General Roofing Contractor. Application and/or installation of asphalt, pitch, tar, felt, flax, shakes, shingles, roof tile, slate, and any other material or materials, or any combination of any thereof which use and custom has established as usable for, or which are now used as, water-proof, weatherproof, or watertight seal or membranes for roofs and surfaces; and roof conversion. Incidental work includes the installation of roof clamp ring to the roof drain.

S290 - General Masonry Contractor. Construction by cutting, and/or laying of all of the following brick, block, or forms: architectural, industrial, and refractory brick, all brick substitutes, clay and concrete blocks, terra-cotta, thin set or structural quarry tile, glazed structural tile, gypsum tile, glass block, clay tile, copings, natural stone, plastic refractories, and castables and any incidental works, including the installation of shower pans, as required in construction of the masonry work.

S291 - Stone Masonry Contractor. Construction using natural or artificial stone, either rough or cut and dressed, laid at random, with or without mortar. Incidental work includes the installation of shower pans.

S292 - Terrazzo Contractor. Construction by fabrication, grinding, and polishing of terrazzo by the setting of chips of marble, stone, or other material in an irregular pattern with the use of cement, polyester, epoxy or other common binders. Incidental work includes the installation of shower pans.

S293 - Marble, Tile and Ceramic Contractor. Preparation, fabrication, construction, and installation of artificial marble, burned clay tile, ceramic, encaustic, falence, quarry, semi-vitreous, and other tile, excluding hollow or structural partition tile. Incidental work includes the installation of shower pans.

S294 - Cultured Marble Contractor. Preparation, fabrication and installation of slab and sheet manmade synthetic products including cultured marble, onyx, granite, onice, corian, and corian type products. Incidental work includes the installation of shower pans.

S300 - General Painting Contractor. Preparation of surface and/or the application of all paints, varnishes, shellacs, stains, waxes and other coatings or pigments.

S310 - Excavation and Grading Contractor. Moving of the earth's surface or placing earthen materials on the earth's surface, by use of hand or power machinery and tools, including explosives, in any operation of cut, fill, excavation, grading, trenching, backfilling, or combination thereof as they are generally practiced in the construction trade.

S320 - Steel Erection Contractor. Construction by fabrication, placing, and tying or welding of steel reinforcing bars or erecting structural steel shapes, plates of any profile, perimeter or cross-section that are used to reinforce concrete or as structural members, including riveting, welding, and rigging.

S321 - Steel Reinforcing Contractor. Fabricating, placing, tying, or mechanically welding of reinforcing bars of any profile that are used to reinforce concrete buildings or structures.

S322 - Metal Building Erection Contractor. Erection of pre-fabricated metal structures including concrete foundation and footings, grading, and surface preparation.

S323 - Structural Stud Erection Contractor. Fabrication and installation of metal structural studs and bearing walls.

S330 - Landscaping Contractor.

(a) grading and preparing land for architectural, horticultural, or decorative treatment;

(b) arrangement, and planting of gardens, lawns, shrubs, vines, bushes, trees, or other decorative vegetation;

(c) construction of small decorative pools, tanks, fountains, hothouses, greenhouses, fences, walks, garden lighting of 50 volts or less, or sprinkler systems;

(d) construction of retaining walls except retaining walls which are intended to hold vehicles, structures, equipment or other non natural fill materials within the area located within a 45 degree angle from the base of the retaining wall to the level of where the additional weight bearing vehicles, structures, equipment or other non natural fill materials are located; or

(e) patio areas except that:

(i) no decking designed to support humans or structures shall be included; and

(ii) no concrete work designed to support structures to be placed upon the patio shall be included.

(f) This classification does not include running electrical or gas lines to any appliance.

S340 - Sheet Metal Contractor. Layout, fabrication, and installation of air handling and ventilating systems. All architectural sheet metal such as cornices, marquees, metal soffits, gutters, flashings, and skylights and skydomes including both plastic and fiberglass.

S350 - HVAC Contractor. Fabrication and installation of complete warm air heating and air conditioning systems, and complete ventilating systems. The HVAC Contractor scope of practice does not include activities described in this Subsection under specialty classification S354-Radon Mitigation Contractor unless the work is performed under the immediate supervision of an employee who holds a current certificate issued by the National Radon Safety Board (NRSB) or the National Radon Proficiency Program (NEHA-NRPP).

S351 - Refrigerated Air Conditioning Contractor. Fabrication and installation of air conditioning ventilating systems to control air temperatures below 50 degrees.

S352 - Evaporative Cooling Contractor. Fabrication and installation of devices, machinery, and units to cool the air temperature employing evaporation of liquid.

S353 - Warm Air Heating Contractor. Layout, fabrication, and installation of such sheet metal, gas piping, and furnace equipment as necessary for a complete warm air heating and ventilating system.

S354 - Radon Mitigation Contractor. Layout, fabrication, and installation of a radon mitigation system. This classification does not include work on heat recovery ventilation or makeup air components which must be performed by an HVAC Contractor and does not include electrical wiring which must be performed by an Electrical Contractor.

S360 - Refrigeration Contractor. Construction and/or installation of refrigeration equipment including, but not limited to, built-in refrigerators, refrigerated rooms, insulated refrigerated spaces and equipment related thereto; but, the scope of permitted work does not include the installation of gas fuel or electric power services other than connection of electrical devices to a junction box provided for that device and electrical control circuitry not exceeding 50 volts.

S370 - Fire Suppression Systems Contractor. Layout, fabrication, and installation of fire protection systems using water, steam, gas, or chemicals. When a potable sanitary water supply system is used as the source of supply, connection to the water system must be accomplished by a licensed ~~journeyman plumber~~ plumbing contractor. Excluded from this classification are persons engaged in the installation of fire suppression systems in hoods above cooking appliances.

S380 - Swimming Pool and Spa Contractor. On-site fabrication, construction and installation of swimming pools, prefabricated pools, spas, and tubs.

S390 - Sewer and Waste Water Pipeline Contractor. Construction of sewer lines, sewage disposal and sewage drain facilities including excavation and grading with respect thereto, and the construction of sewage disposal plants and appurtenances thereto.

S400 - Asphalt Paving Contractor. Construction of asphalt highways, roadways, driveways, parking lots or other asphalt surfaces, which will include but will not be limited to, asphalt overlay, chip seal, fog seal and rejuvenation, micro



surfacing, plant mix sealcoat, slurry seal, and the removal of asphalt surfaces by milling. Also included is the excavation, grading, compacting and laying of fill or base-related thereto. Also included in painting on asphalt surfaces including striping, directional and other types of symbols or words.

S410 - Pipeline and Conduit Contractor. Fabrication, construction, and installation of pipes, conduit or cables for the conveyance and transmission from one station to another of such products as water, steam, gases, chemicals, slurries, data or communications. Included are the excavation, cabling, horizontal boring, grading, and backfilling necessary for construction of the system.

S420 - General Fencing, Ornamental Iron and Guardrail Contractor. Fabrication, construction, and installation of fences, guardrails, handrails, and barriers.

S421 - Residential Fencing Contractor. Fabrication and installation of residential fencing up to and including a height of six feet.

S430 - Metal Firebox and Fuel Burning Stove Installer. Fabrication, construction, and installation of metal fireboxes, fireplaces, and wood or coal-burning stoves, including the installation of venting and exhaust systems, provided the individual performing the installation is RMGA certified.

S440 - Sign Installation Contractor. Installation of signs and graphic displays which require installation permits or permission as issued by state or local governmental jurisdictions. Signs and graphic displays shall include signs of all types, both lighted and unlighted, permanent highway marker signs, illuminated awnings, electronic message centers, sculptures or graphic representations including logos and trademarks intended to identify or advertise the user or his product, building trim or lighting with neon or decorative fixtures, or any other animated, moving or stationary device used for advertising or identification purposes. Signs and graphic displays must be fabricated, installed and erected in accordance with professionally engineered specifications and wiring in accordance with the National Electrical Code.

S441 - Non Electrical Outdoor Advertising Sign Contractor. Installation of signs and graphic displays which require installation permits or permission as issued by state and local governmental jurisdictions. Signs and graphics shall include outdoor advertising signs which do not have electrical lighting or other electrical requirements, and in accordance with professionally engineered specifications.

S450 - Mechanical Insulation Contractor. Fabrication, application and installation of insulation materials to pipes, ducts and conduits.

S460 - Wrecking and Demolition Contractor. The raising, cribbing, underpinning, moving, and removal of building and structures.

S470 - Petroleum Systems Contractor. Installation of above and below ground petroleum and petro-chemical storage tanks, piping, dispensing equipment, monitoring equipment and associated petroleum and petro-chemical equipment including excavation, backfilling, concrete and asphalt.

S480 - Piers and Foundations Contractor. The excavation, drilling, compacting, pumping, sealing and other work necessary to construct, alter or repair piers, piles, footings and foundations placed in the earth's subsurface to prevent structural settling and to

provide an adequate capacity to sustain or transmit the structural load to the soil or rock below.

S490 - Wood Flooring Contractor. Installation of wood flooring including prefinished and unfinished material, sanding, staining and finishing of new and existing wood flooring. Underlayments, non-structural subfloors and other incidental related work.

S491 - Laminate Floor Installation Contractor. Installation of laminate floors including underlayments, non-structural subfloors and other incidental related work, but does not include the installation of sold wood flooring.

S500 - Sports and Athletic Courts, Running Tracks, and Playground Installation Contractor. Installation of sports and athletic courts including but not limited to tennis courts, racquetball courts, handball courts, basketball courts, running tracks, playgrounds, or any combination. Includes nonstructural floor subsurfaces, nonstructural wall surfaces, perimeter walls and perimeter fencing. Includes the installation and attachment of equipment such as poles, basketball standards or other equipment.

S510 - Elevator Contractor. Erecting, constructing, installing, altering, servicing, repairing or maintaining an elevator.

S600 - General Stucco Contractor. Applying stucco to lathe, plaster and other surfaces.

S700 - Specialty License Contractor.

(a) A specialty license is a license that confines the scope of the allowable contracting work to a specialized area of construction which the Division grants on a case-by-case basis.

(b) When applying for a specialty license, an applicant, if requested, shall submit to the Division the following:

(i) a detailed statement of the type and scope of contracting work that the applicant proposes to perform; and

(ii) any brochures, catalogs, photographs, diagrams, or other material to further clarify the scope of the work that the applicant proposes to perform.

(c) A contractor issued a specialty license shall confine the contractor's activities to the field and scope of operations as outlined by the Division.

(3) The scope of practice for the following primary classifications includes the scope of practice stated in the descriptions for the following subclassifications:

TABLE I

Primary Classification	Included subclassifications
S200	S201, S202
S210	S211, S212, S213, S214, S215, S216, S217
S220	S221, S222
S230	S231
S260	S261, S262, S263
S270	S272, S273
S290	S291, S292, S293, S294
S320	S321, S322, S323
S350	S351, S352, S353, S354
S420	S421
S440	S441
S490	S491

(4) The following activities are determined to not significantly impact the public health, safety and welfare and therefore do not require a contractors license:

- (a) sandblasting;
  - (b) pumping services;
  - (c) tree stump or tree removal;
  - (d) installation within a building of communication cables including phone and cable television;
  - (e) installation of low voltage electrical as described in R156-55b-102(1);
  - (f) construction of utility sheds, gazebos or other similar items which are personal property and not attached;
  - (g) building and window washing, including power washing;
  - (h) central vacuum systems installation;
  - (i) concrete cutting;
  - (j) interior decorating;
  - (k) wall paper hanging;
  - (l) drapery and blind installation;
  - (m) welding on personal property which is not attached;
  - (n) chimney sweepers other than repairing masonry;
  - (o) carpet and vinyl floor installation;~~[and]~~
  - (p) artificial turf installation;
  - (q) general cleanup of a construction site which does not include demolition or excavation; and
  - (r) work that would otherwise be limited to individuals holding the S260, S261, S262, S263, S290, S310, S330, S380, S420, S421 and S500 specialty classifications if the work is within the \$1,000 or \$3,000 labor and material limit as specified in the handyman exemption in Subsection 58-55-305(1)(h).
- (5) The following activities are those determined to not significantly impact the public health, safety and welfare beyond the regulations by other agencies and therefore do not require a contractors license:
- (a) lead removal regulated by the Department of Environmental Quality;
  - (b) asbestos removal regulated by the Department of Environmental Quality; and
  - (c) fire alarm installation regulated by the Fire Marshal.

**R156-55a-302d. Qualifications for Licensure - Proof of Insurance and Registrations.**

In accordance with the provisions of Subsection 58-55-302(2)(b), an applicant who is approved for licensure shall submit proof of public liability insurance which provides coverage for the scope of work performed and in coverage amounts of at least \$100,000 for each incident and \$300,000 in total by means of a certificate of insurance naming the Division as a certificate holder.

**R156-55a-501. Unprofessional Conduct.**

"Unprofessional conduct" includes:

- (1) failing to notify the Division with respect to any matter for which notification is required under this rule or Title 58, Chapter 55, the Construction Trades Licensing Act, including a change in qualifier. Such failure shall be considered by the Division and the Commission as grounds for immediate suspension of the contractors license;
- (2) failing to continuously maintain insurance and registration as required by Subsection 58-55-302(2) and Section R156-55a-302d~~[in coverage amounts and form as implemented by this chapter];~~ and

(3) failing to within 30 days of a ~~[upon]~~ request from the Division to provide ~~[proof of insurance coverage within 30 days];~~

- (a) proof of insurance coverage;
- (b) a copy of the licensee's public insurance policy; or
- (c) any exclusions included in the licensee's public insurance policy.

**KEY: contractors, occupational licensing, licensing**

**Date of Enactment or Last Substantive Amendment:**  
~~[November 23, 2015]~~2016

**Notice of Continuation: October 4, 2011**

**Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-55-101; 58-55-308(1)(a); 58-55-102(39)(a)**

Natural Resources, Parks and  
Recreation  
**R651-412**  
Curriculum Standards for OHV  
Education Programs Offered by Non-  
Division Entities

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 40213

FILED: 02/17/2016

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The OHV Education Specialist position is listed in the rule as being the one who should evaluate the proposed curricula against the standard specified in Section R651-412-2. In 2011, the OHV Education Specialist position was eliminated. This amendment replaces "OHV Education Specialist" with "Division".

**SUMMARY OF THE RULE OR CHANGE:** The Off-Highway Vehicle (OHV) program is to adopt and pursue an OHV safety education program according to Section 41-22-1. Any outside provider that submits OHV education materials is required to meet minimum curriculum requirements as identified in Section R651-412-4. The approval of these outside providers shall rest upon the OHV program. In 2011, the OHV Education Specialist Position was eliminated because outside providers demonstrated an ability to meet OHV education standards, and OHV program staffing levels absorbed the daily operations of the OHV education program. Since this situation occurred, the OHV program coordinator has been approving such outside provider proposed course materials. This amendment replaces "OHV Education Specialist" with "Division".

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 41-22-30

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** There is no anticipated savings or anticipated costs associated with this change as Division staff are currently performing the duty of approving private provider courses. The change was wording only.

◆ **LOCAL GOVERNMENTS:** There is no anticipated savings or anticipated costs to local governments as this rule does not affect local governments as it is directed towards Division OHV education course approvals.

◆ **SMALL BUSINESSES:** This rule would not affect small businesses as it streamlines the approval process by the Division. It may reduce the private providers (small businesses) wait time for course approval.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no anticipated savings or anticipated costs towards other people, customers or visitors as the rule change is a language and wording change only.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are no compliance costs for affected persons as this is a wording change only.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** There should be no impact on business.

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

NATURAL RESOURCES  
PARKS AND RECREATION  
ROOM 116  
1594 W NORTH TEMPLE  
SALT LAKE CITY, UT 84116-3154  
or at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Tammy Wright by phone at 801-538-7359, by FAX at 801-538-7378, or by Internet E-mail at [tammywright@utah.gov](mailto:tammywright@utah.gov)

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/14/2016**

**THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016**

**AUTHORIZED BY: Fred Hayes, Director**

**R651. Natural Resources, Parks and Recreation.****R651-412. Curriculum Standards for OHV Education Programs Offered by Non-Division Entities.****R651-412-1. Rulemaking Authority.**

Section 41-22-31 UCA states that the Board shall develop curriculum standards for a comprehensive OHV education program designed to instill the necessary knowledge, attitudes, skills necessary for safe OHV operation, and that the Division shall cooperate with the appropriate public and private organizations in the implementation of this program.

**R651-412-2. Course Approval Process.**

Outside providers wishing to have OHV education courses approved by the Division as adequate for meeting Utah's OHV education standard shall submit a copy of their proposed curricula to the [OHV Education Specialist] for evaluation. The [OHV Education Specialist] Division shall evaluate the proposed curricula against the standard specified in this rule and shall issue a letter of approval to providers who present curriculum packages that meet the standard.

**R651-412-3. Course Completion.**

Individuals who complete a training course approved under this rule shall be issued an OHV Education Certificate in accordance with 41-22-31 UCA.

**R651-412-4. Curriculum Standards.**

At a minimum, all courses approved by the Division shall provide the following course content and shall be presented at a level appropriate for the average fourth grade student. The method of course content delivery is not specified.

- (a) Description of OHV riding in Utah.
- (b) Utah State Parks regulatory responsibilities.
- (c) OHV terminology including, but not limited, to: throttle, fuel shut-off valve, brakes, shift leer, engine stop switch, choke, spark arrestor/muffler, headlights, engine, footrest, ignition switch.
- (d) Utah State Laws.
- (e) Riding positions, turning and stopping.
- (f) Hypothermia, wind chill and cold weather survival.
- (g) Riding on different types of terrain.
- (h) Pre-ride inspections.
- (i) Towing a trailer.
- (ii) Crossing roads and highways.
- (iii) Dangers of drugs and alcohol.
- (i) Ethics, responsible riding and trail etiquette.
- (j) Tread Lightly
- (k) Proper safety equipment.
- (l) Snowmobile courses will also include avalanche safety information.
- (m) Any hands-on training provided by an authorized provider shall be conducted in accordance with R651-408(1) and all applicable state and federal law.

**KEY: OHV education standards, parks**

**Date of Enactment or Last Substantive Amendment: [April 21, 2010] 2016**

**Notice of Continuation: January 22, 2015**

**Authorizing, and Implemented or Interpreted Law: 41-22-30**

**Natural Resources, Parks and  
Recreation  
R651-637  
Antelope Island State Park Special  
Mule Deer and Bighorn Sheep Hunt**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 40215

FILED: 02/17/2016

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This amendment brings the Division of Parks and Recreation into compliance with Sections 23-14-1, 23-14-18, and 79-4-304 and cleans up existing language.

SUMMARY OF THE RULE OR CHANGE: The Utah Legislature instructed the Division of Parks and Recreation to offer hunting of mule deer and big horn sheep on Antelope Island State Park in 2011. These hunts have been offered annually each November in cooperation with the Division of Wildlife Resources. Each year, the Division of Park and Recreation board was asked to approve how many mule deer and big horn sheep would be harvested and the dates when the hunts would occur. It was brought to our attention that the way this was being handled was not in compliance with state law. The change brings the Division of Parks and Recreation into compliance with state law.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 23-14-1 and Section 23-14-18 and Section 79-4-304

## ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** There is no anticipated savings or anticipated costs associated with this change. The changes only formalized a process the agency has been doing for years in cooperation with Division of Wildlife Resources.

◆ **LOCAL GOVERNMENTS:** There is no anticipated savings or anticipated costs associated with this change. This change only affects administrative procedures within the Division of Wildlife Resources and the Division of Parks and Recreation.

◆ **SMALL BUSINESSES:** There is no anticipated savings or anticipated costs associated with this change. This change only affects administrative procedures within the Division of Wildlife Resources and the Division of Parks and Recreation.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is no anticipated savings or anticipated costs associated with this change. This change only affects administrative procedures within the Division of Wildlife Resources and the Division of Parks and Recreation.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is no anticipated savings or anticipated costs associated with this change. This change only affects administrative procedures within the Division of Wildlife Resources and the Division of Parks and Recreation.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There should be no impact on business.

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

NATURAL RESOURCES  
PARKS AND RECREATION  
ROOM 116  
1594 W NORTH TEMPLE  
SALT LAKE CITY, UT 84116-3154  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Tammy Wright by phone at 801-538-7359, by FAX at 801-538-7378, or by Internet E-mail at tammywright@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 04/14/2016

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016

AUTHORIZED BY: Fred Hayes, Director

**R651. Natural Resources, Parks and Recreation.****R651-637. Antelope Island State Park Special Mule Deer and Bighorn Sheep Hunt.****R651-637-1. Authorization of a Hunt.**

(1) Hunting of mule deer and bighorn sheep on Antelope Island State Park is authorized, and access on Antelope Island State Park is authorized for the purpose of hunting mule deer and bighorn sheep.

(2) All hunting shall be confined to the designated hunting unit which consists of that portion of approximately 26,000 acres on Antelope Island lying south of the chain link fence, commonly known as the "2000 acre fence" beginning in Farmington Bay and running in a south southwesterly direction and ending at White Rock Bay.

(3) ~~[Dates]Season dates, permit numbers,[harvest objectives] and other parameters for hunts shall be [set annually by the Board utilizing recommendations of Division staff and interested parties]established by cooperative agreement.~~

(a) The Division of Parks and Recreation and the Division of Wildlife Resources, through their respective policy boards, will enter into a cooperative agreement for the purpose of establishing:

(i) the number of permits issued annually for bighorn sheep and buck mule deer on Antelope Island;

(ii) season dates for each hunt;

(iii) procedures and regulations applicable to hunting on Antelope Island;

(iv) protocols for issuing permits and conducting hunts for antlerless deer on Antelope Island when populations require management; and

(v) procedures and conditions for transferring marketed hunting permit revenue from the Division of Wildlife Resources to the Division of Parks and Recreation.

(b) The cooperative agreement governing bighorn sheep and mule deer hunting on Antelope Island and any subsequent amendment thereto shall be presented to the Wildlife Board and the Parks Board for approval prior to drawing or issuing hunting permits.

**R651-637-2. Applicability of Law and Rules.**

Hunting during the Antelope Island State Park Special Mule Deer and Bighorn Sheep Hunt shall be conducted in accordance with applicable state law, administrative code, hunting guidebooks of the Utah Wildlife Board, and in accordance with this rule.

**R651-637-3. Season Dates.**

The Antelope Island State Park [~~Special Mule Deer and Bighorn Sheep Hunt~~] bighorn sheep and mule deer hunts shall be conducted during legal hunting hours[~~as follows~~]:

[~~(1) Hunters obtaining a permit to hunt mule deer or bighorn sheep on Antelope Island through the competitive bid process may hunt during legal hours~~] beginning 30 minutes before official sunrise [~~on November 12 2012~~] and ending 30 minutes after official sunset; [~~on November 21, 2012~~] the season dates established by cooperative agreement pursuant to R651-637-1(3).

[~~(2) Hunters obtaining a permit to hunt mule deer or bighorn sheep on Antelope Island through the public draw process may hunt during legal hours beginning 30 minutes before official sunrise on November 15, 2012 and ending 30 minutes after official sunset on November 21, 2012.~~]

**R651-637-4. Hunting Party Size.**

Each hunter licensed to hunt during the Antelope Island State Park Special Mule Deer and Bighorn Sheep Hunt may be accompanied by up to four (4) non-hunting companions. Guides, photographers, packers and all other individuals accompanying the hunter in camp or in the field are included in this limit.

**R651-637-5. Fees.**

(1) Day use fees for licensed hunters and their companions will be waived for the duration of their hunt.

(2) Camping fees for hunters and their companions who desire to camp on Antelope Island during the hunt will be charged per the current fee schedule. All campers shall camp in designated areas as directed by park management.

(3) Commercial activities related to hunt activities shall be individually evaluated and permitted through the Division's established processes.

**R651-637-6. Access.**

(1) Motor vehicle access will be limited to roads open to public use. No off-road, motorized vehicular travel will be allowed.

(2) Off-highway vehicles as defined in Title 41-22-2 UCA are not allowed on Antelope Island.

(3) During the hunt, foot and horse travel, including cross-country foot and horse travel, will be allowed in all areas of the hunting unit.

(4) Foot and horse travel including cross-country foot and horse travel for the purposes of pre-season scouting is authorized for hunters and their guides. Hunters and guides conducting pre-season scouting shall notify Park Management of their presence on the Island, and shall adhere to instructions provided by Park Management. Standard day use and camping fees shall apply to pre-season scouting visits.

**R651-637-7. Mandatory Orientation.**

Parks' Management may require permit holders and their guides to attend a hunting[~~A mandatory~~] orientation ~~meeting at~~

Antelope Island State Park Visitor Center[~~will be held~~] prior to the hunt.[~~at the Antelope Island State Park Visitor Center. All license holders and their guides shall be in attendance at this orientation session.~~]

**R651-637-8. Mandatory Check-in and Check-out.**

All hunters and their companions shall check in with Park Management at the beginning of their hunt and shall check out at the end of their hunt. Instructions on checking in and out will be provided[~~at the mandatory orientation~~].

**R651-637-9. Handling of Harvested Wildlife.**

The carcasses of all harvested wildlife shall be covered while being transported on Antelope Island or on the Antelope Island Causeway. This includes all parts of the harvested wildlife, including the head.

**KEY:** parks, hunting

**Date of Enactment or Last Substantive Amendment:** [~~November 7, 2012~~]April 21, 2016

**Notice of Continuation:** October 6, 2015

**Authorizing, and Implemented or Interpreted Law:** 79-4-304

**Workforce Services, Employment  
Development  
R986-200-240  
Additional Payments Available Under  
Certain Circumstances**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 40241

FILED: 03/01/2016

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to allow flexibility in defraying costs associated with enhanced activities.

**SUMMARY OF THE RULE OR CHANGE:** The Department encourages clients in the Family Employment Plan to participate in enhanced activities to help clients return to gainful employment. The Department helps defray the additional costs for these enhanced activities. Previously only three activities were recognized but the Department has learned other activities can help speed the return to the job market. Making the list of approved activities available in policy will allow the Department to meet the changing needs of the job market and our clients. The Department previously offered \$60 to defray the costs but some activities are more expensive and some less. Again, by listing the enhanced payment amount in policy instead of rule, it allows the Department to set an amount that meets the actual costs incurred for participation.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-1-104 and Section 35A-3-301 and Subsection 35A-1-104(4)

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 04/14/2016

THIS RULE MAY BECOME EFFECTIVE ON: 04/21/2016

AUTHORIZED BY: Jon Pierpont, Executive Director

**R986. Workforce Services, Employment Development.**

**R986-200. Family Employment Program.**

**R986-200-240. Additional Payments Available Under Certain Circumstances.**

- (1) Each parent eligible for financial assistance in the FEP or FEPTP programs who takes part in at least one enhanced participation activity may be eligible to receive [~~\$60 each month~~] a payment to help defray the costs of that activity in addition to the standard financial assistance payment. Approved enhanced participation activities and the payment amount are listed in Department policy. [~~Enhanced participation activities are limited to:~~
- ~~(a) work experience sites of at least 20 hours a week and other eligible activities that together total 30 hours per week;~~
  - ~~(b) full-time attendance in an education or employment training program; or~~
  - ~~(c) employment of 20 hours or more a week and other eligible activities that together total 30 hours per week.]~~

(2) An additional payment of \$15 per month for a pregnant woman in the third month prior to the expected month of delivery. Eligibility for the allowance begins in the month the woman provides medical proof that she is in the third month prior to the expected month of delivery. The pregnancy allowance ends at the end of the month the pregnancy ends.

(3) A limited number of funds are available to individuals for work and training expenses. The funds can only be used to alleviate circumstances which impede the individual's ability to begin or continue employment, job search, training, or education. The payment of these funds is completely discretionary by the Department. The individual does not need to meet any eligibility requirements to request or receive these funds.

(4) Limited funds are available, up to a maximum of \$300, to pay for burial costs if the individual is not entitled to a burial paid for by the county.

(5) A Department Regional Director or designee may approve assistance, as funding allows, for the emergency needs of a non-resident who is transient, temporarily stranded in Utah, and who does not intend to stay in Utah.

(6) A limited number of funds are available for enhanced payments to parents who are eligible for financial assistance in the FEP program or who are eligible for TANF non-FEP training under R986-200-245 and who participate in the HS/GED Pilot Program. The payment of these funds is completely discretionary by the Department and may differ from region to region. The payments may continue until the client completes the HS/GED Pilot Program even if the client is no longer receiving FEP.

**KEY: family employment program**

**Date of Enactment or Last Substantive Amendment: 2016**

**Notice of Continuation: September 2, 2015**

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

**End of the Notices of Proposed Rules Section**

# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

---

Within five years of an administrative rule's original enactment or last five-year review, the 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, Administration **R51-3** Government Records Access and Management Act

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

DAR FILE NO.: 40234  
FILED: 02/29/2016

### **NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 63A-12-104 and 63G-2-204 authorize the department to make the necessary rules to administer the department's GRAMA requests.

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 comments received pertaining to this rule since the last review period.

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 provides the department's procedures for the handling of requests for administrative records. Therefore, this rule should be continued.

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

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](mailto: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](mailto:sericson@utah.gov)
- ◆ Stephen Ogilvie by phone at 801-538-7110, by FAX at 801-538-7126, or by Internet E-mail at [stephenogilvie@utah.gov](mailto:stephenogilvie@utah.gov)

AUTHORIZED BY: LuAnn Adams, Commissioner

EFFECTIVE: 02/29/2016

---

## Agriculture and Food, Administration **R51-4** ADA Complaint Procedure

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

DAR FILE NO.: 40235  
FILED: 02/29/2016

### **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 63G-3-201(3) requires rulemaking when interpreting state or federal laws.

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 comments received pertaining to this rule since the last review period.

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 defines the complaint procedures to provide for prompt and equitable resolution of complaints filed in accordance with the Americans with Disabilities Act. Therefore, this rule should be continued.

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

AGRICULTURE AND FOOD  
ADMINISTRATION  
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
- ◆ Stephen Ogilvie by phone at 801-538-7110, by FAX at 801-538-7126, or by Internet E-mail at stephenogilvie@utah.gov

AUTHORIZED BY: LuAnn Adams, Commissioner

EFFECTIVE: 02/29/2016

**Agriculture and Food, Marketing and  
Development**

**R65-8**

**Management of the Junior Livestock  
Show Appropriation**

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

DAR FILE NO.: 40233  
FILED: 02/29/2016

**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 4-2-2(1)(1) grants the department the ability to make rules necessary to carry out the duties and functions of the laws of the state. Subsection 4-2-2(1)(m) further allows the department to take charge of any agricultural exhibit within the stage if the department considers it necessary.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Utah Junior Livestock Association has made comments in reference to the fee structure. The department is in the process of making such changes and will go through the proper administrative process to make the recommended changes.

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 governs the livestock shows in the State of Utah. The rule is necessary to make sure the funds appropriated by the legislature for the Junior Livestock Show are equitably distributed. Therefore, this rule should be continued.

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

AGRICULTURE AND FOOD  
MARKETING AND DEVELOPMENT  
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
- ◆ Wayne Bradshaw by phone at 801-538-7108, or by Internet E-mail at waynebradshaw@utah.gov

AUTHORIZED BY: LuAnn Adams, Commissioner

EFFECTIVE: 02/29/2016

**Agriculture and Food, Plant Industry**

**R68-7**

**Utah Pesticide Control Rule**

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

DAR FILE NO.: 40232  
FILED: 02/29/2016

**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: Section 4-14-6 authorizes the department to establish the requirements for the registration



of pesticides and the qualifications for the pesticide applicator business license. Further, Section 4-14-6 authorizes the department to make rules relating to the sale, distribution, use, and disposition of pesticides.

**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 by the department opposing or supporting this rule since the last five-year view of the 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 rule is necessary to ensure that proper training is being given to pesticide applicators, that proper application methods are followed in order to prevent public harm. Further, it limits high-risk pesticides from being used, or limits the use of these high-risk chemicals to those who have received proper training for the proper purposes. Therefore, this rule should be continued.

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

AGRICULTURE AND FOOD  
PLANT INDUSTRY  
350 N REDWOOD RD  
SALT LAKE CITY, UT 84116-3034  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Clark Burgess by phone at 801-538-7188, by FAX at 801-538-7189, or by Internet E-mail at cburgess@utah.gov
- ◆ Kathleen Mathews by phone at 801-538-7103, by FAX at 801-538-7126, or by Internet E-mail at kmathews@utah.gov
- ◆ Robert Hougaard by phone at 801-538-7187, by FAX at 801-538-7189, or by Internet E-mail at rhougaard@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: 02/29/2016

Fair Corporation (Utah State),  
Administration

**R325-1**

Utah State Fair Competitive Exhibitor  
Rules

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

DAR FILE NO.: 40220  
FILED: 02/23/2016

## 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: Section 63G-3-201 requires (1) Each agency shall: (a) maintain a current version of its rules; and (b) make it available to the public for inspection during its regular business hours. (2) In addition to other rulemaking required by law, each agency shall make rules when agency action: (a) authorizes, requires, or prohibits an action; (b) provides or prohibits a material benefit; (c) applies to a class of persons or another agency; and (d) is explicitly or implicitly authorized by statute. Subsection 63H-6-103(5) Utah State Fair Corporation shall: (vi) hold an annual exhibition that: (A) is called the state fair or a similar name; (B) includes expositions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral, and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion will best stimulate agricultural, industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah; (C) includes the award of premiums for the best specimens of the exhibited articles and animals; (D) permits competition by livestock exhibited by citizens of other states and territories of the United States; and (E) is arranged according to plans approved by the board; (vii) fix the conditions of entry to the exposition described in Subsection (5)(a)(vi); and (viii) publish a list of premiums that will be awarded at the exhibition described in Subsection (5)(a)(vi) for the best specimens of exhibited articles and animals. This requires that the Corporation set rules and guidelines for exhibitors, renters and the general public.

**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 is no record of written comments having 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 Fair has over 6,800 competitive exhibitors each year and must have some enforceable basic guidelines for equitable competition. Therefore, this rule should be continued.

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

FAIR CORPORATION (UTAH STATE)  
ADMINISTRATION  
155 N 1000 W  
SALT LAKE CITY, UT 84116-3399  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Judy Duncombe by phone at 801-538-8445, by FAX at 801-538-8455, or by Internet E-mail at judy@utahstatefair.com

AUTHORIZED BY: Judy Duncombe, Associate Director

EFFECTIVE: 02/23/2016

**Fair Corporation (Utah State),  
Administration**

**R325-2**

**Utah State Fair Commercial Exhibitor  
Rules**

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

DAR FILE NO.: 40221

FILED: 02/23/2016

**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: Section 63G-3-201 requires (1) Each agency shall: (a) maintain a current version of its rules; and (b) make it available to the public for inspection during its regular business hours. (2) In addition to other rulemaking required by law, each agency shall make rules when agency action: (a) authorizes, requires, or prohibits an action; (b) provides or prohibits a material benefit; (c) applies to a class of persons or another agency; and (d) is explicitly or implicitly authorized by statute. Subsection 63H-6-103(5) Utah State Fair Corporation shall: (vi) hold an annual exhibition that: (A) is called the state fair or a similar name; (B) includes expositions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral, and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion will best stimulate agricultural, industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah; (C) includes the award of premiums for the best specimens of the exhibited articles and animals; (D) permits competition by livestock exhibited by citizens of other states and territories of the United States; and (E) is arranged according to plans approved by the board; (vii) fix the conditions of entry to the exposition described in Subsection (5)(a)(vi); and (viii) publish a list of premiums that will be awarded at the exhibition described in Subsection (5)(a)(vi) for the best specimens of exhibited articles and animals. This requires that the Corporation set rules and guidelines for exhibitors, renters and the general public.

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 is no record of written comments having 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 Fair leases exhibit space to approximately 400 commercial exhibitors each year and must have some enforceable basic rules that govern equitable exhibiting. Therefore, this rule should be continued.

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

FAIR CORPORATION (UTAH STATE)  
ADMINISTRATION

155 N 1000 W

SALT LAKE CITY, UT 84116-3399

or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Judy Duncombe by phone at 801-538-8445, by FAX at 801-538-8455, or by Internet E-mail at judy@utahstatefair.com

AUTHORIZED BY: Judy Duncombe, Associate Director

EFFECTIVE: 02/23/2016

**Fair Corporation (Utah State),  
Administration**

**R325-3**

**Utah State Fair Patron Rules**

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

DAR FILE NO.: 40222

FILED: 02/23/2016

**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: Section 63G-3-201 requires (1) Each agency shall: (a) maintain a current version of its rules; and (b) make it available to the public for inspection during its regular business hours. (2) In addition to other rulemaking required by law, each agency shall make rules when agency action: (a) authorizes, requires, or prohibits an action; (b) provides or prohibits a material benefit; (c) applies to a class of persons or another agency; and (d) is explicitly or implicitly authorized by statute. Subsection 63H-6-103(5) Utah State Fair Corporation shall: (vi) hold an annual exhibition that: (A) is called the state fair or a similar name; (B) includes expositions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral, and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion will best stimulate agricultural,

industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah; (C) includes the award of premiums for the best specimens of the exhibited articles and animals; (D) permits competition by livestock exhibited by citizens of other states and territories of the United States; and (E) is arranged according to plans approved by the board; (vii) fix the conditions of entry to the exposition described in Subsection (5)(a)(vi); and (viii) publish a list of premiums that will be awarded at the exhibition described in Subsection (5)(a)(vi) for the best specimens of exhibited articles and animals. This requires that the Corporation set rules and guidelines for exhibitors, renters and the general public.

**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 is no record of written comments having 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:** Approximately 250,000 to 300,000 patrons come to the Fair annually so there is a need for enforceable basic rules of attendance. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 FAIR CORPORATION (UTAH STATE)  
 ADMINISTRATION  
 155 N 1000 W  
 SALT LAKE CITY, UT 84116-3399  
 or at the Division of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**  
 ♦ Judy Duncombe by phone at 801-538-8445, by FAX at 801-538-8455, or by Internet E-mail at [judy@utahstatefair.com](mailto:judy@utahstatefair.com)

**AUTHORIZED BY:** Judy Duncombe, Associate Director

**EFFECTIVE:** 02/23/2016

**Fair Corporation (Utah State),  
 Administration  
 R325-4  
 Interim Patrons Rules (Other Than  
 Utah State Fair)**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
 OF CONTINUATION  
 DAR FILE NO.: 40223  
 FILED: 02/23/2016**

**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:** Section 63G-3-201 requires (1) Each agency shall: (a) maintain a current version of its rules; and (b) make it available to the public for inspection during its regular business hours. (2) In addition to other rulemaking required by law, each agency shall make rules when agency action: (a) authorizes, requires, or prohibits an action; (b) provides or prohibits a material benefit; (c) applies to a class of persons or another agency; and (d) is explicitly or implicitly authorized by statute. Subsection 63H-6-103(5) Utah State Fair Corporation shall: (vi) hold an annual exhibition that: (A) is called the state fair or a similar name; (B) includes expositions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral, and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion will best stimulate agricultural, industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah; (C) includes the award of premiums for the best specimens of the exhibited articles and animals; (D) permits competition by livestock exhibited by citizens of other states and territories of the United States; and (E) is arranged according to plans approved by the board; (vii) fix the conditions of entry to the exposition described in Subsection (5)(a)(vi); and (viii) publish a list of premiums that will be awarded at the exhibition described in Subsection (5)(a)(vi) for the best specimens of exhibited articles and animals. This requires that the Corporation set rules and guidelines for exhibitors, renters and the general public.

**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 is no record of written comments having 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:** There are over 120 different events, other than the State Fair, held at the Fairpark each year. Attendance by the general public at these events requires enforceable basic rules. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 FAIR CORPORATION (UTAH STATE)  
 ADMINISTRATION  
 155 N 1000 W  
 SALT LAKE CITY, UT 84116-3399  
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Judy Duncombe by phone at 801-538-8445, by FAX at 801-538-8455, or by Internet E-mail at judy@utahstatefair.com

AUTHORIZED BY: Judy Duncombe, Associate Director

EFFECTIVE: 02/23/2016

**Fair Corporation (Utah State),  
 Administration  
 R325-5  
 Interim Renters Rules (Other Than  
 Utah State Fair)**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
 OF CONTINUATION  
 DAR FILE NO.: 40224  
 FILED: 02/23/2016**

**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: Section 63G-3-201 requires (1) Each agency shall: (a) maintain a current version of its rules; and (b) make it available to the public for inspection during its regular business hours. (2) In addition to other rulemaking required by law, each agency shall make rules when agency action: (a) authorizes, requires, or prohibits an action; (b) provides or prohibits a material benefit; (c) applies to a class of persons or another agency; and (d) is explicitly or implicitly authorized by statute. Subsection 63H-6-103(5) Utah State Fair Corporation shall: (vi) hold an annual exhibition that: (A) is called the state fair or a similar name; (B) includes expositions of livestock, poultry, agricultural, domestic science, horticultural, floricultural, mineral, and industrial products, manufactured articles, and domestic animals that, in the corporation's opinion will best stimulate agricultural, industrial, artistic, and educational pursuits and the sharing of talents among the people of Utah; (C) includes the award of premiums for the best specimens of the exhibited articles and animals; (D) permits competition by livestock exhibited by citizens of other states and territories of the United States; and (E) is arranged according to plans approved by the board; (vii) fix the conditions of entry to the exposition described in Subsection (5)(a)(vi); and (viii) publish a list of premiums that will be awarded at the exhibition described in Subsection (5)(a)(vi) for the best specimens of exhibited articles and animals. This requires that the Corporation set rules and guidelines for exhibitors, renters, and the general public.

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 is no record of written comments having 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: There are over 120 different events, other than Utah State Fair, held at the Fairpark each year. Renting of the facilities by groups and individuals requires enforceable basic rules. Therefore, this rule should be continued.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 FAIR CORPORATION (UTAH STATE)  
 ADMINISTRATION  
 155 N 1000 W  
 SALT LAKE CITY, UT 84116-3399  
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Judy Duncombe by phone at 801-538-8445, by FAX at 801-538-8455, or by Internet E-mail at judy@utahstatefair.com

AUTHORIZED BY: Judy Duncombe, Associate Director

EFFECTIVE: 02/23/2016

**Health, Family Health and  
 Preparedness, Primary Care and Rural  
 Health  
 R434-50  
 Assistance for People with Bleeding  
 Disorders**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
 OF CONTINUATION  
 DAR FILE NO.: 40240  
 FILED: 03/01/2016**

**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 was created as a requirement of Subsection 26-47-103(5), which appropriates state funding to the Utah Department of Health to provide grants to assist persons with bleeding disorders. This statute

requires that rules must be established to govern the application form, process, and criteria for awarding these grants. This rule is Rule R434-50.

**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 made since the last five-year review of the rule from interested persons supporting or opposing the rule.

**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 was created to assist in the awarding of grants for assistance to persons with bleeding disorders in accordance with Section 26-47-103. The funding for these grants has received continued appropriation of funds, creating a continued need for Rule R434-50. Therefore, this rule should be continued.

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

HEALTH  
FAMILY HEALTH AND PREPAREDNESS,  
PRIMARY CARE AND RURAL HEALTH  
3760 S HIGHLAND DR  
SALT LAKE CITY, UT 84106  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Don Wood by phone at 801-273-6654, by FAX at 801-273-4165, or by Internet E-mail at donwood@utah.gov

AUTHORIZED BY: Joseph Miner, MD, Executive Director

EFFECTIVE: 03/01/2016

## Insurance, Administration

### **R590-144**

## Commercial Aviation Insurance Exemption from Rate and Form Filings

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

DAR FILE NO.: 40236  
FILED: 02/29/2016

### **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: Section 31A-2-201 provides general authority to adopt rules to implement Title 31A.

Section 31A-19a-103 authorizes the Commissioner to exempt any market segment from provisions of Chapter 19a, Rate Regulation. Subsection 31A-21-101(5) allows the commissioner to exempt any class of insurance contract or class of insurer from provisions of Chapter 21, Insurance Contracts in General, and Chapter 22, Contracts in Specific Lines. The rule exempts commercial aviation insurance from the requirement to file insurance policy rates and forms with 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:** The department has not received any written comments regarding 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:** Because of the unique nature of commercial aviation risks, aviation insurance premiums rely on individual risk analysis, underwriting judgment, and the negotiation of a sophisticated business transaction between the insurer and an informed insured. These types of risks also require individually tailored manuscript-type policies. Because of the uniqueness of each risk, it is not reasonable to set general rates and forms for them. For this reason, it is important that this rule continue in force, exempting commercial aviation insurance from the requirement to file policy rates and forms with the department.

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:

♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 02/29/2016

## Insurance, Administration

### **R590-177**

## Life Insurance Illustrations Rule

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

DAR FILE NO.: 40237  
FILED: 02/29/2016

**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 31A-2-201(3)(a) authorizes the commissioner to implement the provisions of Title 31A according to rulemaking requirements. Subsection 31A-22-425(1)(c) authorizes the department to make rules to establish standards in connection with life insurance policy and contract illustrations. Subsection 31A-23a-402(8) states that a person may not engage in unfair methods of competition or deception in the practice of insurance. The rule describes filing requirements for life illustrations, standards for the format, use, delivery and retention of life illustrations used in the sale of life policies. Insurers are required to appoint an actuary to certify their illustrations meet certain standards and requirements.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The department has received no written comments during 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 provides consumer protection by stating the requirements and restrictions on the values that can be shown in the projections contained in life insurance illustrations. Unregulated illustrations have been found to provide values that are unrealistic and could entice a consumer into purchasing a product that will never perform as the company has illustrated. Therefore, this rule should be continued.

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:  
 ♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at [sgooch@utah.gov](mailto:sgooch@utah.gov)

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 02/29/2016

**Insurance, Administration  
 R590-200**

**Diabetes Treatment and Management**

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

DAR FILE NO.: 40238  
 FILED: 02/29/2016

**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: Subsections 31A-2-201(1) and 31A-2-201(3)(a) empower the commissioner to enforce and write rules necessary to implement the provisions of Title 31A. Section 31A-22-626 authorizes the commissioner to establish by rule minimum standards of coverage for diabetes for accident and health policies. It also allows the commissioner to write rules with limits, deductibles, coinsurance, requirements regarding self management training and management training that is equitable or identical to coverage provided for the treatment of other diseases or illnesses, as well as requiring coverage for equipment and supplies considered to be medically necessary for that care.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The department has not received any written comments regarding this rule 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 goes into detail regarding the minimum standards that must be covered under health care insurance. It includes diabetes education, training, supplies, and prescriptions necessary for a person to manage their diabetes. Therefore, this rule should be continued.

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:

♦ Steve Gooch by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at sgooch@utah.gov

AUTHORIZED BY: Steve Gooch, Information Specialist

EFFECTIVE: 02/29/2016

**Money Management Council,  
Administration**

**R628-12**

**Certification of Qualified Depositories  
for Public Funds**

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

DAR FILE NO.: 40227

FILED: 02/26/2016

**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: Under Subsection 51-7-3(29), which defines the term "qualified depository", it is stated that a Utah depository may be certified to hold public funds by the Commissioner of Financial Institutions if it has met the requirements under the Money Management Act (Title 51, Chapter 7) and rules of the Council. Also, under Subsection 51-7-18(2)(b), it is stated that the Council may make rules governing conditions and procedures for maintaining and revoking a financial institution's designation as a qualified depository.

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 statute requires that there be rules in place to govern deposits of Utah public funds in Utah financial institutions. This rule needs to be continued to provide criteria for financial institutions to become qualified to hold Utah public funds. If this rule were not in place, public entities would not be able to use financial institutions to deposit funds.

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

MONEY MANAGEMENT COUNCIL  
ADMINISTRATION  
ROOM 180 UTAH STATE CAPITOL COMPLEX  
350 N STATE ST  
SALT LAKE CITY, UT 84114  
or at the Division of Administrative Rules.

## DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Ann Pedroza by phone at 801-538-1883, by FAX at 801-538-1465, or by Internet E-mail at apedroza@utah.gov

AUTHORIZED BY: Kirt Slaugh, Chair

EFFECTIVE: 02/26/2016

**Money Management Council,  
Administration**

**R628-13**

**Collateralization of Public Funds**

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

DAR FILE NO.: 40228

FILED: 02/26/2016

**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: Section 51-7-18 allows the Council to make rules requiring collateral on public funds deposits from qualified depositories only in the event that the public funds on deposit are more than the maximum uninsured public funds allotment. This section allows that the amounts over the uninsured allotment shall be collateralized as provided in Section 51-7-18.1.

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 supporting or opposing the rule 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: This rule needs to be continued to allow the Council to receive collateral, so that public funds are covered

and protected from possible loss in the event that a qualified depository's uninsured public funds held allotment is reduced, or there are financial issues with a qualified depository.

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

MONEY MANAGEMENT COUNCIL  
 ADMINISTRATION  
 ROOM 180 UTAH STATE CAPITOL COMPLEX  
 350 N STATE ST  
 SALT LAKE CITY, UT 84114  
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Ann Pedroza by phone at 801-538-1883, by FAX at 801-538-1465, or by Internet E-mail at apedroza@utah.gov

AUTHORIZED BY: Kirt Slaugh, Chair

EFFECTIVE: 02/26/2016

**Money Management Council,  
 Administration  
 R628-16  
 Certification as a Dealer**

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

DAR FILE NO.: 40229  
 FILED: 02/26/2016

**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: Under Section 51-7-18, it is stated that the Council may make rules governing the conditions and procedures for maintaining and revoking the status of a certified dealer.

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 since the last rule review.

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 in place to allow any public treasurer in the state that may want to purchase allowable securities to have access to certified dealers that have met minimum requirements to work with public treasurers and have signed that they have read the Utah

Money Management Act (Title 51, Chapter 7) and agree to abide by it. Without this rule to provide these minimum requirements, public treasurers would not be able to purchase allowable securities. Therefore, this rule should be continued.

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

MONEY MANAGEMENT COUNCIL  
 ADMINISTRATION  
 ROOM 180 UTAH STATE CAPITOL COMPLEX  
 350 N STATE ST  
 SALT LAKE CITY, UT 84114  
 or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Ann Pedroza by phone at 801-538-1883, by FAX at 801-538-1465, or by Internet E-mail at apedroza@utah.gov

AUTHORIZED BY: Kirt Slaugh, Chair

EFFECTIVE: 02/26/2016

**Natural Resources, Geological Survey  
 R638-1  
 Acceptance and Maintenance of  
 Confidential Information**

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

DAR FILE NO.: 40214  
 FILED: 02/17/2016

**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: Subsections 79-3-202(2)(a), (b), and (c) enable the Utah Geological Survey (UGS) to have access to confidential information that it otherwise could not acquire or that is beyond the financial capability of the UGS to acquire. This statute also allows the UGS Board to adopt rules determining what types of information may be kept confidential. This geologic information is given to or purchased by the UGS with the stipulation from the information source that the information be kept confidential.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Utah Geological Survey has received no comments on this rule since the last five-year review.



REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: As requested by the director, the UGS will continue this rule, as the agency continues to acquire confidential information (for example, from private energy exploration companies) that is useful to investigations performed by the UGS; however, the information sources require the UGS to keep this information confidential. Discontinuation of this rule would not allow the UGS to collect and maintain these data for the benefit of the State of Utah.

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

NATURAL RESOURCES  
GEOLOGICAL SURVEY  
ROOM 3110  
1594 W NORTH TEMPLE  
SALT LAKE CITY, UT 84116-3154  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Steve Bowman by phone at 801-537-3304, or by Internet E-mail at [stevebowman@utah.gov](mailto:stevebowman@utah.gov)

AUTHORIZED BY: Rick Allis, Director

EFFECTIVE: 02/17/2016

---

## Natural Resources, Wildlife Resources

### **R657-63**

### Self Defense Against Wild Animals

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

DAR FILE NO.: 40231  
FILED: 02/29/2016

#### **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: Under Sections 23-14-18 and 23-14-19, the Wildlife Board is authorized and required to regulate and prescribe the means by which wildlife may be taken.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The division has not received any written comments regarding this rule. Any comments received in opposition to the rule are resolved using existing policies and procedures or the issue is placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the process for taking public input. The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes, and administrative record for this rule at the Division of Wildlife Resources.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The purpose of this rule is to define conditions and circumstances under which a person is legally justified in killing or seriously wounding a threatening or attacking wildlife animal. Therefore, this rule should be continued.

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

NATURAL RESOURCES  
WILDLIFE RESOURCES  
1594 W NORTH TEMPLE  
SALT LAKE CITY, UT 84116-3154  
or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Staci Coons by phone at 801-538-4718, by FAX at 801-538-4709, or by Internet E-mail at [stacicoons@utah.gov](mailto:stacicoons@utah.gov)

AUTHORIZED BY: Gregory Sheehan, Director

EFFECTIVE: 02/29/2016

---

**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

Finance  
No. 40042 (AMD): R25-7-10. Reimbursement for  
Transportation  
Published: 01/15/2016  
Effective: 02/23/2016

### Purchasing and General Services

No. 40048 (AMD): R33-6-114. Technology Acquisitions for  
Executive Branch Procurement Units  
Published: 01/15/2016  
Effective: 02/23/2016

No. 40047 (AMD): R33-12-502. Technology Modifications  
Published: 01/15/2016  
Effective: 02/23/2016

### Commerce

Real Estate  
No. 40041 (AMD): R162-2f. Real Estate Licensing and  
Practices Rules  
Published: 01/15/2016  
Effective: 02/23/2016

### Environmental Quality

Water Quality  
No. 39981 (AMD): R317-1-3. Requirements for Waste  
Discharges  
Published: 01/01/2016  
Effective: 02/25/2016

### Health

Center for Health Data, Vital Records and Statistics  
No. 39817 (AMD): R436-13. Disclosure of Records  
Published: 11/01/2015  
Effective: 02/17/2016

### Insurance

Administration  
No. 39998 (AMD): R590-164-6. Electronic Data Interchange  
Transactions  
Published: 01/15/2016  
Effective: 02/23/2016

### Navajo Trust Fund

Trustees  
No. 40019 (NEW): R661-1. Utah Navajo Trust Fund Scope  
Published: 01/15/2016  
Effective: 02/29/2016

No. 40020 (NEW): R661-2. Utah Navajo Trust Fund  
Definitions  
Published: 01/15/2016  
Effective: 02/29/2016

No. 40021 (NEW): R661-3. Utah Navajo Trust Fund  
Residency Policy  
Published: 01/15/2016  
Effective: 02/29/2016

No. 40022 (NEW): R661-4. Utah Navajo Trust Fund Chapter  
Projects  
Published: 01/15/2016  
Effective: 02/29/2016

No. 40023 (NEW): R661-5. Utah Navajo Trust Fund Blue  
Mountain Dine' Community  
Published: 01/15/2016  
Effective: 02/29/2016

NOTICES OF RULE EFFECTIVE DATES

---

No. 40024 (NEW): R661-6. Utah Navajo Trust Fund Higher Education Financial Assistance and Scholarship Program  
Published: 01/15/2016  
Effective: 02/29/2016

No. 40025 (NEW): R661-7. Utah Navajo Trust Fund Housing Projects Policy  
Published: 01/15/2016  
Effective: 02/29/2016

No. 40026 (NEW): R661-8. Utah Navajo Trust Fund Power Lines and House Wiring Program  
Published: 01/15/2016  
Effective: 02/29/2016

Public Safety

Administration  
No. 40001 (NEW): R698-8. Local Public Safety and Firefighter Surviving Spouse Trust Fund  
Published: 01/15/2016  
Effective: 02/24/2016

Technology Services

Administration  
No. 40030 (AMD): R895-5. Acquisition of Information Technology  
Published: 01/15/2016  
Effective: 02/23/2016

Transportation

Preconstruction  
No. 39988 (AMD): R930-7. Utility Accommodation  
Published: 01/01/2016  
Effective: 02/23/2016

Workforce Services

Employment Development  
No. 39944 (AMD): R986-200. Family Employment Program  
Published: 12/01/2015  
Effective: 02/24/2016

Unemployment Insurance

No. 40045 (AMD): R994-205-106. Exempt Real Estate Sales  
Published: 01/15/2016  
Effective: 02/24/2016

**End of the Notices of Rule Effective Dates Section**

**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, 2016 through March 01, 2016. 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
<b>ADMINISTRATIVE SERVICES</b>					
<u>Facilities Construction and Management</u>					
R23-23	Health Reform -- Health Insurance Coverage in State Contracts -- Implementation	40044	NSC	01/15/2016	Not Printed
<u>Finance</u>					
R25-7-10	Reimbursement for Transportation	40042	AMD	02/23/2016	2016-2/4
R25-15	Change Date and Set Aside Provisions for Annual Leave II	39943	NEW	01/13/2016	2015-23/6
<u>Purchasing and General Services</u>					
R33-6-114	Technology Acquisitions for Executive Branch Procurement Units	40048	AMD	02/23/2016	2016-2/6
R33-12-502	Technology Modifications	40047	AMD	02/23/2016	2016-2/7
<b>AGRICULTURE AND FOOD</b>					
<u>Administration</u>					
R51-3	Government Records Access and Management Act	40234	5YR	02/29/2016	Not Printed
R51-4	ADA Complaint Procedure	40235	5YR	02/29/2016	Not Printed
<u>Horse Racing Commission (Utah)</u>					
R52-7	Horse Racing	39951	AMD	02/02/2016	2015-24/4
<u>Marketing and Development</u>					
R65-8	Management of the Junior Livestock Show Appropriation	40233	5YR	02/29/2016	Not Printed
<u>Plant Industry</u>					
R68-4	Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products	40201	5YR	02/08/2016	2016-5/23
R68-7	Utah Pesticide Control Rule	40232	5YR	02/29/2016	Not Printed
R68-9	Utah Noxious Weed Act	39965	AMD	02/02/2016	2015-24/8
R68-18	Quarantine Pertaining to Karnal Bunt	40200	5YR	02/08/2016	2016-5/23
<u>Regulatory Services</u>					
R70-410	Grading and Inspection of Shell Eggs with Standard Grade and Weight Classes	40149	5YR	01/20/2016	2016-4/77
R70-530	Food Protection	39950	AMD	02/02/2016	2015-24/12

CAPITOL PRESERVATION BOARD (STATE)

Administration

R131-4	Capitol Preservation Board General Procurement Rule	40092	5YR	01/11/2016	2016-3/507
--------	---	-------	-----	------------	------------

COMMERCE

Occupational and Professional Licensing

R156-3a	Architect Licensing Act Rule	40058	5YR	01/07/2016	2016-3/507
R156-9a	Uniform Athlete Agents Act Rule	40071	5YR	01/07/2016	2016-3/508
R156-26a	Certified Public Accountant Licensing Act Rule	39982	AMD	02/11/2016	2016-1/4
R156-37f	Controlled Substance Database Act Rule	39923	AMD	01/07/2016	2015-23/7
R156-46b	Division Utah Administrative Procedures Act Rule	40052	5YR	01/05/2016	2016-3/509
R156-55c	Plumber Licensing Act Rule	40131	NSC	02/02/2016	Not Printed
R156-60b-102	Definitions	39924	AMD	01/07/2016	2015-23/12
R156-60c	Clinical Mental Health Counselor Licensing Act Rule	39911	AMD	01/07/2016	2015-23/14
R156-60d	Substance Use Disorder Counselor Act Rule	40055	5YR	01/05/2016	2016-3/509
R156-67	Utah Medical Practice Act Rule	40196	5YR	02/08/2016	2016-5/24
R156-69	Dentist and Dental Hygienist Practice Act Rule	40150	5YR	01/21/2016	2016-4/77
R156-73	Chiropractic Physician Practice Act Rule	40208	5YR	02/11/2016	2016-5/25
R156-78-102	Definitions	39912	AMD	01/07/2016	2015-23/16
R156-82-201	Security	39980	AMD	02/08/2016	2016-1/12

Real Estate

R162-2f	Real Estate Licensing and Practices Rules	40041	AMD	02/23/2016	2016-2/11
---------	---	-------	-----	------------	-----------

EDUCATION

Administration

R277-207	Utah Professional Practices Advisory Commission (UPPAC), Disciplinary Rebuttable Presumptions	39837	NEW	01/11/2016	2015-21/17
R277-404	Requirements for Assessments of Student Achievement	40097	NSC	02/02/2016	Not Printed
R277-497	School Grading System	39984	AMD	02/08/2016	2016-1/13
R277-510	Educator Licensing - Highly Qualified Assignment	40099	5YR	01/14/2016	2016-3/510
R277-705	Secondary School Completion and Diplomas	39936	AMD	01/07/2016	2015-23/17
R277-716	Alternative Language Services for Utah Students	40211	5YR	02/16/2016	2016-5/25
R277-726	Statewide Online Education Program	39996	AMD	02/08/2016	2016-1/15
R277-920	Implementation of the School Turnaround and Leadership Development Act	39789	NEW	02/08/2016	2015-20/70
R277-920-3	Superintendent's Designation of Low Performing Schools and Waiver Authority	39997	AMD	02/08/2016	2016-1/20

Rehabilitation

R280-204	Utah State Office of Rehabilitation Employee Background Check Requirement	40101	5YR	01/14/2016	2016-3/510
----------	---	-------	-----	------------	------------

ENVIRONMENTAL QUALITY

Air Quality

R307-110-28	Regional Haze	39849	AMD	02/04/2016	2015-21/45
R307-312-5	Hot Mix Asphalt Plants	39844	AMD	02/04/2016	2015-21/46
R307-328-4	Loading of Tank Trucks, Trailers, Railroad Tank Cars, and Other Transport Vehicles	39845	AMD	02/04/2016	2015-21/47
R307-403-2	Applicability	40193	NSC	02/25/2016	Not Printed
R307-405-3	Definitions	39846	AMD	02/04/2016	2015-21/48
R307-415-3	Definitions	39847	AMD	02/04/2016	2015-21/50

Waste Management and Radiation Control, Radiation

R313-15	Standards for Protection Against Radiation	40003	NSC	01/15/2016	Not Printed
R313-16-230	Registration of Radiation Machines	40004	NSC	01/15/2016	Not Printed

RULES INDEX

R313-18-11	Posting of Notices to Workers	40007	NSC	01/15/2016	Not Printed
R313-21	General Licenses	40008	NSC	01/15/2016	Not Printed
R313-22	Specific Licenses	40009	NSC	01/15/2016	Not Printed
R313-32-2	Clarifications or Exceptions	40010	NSC	01/15/2016	Not Printed
R313-70	Payments, Categories and Types of Fees	40011	NSC	01/15/2016	Not Printed

Water Quality

R317-1-3	Requirements for Waste Discharges	39981	AMD	02/25/2016	2016-1/40
----------	-----------------------------------	-------	-----	------------	-----------

FAIR CORPORATION (UTAH STATE)

Administration

R325-1	Utah State Fair Competitive Exhibitor Rules	40220	5YR	02/23/2016	Not Printed
R325-2	Utah State Fair Commercial Exhibitor Rules	40221	5YR	02/23/2016	Not Printed
R325-3	Utah State Fair Patron Rules	40222	5YR	02/23/2016	Not Printed
R325-4	Interim Patrons Rules (Other Than Utah State Fair)	40223	5YR	02/23/2016	Not Printed
R325-5	Interim Renters Rules (Other Than Utah State Fair)	40224	5YR	02/23/2016	Not Printed

FINANCIAL INSTITUTIONS

Administration

R331-26	Ownership of Real Estate Other Than Property Used for Institution Business or Held as an Investment by Depository Institutions Subject to the Jurisdiction of the Department of Financial Institutions	40139	5YR	01/15/2016	2016-3/511
---------	--	-------	-----	------------	------------

GOVERNOR

Criminal and Juvenile Justice (State Commission on)

R356-1	Procedures for the Calculation and Distribution of Funds to Reimburse County Correctional Facilities Housing State Probationary Inmates or State Parole Inmates	39964	AMD	02/10/2016	2015-24/14
--------	---	-------	-----	------------	------------

HEALTH

Administration

R380-60	Local Health Department Emergency Protocols	39879	AMD	01/20/2016	2015-22/32
---------	---	-------	-----	------------	------------

Center for Health Data, Vital Records and Statistics

R436-13	Disclosure of Records	39817	AMD	02/17/2016	2015-21/88
---------	-----------------------	-------	-----	------------	------------

Child Care Center Licensing Committee

R381-60	Hourly Child Care Centers	39902	AMD	01/31/2016	2015-22/34
R381-70	Out of School Time Child Care Programs	39898	AMD	01/31/2016	2015-22/40
R381-100	Child Care Centers	39896	AMD	01/31/2016	2015-22/45

Disease Control and Prevention, Epidemiology

R386-702	Communicable Disease Rule	39952	AMD	02/11/2016	2015-24/17
----------	---------------------------	-------	-----	------------	------------

Family Health and Preparedness, Child Care Licensing

R430-50	Residential Certificate Child Care	39897	AMD	01/31/2016	2015-22/52
R430-90	Licensed Family Child Care	39895	AMD	01/31/2016	2015-22/57

Family Health and Preparedness, Licensing

R432-100	General Hospital Standards	39963	AMD	02/10/2016	2015-24/29
R432-270	Assisted Living Facilities	39966	AMD	01/28/2016	2015-24/41

Family Health and Preparedness, Primary Care and Rural Health

R434-50	Assistance for People with Bleeding Disorders	40240	5YR	03/01/2016	Not Printed
---------	---	-------	-----	------------	-------------

Health Care Financing

R410-14	Administrative Hearing Procedures	39983	R&R	02/10/2016	2016-1/43
---------	-----------------------------------	-------	-----	------------	-----------



Health Care Financing, Coverage and Reimbursement Policy

R414-320	Medicaid Health Insurance Flexibility and Accountability Demonstration Waiver	40181	5YR	02/01/2016	2016-4/78
R414-512	Use of Extrapolation in Provider Audits	39914	NEW	01/11/2016	2015-23/20

HERITAGE AND ARTS

History

R455-6	State Register for Historic Resources and Archaeological Sites	40187	5YR	02/02/2016	2016-5/26
R455-9	Board of State History as the Cultural Sites Review Committee Review Board	40186	5YR	02/02/2016	2016-5/27

Indian Affairs

R456-1	Native American Grave Protection and Repatriation	40137	5YR	01/14/2016	2016-3/511
--------	---	-------	-----	------------	------------

HOUSING CORPORATION (UTAH)

Administration

R460-1	Authority and Purpose	40013	NSC	01/15/2016	Not Printed
R460-4	Additional Servicing Rules (Reserved)	40014	NSC	01/15/2016	Not Printed
R460-5	Termination of Eligibility to Participate in Programs	40015	NSC	01/15/2016	Not Printed
R460-6	Adjudicative Proceedings	40016	NSC	01/15/2016	Not Printed
R460-8	Americans with Disabilities Act (ADA) Complaint Procedures	40017	NSC	01/15/2016	Not Printed

HUMAN SERVICES

Administration

R495-862	Communicable Disease Control Act	40050	5YR	01/04/2016	2016-3/512
----------	----------------------------------	-------	-----	------------	------------

Administration, Administrative Services, Licensing

R501-14	Background Screening	39913	R&R	01/13/2016	2015-23/24
---------	----------------------	-------	-----	------------	------------

Child and Family Services

R512-31	Foster Parent Due Process	39938	AMD	01/07/2016	2015-23/33
R512-43	Adoption Assistance	40151	5YR	01/25/2016	2016-4/79
R512-60	Children's Account	40194	5YR	02/08/2016	2016-5/27
R512-100	In-Home Services	39905	AMD	01/07/2016	2015-22/65
R512-205	Child Protective Services, Investigation of Domestic Violence Related Child Abuse	40152	5YR	01/25/2016	2016-4/79
R512-301	Out-of-Home Services, Responsibilities Pertaining to a Parent or Guardian	39939	AMD	01/07/2016	2015-23/35
R512-305	Out-of-Home Services, Transition to Adult Living Services	39955	AMD	01/21/2016	2015-24/44
R512-309	Out-of-Home Services, Foster Parent Reimbursement of Motor Vehicle Insurance Coverage for Youth in Foster Care	39956	AMD	01/21/2016	2015-24/46
R512-310	Reasonable and Prudent Parent Standard	39940	AMD	01/07/2016	2015-23/38

Recovery Services

R527-200	Administrative Procedures	40053	5YR	01/05/2016	2016-3/512
R527-250	Emancipation	40054	5YR	01/05/2016	2016-3/513

INSURANCE

Administration

R590-144	Commercial Aviation Insurance Exemption from Rate and Form Filings	40236	5YR	02/29/2016	Not Printed
R590-154	Unfair Marketing Practices Rule; Misleading Names	39945	AMD	01/15/2016	2015-23/40
R590-164-6	Electronic Data Interchange Transactions	39998	AMD	02/23/2016	2016-2/97
R590-177	Life Insurance Illustrations Rule	40237	5YR	02/29/2016	Not Printed
R590-200	Diabetes Treatment and Management	40238	5YR	02/29/2016	Not Printed
R590-259	Dependent Coverage to Age 26	40154	5YR	01/25/2016	2016-4/80

RULES INDEX

MONEY MANAGEMENT COUNCIL

Administration

R628-12	Certification of Qualified Depositories for Public Funds	40227	5YR	02/26/2016	Not Printed
R628-13	Collateralization of Public Funds	40228	5YR	02/26/2016	Not Printed
R628-16	Certification as a Dealer	40229	5YR	02/26/2016	Not Printed

NATURAL RESOURCES

Forestry, Fire and State Lands

R652-2	Sovereign Land Management Objectives	40138	5YR	01/14/2016	2016-3/529
R652-8	Adjudicative Proceedings	40134	5YR	01/14/2016	2016-3/529
R652-9	Consistency Review	40133	5YR	01/14/2016	2016-3/530
R652-41	Rights of Entry	40136	5YR	01/14/2016	2016-3/530
R652-80	Land Exchanges	40135	5YR	01/14/2016	2016-3/531
R652-123	Exemptions to Wildland Fire Suppression Fund	40132	5YR	01/14/2016	2016-3/531

Geological Survey

R638-1	Acceptance and Maintenance of Confidential Information	40214	5YR	02/17/2016	Not Printed
--------	--	-------	-----	------------	-------------

Parks and Recreation

R651-201	Definitions	40059	5YR	01/07/2016	2016-3/513
R651-202	Boating Advisory Council	40060	5YR	01/07/2016	2016-3/514
R651-203	Waterway Marking System	40061	5YR	01/07/2016	2016-3/514
R651-204	Regulating Waterway Markers	40062	5YR	01/07/2016	2016-3/515
R651-204	Regulating Waterway Markers	40090	NSC	02/02/2016	Not Printed
R651-205	Zoned Waters	40063	5YR	01/07/2016	2016-3/515
R651-206	Carrying Passengers for Hire	40064	5YR	01/07/2016	2016-3/516
R651-206	Carrying Passengers for Hire	40091	NSC	02/02/2016	Not Printed
R651-207	Registration Fee	40066	5YR	01/07/2016	2016-3/516
R651-207	Registration Fee	40188	NSC	02/25/2016	Not Printed
R651-208	Backing Plates	40067	5YR	01/07/2016	2016-3/517
R651-208	Backing Plates	40189	NSC	02/25/2016	Not Printed
R651-209	Anchored and Beached Vessels	40084	5YR	01/07/2016	2016-3/517
R651-210	Change of Address	40068	5YR	01/07/2016	2016-3/518
R651-210	Change of Address	40190	NSC	02/25/2016	Not Printed
R651-211	Assigned Numbers	40069	5YR	01/07/2016	2016-3/518
R651-211	Assigned Numbers	40191	NSC	02/25/2016	Not Printed
R651-212	Display of Yearly Registration Decals and Month of Expiration Decals	40070	5YR	01/07/2016	2016-3/519
R651-213	Dealer Numbers and Registrations	40072	5YR	01/07/2016	2016-3/519
R651-214	Temporary Registration	40073	5YR	01/07/2016	2016-3/520
R651-215	Personal Flotation Devices	40074	5YR	01/07/2016	2016-3/520
R651-216	Navigation Lights - Note: Figures 1 through 7 mentioned below are on file with the Utah Division of Parks and Recreation	40075	5YR	01/07/2016	2016-3/521
R651-217	Fire Extinguishers	40076	5YR	01/07/2016	2016-3/522
R651-218	Carburetor Backfire Flame Control	40077	5YR	01/07/2016	2016-3/522
R651-219	Additional Safety Equipment	40078	5YR	01/07/2016	2016-3/523
R651-220	Registration and Numbering Exemptions	40079	5YR	01/07/2016	2016-3/523
R651-221	Boat Liveries - Boat Rental Companies	40080	5YR	01/07/2016	2016-3/524
R651-222	Muffling Requirements	40081	5YR	01/07/2016	2016-3/524
R651-224	Towed Devices	40082	5YR	01/07/2016	2016-3/525
R651-226	Regattas and Races	40083	5YR	01/07/2016	2016-3/525
R651-401	Off-Highway Vehicle and Registration Stickers	40087	5YR	01/07/2016	2016-3/526
R651-405	Off-Highway Implement of Husbandry Sticker Fee	40088	5YR	01/07/2016	2016-3/526
R651-406	Off-Highway Vehicle Registration Fees	40089	5YR	01/07/2016	2016-3/527
R651-611	Fee Schedule	40065	5YR	01/07/2016	2016-3/527
R651-801	Swimming Prohibited	40085	5YR	01/07/2016	2016-3/528
R651-802	Scuba Diving	40086	5YR	01/07/2016	2016-3/528

Water Rights

R655-10	Dam Safety Classifications, Approval Procedures and Independent Reviews	40166	5YR	01/29/2016	2016-4/80
R655-11	Requirements for the Design, Construction and Abandonment of Dams	40167	5YR	01/29/2016	2016-4/81
R655-12	Requirements for Operational Dams	40168	5YR	01/29/2016	2016-4/81

Wildlife Resources

R657-5	Taking Big Game	39976	AMD	02/08/2016	2016-1/60
R657-9	Taking Waterfowl, Wilson's Snipe and Coot	39978	AMD	02/08/2016	2016-1/66
R657-37	Cooperative Wildlife Management Units for Big Game or Turkey	39977	AMD	02/08/2016	2016-1/68
R657-63	Self Defense Against Wild Animals	40231	5YR	02/29/2016	Not Printed

NAVAJO TRUST FUND

Trustees

R661-1	Utah Navajo Trust Fund Scope	40019	NEW	02/29/2016	2016-2/103
R661-2	Utah Navajo Trust Fund Definitions	40020	NEW	02/29/2016	2016-2/104
R661-3	Utah Navajo Trust Fund Residency Policy	40021	NEW	02/29/2016	2016-2/105
R661-4	Utah Navajo Trust Fund Chapter Projects	40022	NEW	02/29/2016	2016-2/107
R661-5	Utah Navajo Trust Fund Blue Mountain Dine' Community	40023	NEW	02/29/2016	2016-2/109
R661-6	Utah Navajo Trust Fund Higher Education Financial Assistance and Scholarship Program	40024	NEW	02/29/2016	2016-2/110
R661-7	Utah Navajo Trust Fund Housing Projects Policy	40025	NEW	02/29/2016	2016-2/113
R661-8	Utah Navajo Trust Fund Power Lines and House Wiring Program	40026	NEW	02/29/2016	2016-2/115

PUBLIC SAFETY

Administration

R698-8	Local Public Safety and Firefighter Surviving Spouse Trust Fund	40001	NEW	02/24/2016	2016-2/117
--------	---	-------	-----	------------	------------

Driver License

R708-16	Pedestrian Vehicle Rule	40095	EXT	01/11/2016	2016-3/533
R708-18	Regulatory and Administrative Fees	40141	5YR	01/19/2016	2016-4/82
R708-19	Automobile No-Fault Self-Insurance	40142	5YR	01/19/2016	2016-4/82
R708-20	Motor Vehicle Accident Prevention Course Standards	40143	5YR	01/19/2016	2016-4/83
R708-38	Anatomical Gift	40144	5YR	01/19/2016	2016-4/83
R708-42	Driver Address Record	40145	5YR	01/19/2016	2016-4/84
R708-43	Verification of Personal Identifying Information by Depository Institutions	40146	5YR	01/19/2016	2016-4/84
R708-44	Citation Monitoring Service	40147	5YR	01/19/2016	2016-4/85

Highway Patrol

R714-160	Equipment Standards for Passenger Vehicle and Light Truck Safety Inspections	40197	EXT	02/08/2016	2016-5/29
R714-161	Equipment Standards for Motorcycle and ATV Safety Inspections	40198	EXT	02/08/2016	2016-5/29
R714-162	Equipment Standards for Heavy Truck, Trailer and Bus Safety Inspections	40199	EXT	02/08/2016	2016-5/29
R714-500	Chemical Analysis Standards and Training	39850	AMD	01/21/2016	2015-22/144

Peace Officer Standards and Training

R728-409-14	Suspension, Revocation, or Relinquishment of Certification	40165	NSC	02/17/2016	Not Printed
-------------	--	-------	-----	------------	-------------

REGENTS (BOARD OF)

University of Utah, Administration

R805-5	Enforcement of No Smoking Areas at University of Utah Hospitals and Clinics	40153	5YR	01/25/2016	2016-4/85
--------	---	-------	-----	------------	-----------

RULES INDEX

---

SCHOOL AND INSTITUTIONAL TRUST LANDS

Administration

R850-1	Definition of Terms	39962	AMD	01/21/2016	2015-24/48
R850-11	Procurement	39961	AMD	01/21/2016	2015-24/50
R850-50	Range Management	39960	AMD	01/21/2016	2015-24/52
R850-50	Range Management	40184	NSC	02/17/2016	Not Printed

TECHNOLOGY SERVICES

Administration

R895-5	Acquisition of Information Technology	40030	AMD	02/23/2016	2016-2/118
--------	---------------------------------------	-------	-----	------------	------------

TRANSPORTATION

Motor Carrier

R909-19	Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation and Certification	39953	AMD	01/21/2016	2015-24/58
---------	---	-------	-----	------------	------------

Operations, Traffic and Safety

R920-4	Special Road Use or Event	39941	AMD	01/07/2016	2015-23/46
--------	---------------------------	-------	-----	------------	------------

Preconstruction

R930-7	Utility Accommodation	39988	AMD	02/23/2016	2016-1/77
--------	-----------------------	-------	-----	------------	-----------

Program Development

R926-9	Establishment, Designation and Operation of Tollways	40204	EXT	02/09/2016	2016-5/30
--------	---	-------	-----	------------	-----------

TRANSPORTATION COMMISSION

Administration

R940-1	Establishment of Toll Rates	40205	EXT	02/09/2016	2016-5/30
--------	-----------------------------	-------	-----	------------	-----------

WORKFORCE SERVICES

Employment Development

R986-200	Family Employment Program	39944	AMD	02/24/2016	2015-23/52
----------	---------------------------	-------	-----	------------	------------

Unemployment Insurance

R994-205-106	Exempt Real Estate Sales	40045	AMD	02/24/2016	2016-2/120
--------------	--------------------------	-------	-----	------------	------------

**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>accident prevention</u> Public Safety, Driver License	40143	R708-20	5YR	01/19/2016	2016-4/83

<u>accountants</u>						
Commerce, Occupational and Professional Licensing	39982	R156-26a	AMD	02/11/2016	2016-1/4	
<u>adjudicative procedures</u>						
Natural Resources, Forestry, Fire and State Lands	40134	R652-8	5YR	01/14/2016	2016-3/529	
<u>administrative law</u>						
Human Services, Recovery Services	40053	R527-200	5YR	01/05/2016	2016-3/512	
<u>administrative procedures</u>						
Commerce, Occupational and Professional Licensing	40052	R156-46b	5YR	01/05/2016	2016-3/509	
Natural Resources, Forestry, Fire and State Lands	40133	R652-9	5YR	01/14/2016	2016-3/530	
	40136	R652-41	5YR	01/14/2016	2016-3/530	
	40135	R652-80	5YR	01/14/2016	2016-3/531	
	40132	R652-123	5YR	01/14/2016	2016-3/531	
School and Institutional Trust Lands, Administration	39962	R850-1	AMD	01/21/2016	2015-24/48	
	39960	R850-50	AMD	01/21/2016	2015-24/52	
	40184	R850-50	NSC	02/17/2016	Not Printed	
<u>administrative proceedings</u>						
Natural Resources, Forestry, Fire and State Lands	40134	R652-8	5YR	01/14/2016	2016-3/529	
<u>adoption</u>						
Human Services, Child and Family Services	40151	R512-43	5YR	01/25/2016	2016-4/79	
<u>adult education</u>						
Education, Administration	39936	R277-705	AMD	01/07/2016	2015-23/17	
<u>aggregate</u>						
Environmental Quality, Air Quality	39844	R307-312-5	AMD	02/04/2016	2015-21/46	
<u>air pollution</u>						
Environmental Quality, Air Quality	39849	R307-110-28	AMD	02/04/2016	2015-21/45	
	39844	R307-312-5	AMD	02/04/2016	2015-21/46	
	39845	R307-328-4	AMD	02/04/2016	2015-21/47	
	39846	R307-405-3	AMD	02/04/2016	2015-21/48	
	39847	R307-415-3	AMD	02/04/2016	2015-21/50	
<u>air quality</u>						
Environmental Quality, Air Quality	40193	R307-403-2	NSC	02/25/2016	Not Printed	
<u>air travel</u>						
Administrative Services, Finance	40042	R25-7-10	AMD	02/23/2016	2016-2/4	
<u>alcohol</u>						
Public Safety, Highway Patrol	39850	R714-500	AMD	01/21/2016	2015-22/144	
<u>alternative language services</u>						
Education, Administration	40211	R277-716	5YR	02/16/2016	2016-5/25	
<u>anatomical gift</u>						
Public Safety, Driver License	40144	R708-38	5YR	01/19/2016	2016-4/83	
<u>anchored vessels</u>						
Natural Resources, Parks and Recreation	40084	R651-209	5YR	01/07/2016	2016-3/517	
<u>annual leave</u>						
Administrative Services, Finance	39943	R25-15	NEW	01/13/2016	2015-23/6	
<u>architects</u>						
Commerce, Occupational and Professional Licensing	40058	R156-3a	5YR	01/07/2016	2016-3/507	
<u>asphalt</u>						
Environmental Quality, Air Quality	39844	R307-312-5	AMD	02/04/2016	2015-21/46	

RULES INDEX

---

<u>assessment</u>						
Education, Administration	40097	R277-404	NSC	02/02/2016	Not Printed	
<u>athlete agent</u>						
Commerce, Occupational and Professional Licensing	40071	R156-9a	5YR	01/07/2016	2016-3/508	
<u>background screening</u>						
Human Services, Administration, Administrative Services, Licensing	39913	R501-14	R&R	01/13/2016	2015-23/24	
<u>banking law</u>						
Money Management Council, Administration	40227	R628-12	5YR	02/26/2016	Not Printed	
<u>beached vessels</u>						
Natural Resources, Parks and Recreation	40084	R651-209	5YR	01/07/2016	2016-3/517	
<u>big game seasons</u>						
Natural Resources, Wildlife Resources	39976	R657-5	AMD	02/08/2016	2016-1/60	
<u>birds</u>						
Natural Resources, Wildlife Resources	39978	R657-9	AMD	02/08/2016	2016-1/66	
<u>bleeding disorders</u>						
Health, Family Health and Preparedness, Primary Care and Rural Health	40240	R434-50	5YR	03/01/2016	Not Printed	
<u>Blue Mountain Dine'</u>						
Navajo Trust Fund, Trustees	40023	R661-5	NEW	02/29/2016	2016-2/109	
<u>Board of Trustees</u>						
Navajo Trust Fund, Trustees	40019	R661-1	NEW	02/29/2016	2016-2/103	
<u>boating</u>						
Natural Resources, Parks and Recreation	40059	R651-201	5YR	01/07/2016	2016-3/513	
	40060	R651-202	5YR	01/07/2016	2016-3/514	
	40061	R651-203	5YR	01/07/2016	2016-3/514	
	40062	R651-204	5YR	01/07/2016	2016-3/515	
	40090	R651-204	NSC	02/02/2016	Not Printed	
	40063	R651-205	5YR	01/07/2016	2016-3/515	
	40064	R651-206	5YR	01/07/2016	2016-3/516	
	40091	R651-206	NSC	02/02/2016	Not Printed	
	40066	R651-207	5YR	01/07/2016	2016-3/516	
	40188	R651-207	NSC	02/25/2016	Not Printed	
	40067	R651-208	5YR	01/07/2016	2016-3/517	
	40189	R651-208	NSC	02/25/2016	Not Printed	
	40084	R651-209	5YR	01/07/2016	2016-3/517	
	40068	R651-210	5YR	01/07/2016	2016-3/518	
	40190	R651-210	NSC	02/25/2016	Not Printed	
	40069	R651-211	5YR	01/07/2016	2016-3/518	
	40191	R651-211	NSC	02/25/2016	Not Printed	
	40070	R651-212	5YR	01/07/2016	2016-3/519	
	40072	R651-213	5YR	01/07/2016	2016-3/519	
	40073	R651-214	5YR	01/07/2016	2016-3/520	
	40074	R651-215	5YR	01/07/2016	2016-3/520	
	40075	R651-216	5YR	01/07/2016	2016-3/521	
	40076	R651-217	5YR	01/07/2016	2016-3/522	
	40077	R651-218	5YR	01/07/2016	2016-3/522	
	40078	R651-219	5YR	01/07/2016	2016-3/523	
	40079	R651-220	5YR	01/07/2016	2016-3/523	
	40080	R651-221	5YR	01/07/2016	2016-3/524	
	40081	R651-222	5YR	01/07/2016	2016-3/524	
	40082	R651-224	5YR	01/07/2016	2016-3/525	
	40083	R651-226	5YR	01/07/2016	2016-3/525	
<u>brachytherapy</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40010	R313-32-2	NSC	01/15/2016	Not Printed	

<u>breath testing</u>						
Public Safety, Highway Patrol	39850	R714-500	AMD	01/21/2016	2015-22/144	
<u>broad scope</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40009	R313-22	NSC	01/15/2016	Not Printed	
<u>cash management</u>						
Money Management Council, Administration	40229	R628-16	5YR	02/26/2016	Not Printed	
<u>certifications</u>						
Public Safety, Peace Officer Standards and Training	40165	R728-409-14	NSC	02/17/2016	Not Printed	
Transportation, Motor Carrier	39953	R909-19	AMD	01/21/2016	2015-24/58	
<u>change orders</u>						
Administrative Services, Purchasing and General Services	40047	R33-12-502	AMD	02/23/2016	2016-2/7	
<u>chapter</u>						
Navajo Trust Fund, Trustees	40020	R661-2	NEW	02/29/2016	2016-2/104	
	40023	R661-5	NEW	02/29/2016	2016-2/109	
	40025	R661-7	NEW	02/29/2016	2016-2/113	
<u>chapter projects</u>						
Navajo Trust Fund, Trustees	40022	R661-4	NEW	02/29/2016	2016-2/107	
<u>chapter resolution</u>						
Navajo Trust Fund, Trustees	40021	R661-3	NEW	02/29/2016	2016-2/105	
<u>chickens</u>						
Agriculture and Food, Regulatory Services	40149	R70-410	5YR	01/20/2016	2016-4/77	
<u>child abuse</u>						
Human Services, Child and Family Services	40194	R512-60	5YR	02/08/2016	2016-5/27	
	40152	R512-205	5YR	01/25/2016	2016-4/79	
	39939	R512-301	AMD	01/07/2016	2015-23/35	
<u>child care</u>						
Health, Child Care Center Licensing Committee	39898	R381-70	AMD	01/31/2016	2015-22/40	
	39896	R381-100	AMD	01/31/2016	2015-22/45	
<u>child care centers</u>						
Health, Child Care Center Licensing Committee	39898	R381-70	AMD	01/31/2016	2015-22/40	
	39896	R381-100	AMD	01/31/2016	2015-22/45	
<u>child care facilities</u>						
Health, Child Care Center Licensing Committee	39902	R381-60	AMD	01/31/2016	2015-22/34	
	39898	R381-70	AMD	01/31/2016	2015-22/40	
	39896	R381-100	AMD	01/31/2016	2015-22/45	
Health, Family Health and Preparedness, Child Care Licensing	39897	R430-50	AMD	01/31/2016	2015-22/52	
	39895	R430-90	AMD	01/31/2016	2015-22/57	
<u>child support</u>						
Human Services, Recovery Services	40053	R527-200	5YR	01/05/2016	2016-3/512	
	40054	R527-250	5YR	01/05/2016	2016-3/513	
<u>child welfare</u>						
Human Services, Child and Family Services	39938	R512-31	AMD	01/07/2016	2015-23/33	
	40151	R512-43	5YR	01/25/2016	2016-4/79	
	40194	R512-60	5YR	02/08/2016	2016-5/27	
	39905	R512-100	AMD	01/07/2016	2015-22/65	
	39939	R512-301	AMD	01/07/2016	2015-23/35	
	39955	R512-305	AMD	01/21/2016	2015-24/44	
	39956	R512-309	AMD	01/21/2016	2015-24/46	
	39940	R512-310	AMD	01/07/2016	2015-23/38	

RULES INDEX

---

<u>children's account</u>						
Human Services, Child and Family Services	40194	R512-60	5YR	02/08/2016	2016-5/27	
<u>CHIP</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	40181	R414-320	5YR	02/01/2016	2016-4/78	
<u>chiropractic physician</u>						
Commerce, Occupational and Professional Licensing	40208	R156-73	5YR	02/11/2016	2016-5/25	
<u>chiropractors</u>						
Commerce, Occupational and Professional Licensing	40208	R156-73	5YR	02/11/2016	2016-5/25	
<u>citation monitoring service</u>						
Public Safety, Driver License	40147	R708-44	5YR	01/19/2016	2016-4/85	
<u>Class I area</u>						
Environmental Quality, Air Quality	39846	R307-405-3	AMD	02/04/2016	2015-21/48	
<u>clinical mental health counselor</u>						
Commerce, Occupational and Professional Licensing	39911	R156-60c	AMD	01/07/2016	2015-23/14	
<u>closing gifts</u>						
Commerce, Real Estate	40041	R162-2f	AMD	02/23/2016	2016-2/11	
<u>collateral</u>						
Money Management Council, Administration	40228	R628-13	5YR	02/26/2016	Not Printed	
<u>college</u>						
Navajo Trust Fund, Trustees	40024	R661-6	NEW	02/29/2016	2016-2/110	
<u>communicable diseases</u>						
Health, Disease Control and Prevention, Epidemiology	39952	R386-702	AMD	02/11/2016	2015-24/17	
Human Services, Administration	40050	R495-862	5YR	01/04/2016	2016-3/512	
<u>community needs</u>						
Navajo Trust Fund, Trustees	40022	R661-4	NEW	02/29/2016	2016-2/107	
<u>concrete</u>						
Environmental Quality, Air Quality	39844	R307-312-5	AMD	02/04/2016	2015-21/46	
<u>contamination</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40003	R313-15	NSC	01/15/2016	Not Printed	
<u>continuing professional education</u>						
Commerce, Occupational and Professional Licensing	39982	R156-26a	AMD	02/11/2016	2016-1/4	
<u>contract requirements</u>						
Administrative Services, Facilities Construction and Management	40044	R23-23	NSC	01/15/2016	Not Printed	
<u>contractors</u>						
Administrative Services, Facilities Construction and Management	40044	R23-23	NSC	01/15/2016	Not Printed	
<u>contracts</u>						
Administrative Services, Facilities Construction and Management	40044	R23-23	NSC	01/15/2016	Not Printed	
Administrative Services, Purchasing and General Services	40047	R33-12-502	AMD	02/23/2016	2016-2/7	
Capitol Preservation Board (State), Administration	40092	R131-4	5YR	01/11/2016	2016-3/507	
<u>controlled substance database</u>						
Commerce, Occupational and Professional Licensing	39923	R156-37f	AMD	01/07/2016	2015-23/7	



<u>cooperative wildlife management unit</u> Natural Resources, Wildlife Resources	39977	R657-37	AMD	02/08/2016	2016-1/68
<u>copying processes</u> Health, Center for Health Data, Vital Records and Statistics	39817	R436-13	AMD	02/17/2016	2015-21/88
<u>cost sharing agreement</u> Public Safety, Administration	40001	R698-8	NEW	02/24/2016	2016-2/117
<u>costs</u> Administrative Services, Purchasing and General Services	40047	R33-12-502	AMD	02/23/2016	2016-2/7
<u>counselors</u> Commerce, Occupational and Professional Licensing	39911	R156-60c	AMD	01/07/2016	2015-23/14
<u>criminal background checks</u> Education, Rehabilitation	40101	R280-204	5YR	01/14/2016	2016-3/510
<u>cultural sites</u> Heritage and Arts, History	40186	R455-9	5YR	02/02/2016	2016-5/27
<u>dam safety</u> Natural Resources, Water Rights	40166 40168	R655-10 R655-12	5YR 5YR	01/29/2016 01/29/2016	2016-4/80 2016-4/81
<u>dams</u> Natural Resources, Water Rights	40166 40167 40168	R655-10 R655-11 R655-12	5YR 5YR 5YR	01/29/2016 01/29/2016 01/29/2016	2016-4/80 2016-4/81 2016-4/81
<u>decommissioning</u> Environmental Quality, Waste Management and Radiation Control, Radiation	40009	R313-22	NSC	01/15/2016	Not Printed
<u>definitions</u> Navajo Trust Fund, Trustees School and Institutional Trust Lands, Administration	40020 39962	R661-2 R850-1	NEW AMD	02/29/2016 01/21/2016	2016-2/104 2015-24/48
<u>dental hygienists</u> Commerce, Occupational and Professional Licensing	40150	R156-69	5YR	01/21/2016	2016-4/77
<u>dentists</u> Commerce, Occupational and Professional Licensing	40150	R156-69	5YR	01/21/2016	2016-4/77
<u>developmentally disabled</u> Agriculture and Food, Administration	40235	R51-4	5YR	02/29/2016	Not Printed
<u>Dine' Advisory Committee</u> Navajo Trust Fund, Trustees	40019 40020	R661-1 R661-2	NEW NEW	02/29/2016 02/29/2016	2016-2/103 2016-2/104
<u>disciplinary presumptions</u> Education, Administration	39837	R277-207	NEW	01/11/2016	2015-21/17
<u>disclosure requirements</u> Natural Resources, Geological Survey	40214	R638-1	5YR	02/17/2016	Not Printed
<u>discrimination</u> Agriculture and Food, Administration	40235	R51-4	5YR	02/29/2016	Not Printed
<u>domestic violence</u> Human Services, Child and Family Services	40152 39939	R512-205 R512-301	5YR AMD	01/25/2016 01/07/2016	2016-4/79 2015-23/35

RULES INDEX

---

<u>driver address record</u>						
Public Safety, Driver License	40145	R708-42	5YR	01/19/2016	2016-4/84	
<u>driver education</u>						
Public Safety, Driver License	40141	R708-18	5YR	01/19/2016	2016-4/82	
<u>driver license</u>						
Public Safety, Driver License	40147	R708-44	5YR	01/19/2016	2016-4/85	
<u>driver license verification</u>						
Public Safety, Driver License	40146	R708-43	5YR	01/19/2016	2016-4/84	
<u>due process</u>						
Human Services, Child and Family Services	39938	R512-31	AMD	01/07/2016	2015-23/33	
<u>earthquakes</u>						
Natural Resources, Water Rights	40167	R655-11	5YR	01/29/2016	2016-4/81	
<u>educators</u>						
Education, Administration	39837	R277-207	NEW	01/11/2016	2015-21/17	
	40099	R277-510	5YR	01/14/2016	2016-3/510	
<u>effluent standards</u>						
Environmental Quality, Water Quality	39981	R317-1-3	AMD	02/25/2016	2016-1/40	
<u>eggs</u>						
Agriculture and Food, Regulatory Services	40149	R70-410	5YR	01/20/2016	2016-4/77	
<u>electrical wiring</u>						
Navajo Trust Fund, Trustees	40026	R661-8	NEW	02/29/2016	2016-2/115	
<u>electronic prescribing</u>						
Commerce, Occupational and Professional Licensing	39980	R156-82-201	AMD	02/08/2016	2016-1/12	
<u>eligible purchases</u>						
Navajo Trust Fund, Trustees	40025	R661-7	NEW	02/29/2016	2016-2/113	
<u>emancipation</u>						
Human Services, Recovery Services	40054	R527-250	5YR	01/05/2016	2016-3/513	
<u>emission fees</u>						
Environmental Quality, Air Quality	39847	R307-415-3	AMD	02/04/2016	2015-21/50	
<u>employment tests</u>						
Workforce Services, Unemployment Insurance	40045	R994-205-106	AMD	02/24/2016	2016-2/120	
<u>endowment fund</u>						
Navajo Trust Fund, Trustees	40024	R661-6	NEW	02/29/2016	2016-2/110	
<u>exemptions to wildland suppression fund</u>						
Natural Resources, Forestry, Fire and State Lands	40132	R652-123	5YR	01/14/2016	2016-3/531	
<u>exhibitions</u>						
Agriculture and Food, Marketing and Development	40233	R65-8	5YR	02/29/2016	Not Printed	
<u>fairs</u>						
Fair Corporation (Utah State), Administration	40220	R325-1	5YR	02/23/2016	Not Printed	
	40221	R325-2	5YR	02/23/2016	Not Printed	
	40222	R325-3	5YR	02/23/2016	Not Printed	
	40223	R325-4	5YR	02/23/2016	Not Printed	
	40224	R325-5	5YR	02/23/2016	Not Printed	
<u>family employment program</u>						
Workforce Services, Employment Development	39944	R986-200	AMD	02/24/2016	2015-23/52	

<u>fees</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40011	R313-70	NSC	01/15/2016	Not Printed	
Natural Resources, Parks and Recreation	40065	R651-611	5YR	01/07/2016	2016-3/527	
Public Safety, Driver License	40141	R708-18	5YR	01/19/2016	2016-4/82	
<u>finance</u>						
Housing Corporation (Utah), Administration	40013	R460-1	NSC	01/15/2016	Not Printed	
	40014	R460-4	NSC	01/15/2016	Not Printed	
	40015	R460-5	NSC	01/15/2016	Not Printed	
	40016	R460-6	NSC	01/15/2016	Not Printed	
	40017	R460-8	NSC	01/15/2016	Not Printed	
<u>financial institutions</u>						
Financial Institutions, Administration	40139	R331-26	5YR	01/15/2016	2016-3/511	
Money Management Council, Administration	40227	R628-12	5YR	02/26/2016	Not Printed	
	40228	R628-13	5YR	02/26/2016	Not Printed	
<u>fingerprinting</u>						
Human Services, Administration, Administrative Services, Licensing	39913	R501-14	R&R	01/13/2016	2015-23/24	
<u>floods</u>						
Natural Resources, Water Rights	40167	R655-11	5YR	01/29/2016	2016-4/81	
<u>food</u>						
Agriculture and Food, Regulatory Services	39950	R70-530	AMD	02/02/2016	2015-24/12	
<u>food inspections</u>						
Agriculture and Food, Plant Industry	40201	R68-4	5YR	02/08/2016	2016-5/23	
Agriculture and Food, Regulatory Services	40149	R70-410	5YR	01/20/2016	2016-4/77	
<u>foster care</u>						
Human Services, Child and Family Services	39938	R512-31	AMD	01/07/2016	2015-23/33	
	40151	R512-43	5YR	01/25/2016	2016-4/79	
	39956	R512-309	AMD	01/21/2016	2015-24/46	
	39940	R512-310	AMD	01/07/2016	2015-23/38	
<u>freedom of information</u>						
Agriculture and Food, Administration	40234	R51-3	5YR	02/29/2016	Not Printed	
<u>game laws</u>						
Natural Resources, Wildlife Resources	39976	R657-5	AMD	02/08/2016	2016-1/60	
<u>gasoline transport</u>						
Environmental Quality, Air Quality	39845	R307-328-4	AMD	02/04/2016	2015-21/47	
<u>general licenses</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40008	R313-21	NSC	01/15/2016	Not Printed	
<u>government documents</u>						
Agriculture and Food, Administration	40234	R51-3	5YR	02/29/2016	Not Printed	
<u>government hearings</u>						
Commerce, Occupational and Professional Licensing	40052	R156-46b	5YR	01/05/2016	2016-3/509	
<u>government purchasing</u>						
Administrative Services, Purchasing and General Services	40048	R33-6-114	AMD	02/23/2016	2016-2/6	
School and Institutional Trust Lands, Administration	39961	R850-11	AMD	01/21/2016	2015-24/50	
<u>graduation requirements</u>						
Education, Administration	39936	R277-705	AMD	01/07/2016	2015-23/17	

RULES INDEX

---

<u>grants</u>						
Health, Family Health and Preparedness, Primary Care and Rural Health	40240	R434-50	5YR	03/01/2016	Not Printed	
<u>greenhouse gases</u>						
Environmental Quality, Air Quality	39846	R307-405-3	AMD	02/04/2016	2015-21/48	
	39847	R307-415-3	AMD	02/04/2016	2015-21/50	
<u>grievances</u>						
Agriculture and Food, Administration	40235	R51-4	5YR	02/29/2016	Not Printed	
<u>health care facilities</u>						
Health, Family Health and Preparedness, Licensing	39963	R432-100	AMD	02/10/2016	2015-24/29	
	39966	R432-270	AMD	01/28/2016	2015-24/41	
<u>health insurance</u>						
Administrative Services, Facilities Construction and Management	40044	R23-23	NSC	01/15/2016	Not Printed	
<u>health insurance open enrollment</u>						
Insurance, Administration	40154	R590-259	5YR	01/25/2016	2016-4/80	
<u>high school credit</u>						
Education, Administration	39936	R277-705	AMD	01/07/2016	2015-23/17	
<u>highly qualified</u>						
Education, Administration	40099	R277-510	5YR	01/14/2016	2016-3/510	
<u>highways</u>						
Transportation, Program Development	40204	R926-9	EXT	02/09/2016	2016-5/30	
<u>historic preservation</u>						
Heritage and Arts, History	40186	R455-9	5YR	02/02/2016	2016-5/27	
<u>historic sites</u>						
Heritage and Arts, History	40187	R455-6	5YR	02/02/2016	2016-5/26	
<u>horse racing</u>						
Agriculture and Food, Horse Racing Commission (Utah)	39951	R52-7	AMD	02/02/2016	2015-24/4	
<u>horses</u>						
Agriculture and Food, Horse Racing Commission (Utah)	39951	R52-7	AMD	02/02/2016	2015-24/4	
<u>HOT Lanes</u>						
Transportation Commission, Administration	40205	R940-1	EXT	02/09/2016	2016-5/30	
<u>hourly child care centers</u>						
Health, Child Care Center Licensing Committee	39902	R381-60	AMD	01/31/2016	2015-22/34	
<u>housing</u>						
Housing Corporation (Utah), Administration	40013	R460-1	NSC	01/15/2016	Not Printed	
	40014	R460-4	NSC	01/15/2016	Not Printed	
	40015	R460-5	NSC	01/15/2016	Not Printed	
	40016	R460-6	NSC	01/15/2016	Not Printed	
	40017	R460-8	NSC	01/15/2016	Not Printed	
Navajo Trust Fund, Trustees	40025	R661-7	NEW	02/29/2016	2016-2/113	
<u>improvements</u>						
Education, Administration	39789	R277-920	NEW	02/08/2016	2015-20/70	
<u>Indian affairs</u>						
Heritage and Arts, Indian Affairs	40137	R456-1	5YR	01/14/2016	2016-3/511	
<u>inducement gifts</u>						
Commerce, Real Estate	40041	R162-2f	AMD	02/23/2016	2016-2/11	

<u>inspections</u>					
Agriculture and Food, Plant Industry	40232	R68-7	5YR	02/29/2016	Not Printed
Agriculture and Food, Regulatory Services	39950	R70-530	AMD	02/02/2016	2015-24/12
Environmental Quality, Waste Management and Radiation Control, Radiation	40004	R313-16-230	NSC	01/15/2016	Not Printed
	40007	R313-18-11	NSC	01/15/2016	Not Printed
<u>insurance</u>					
Insurance, Administration	40236	R590-144	5YR	02/29/2016	Not Printed
	39945	R590-154	AMD	01/15/2016	2015-23/40
	40237	R590-177	5YR	02/29/2016	Not Printed
<u>insurance law</u>					
Insurance, Administration	39998	R590-164-6	AMD	02/23/2016	2016-2/97
	40238	R590-200	5YR	02/29/2016	Not Printed
<u>intoxilyzer</u>					
Public Safety, Highway Patrol	39850	R714-500	AMD	01/21/2016	2015-22/144
<u>investigations</u>					
Public Safety, Peace Officer Standards and Training	40165	R728-409-14	NSC	02/17/2016	Not Printed
<u>IT bid committee</u>					
Technology Services, Administration	40030	R895-5	AMD	02/23/2016	2016-2/118
<u>IT standards</u>					
Technology Services, Administration	40030	R895-5	AMD	02/23/2016	2016-2/118
<u>jail reimbursement</u>					
Governor, Criminal and Juvenile Justice (State Commission on)	39964	R356-1	AMD	02/10/2016	2015-24/14
<u>land exchanges</u>					
Natural Resources, Forestry, Fire and State Lands	40135	R652-80	5YR	01/14/2016	2016-3/531
<u>leaders</u>					
Education, Administration	39789	R277-920	NEW	02/08/2016	2015-20/70
<u>liability</u>					
Administrative Services, Finance	39943	R25-15	NEW	01/13/2016	2015-23/6
<u>licensed family child care</u>					
Health, Family Health and Preparedness, Child Care Licensing	39895	R430-90	AMD	01/31/2016	2015-22/57
<u>licensing</u>					
Commerce, Occupational and Professional Licensing	40058	R156-3a	5YR	01/07/2016	2016-3/507
	40071	R156-9a	5YR	01/07/2016	2016-3/508
	39982	R156-26a	AMD	02/11/2016	2016-1/4
	39923	R156-37f	AMD	01/07/2016	2015-23/7
	40131	R156-55c	NSC	02/02/2016	Not Printed
	39924	R156-60b-102	AMD	01/07/2016	2015-23/12
	39911	R156-60c	AMD	01/07/2016	2015-23/14
	40055	R156-60d	5YR	01/05/2016	2016-3/509
	40196	R156-67	5YR	02/08/2016	2016-5/24
	40150	R156-69	5YR	01/21/2016	2016-4/77
	40208	R156-73	5YR	02/11/2016	2016-5/25
	39912	R156-78-102	AMD	01/07/2016	2015-23/16
	39980	R156-82-201	AMD	02/08/2016	2016-1/12
Environmental Quality, Waste Management and Radiation Control, Radiation	40007	R313-18-11	NSC	01/15/2016	Not Printed
Human Services, Administration, Administrative Services, Licensing	39913	R501-14	R&R	01/13/2016	2015-23/24
Public Safety, Driver License	40141	R708-18	5YR	01/19/2016	2016-4/82

RULES INDEX

---

<u>life jackets</u>						
Natural Resources, Parks and Recreation	40078	R651-219	5YR	01/07/2016	2016-3/523	
<u>line-of-duty death</u>						
Public Safety, Administration	40001	R698-8	NEW	02/24/2016	2016-2/117	
<u>livestock</u>						
Agriculture and Food, Marketing and Development	40233	R65-8	5YR	02/29/2016	Not Printed	
<u>management</u>						
Natural Resources, Forestry, Fire and State Lands	40136	R652-41	5YR	01/14/2016	2016-3/530	
<u>marriage and family therapist</u>						
Commerce, Occupational and Professional Licensing	39924	R156-60b-102	AMD	01/07/2016	2015-23/12	
<u>Medicaid</u>						
Health, Health Care Financing	39983	R410-14	R&R	02/10/2016	2016-1/43	
Health, Health Care Financing, Coverage and Reimbursement Policy	40181	R414-320	5YR	02/01/2016	2016-4/78	
	39914	R414-512	NEW	01/11/2016	2015-23/20	
<u>mental health</u>						
Commerce, Occupational and Professional Licensing	39911	R156-60c	AMD	01/07/2016	2015-23/14	
<u>migratory birds</u>						
Natural Resources, Wildlife Resources	39978	R657-9	AMD	02/08/2016	2016-1/66	
<u>misleading names</u>						
Insurance, Administration	39945	R590-154	AMD	01/15/2016	2015-23/40	
<u>motor vehicle record</u>						
Public Safety, Driver License	40147	R708-44	5YR	01/19/2016	2016-4/85	
<u>motor vehicle safety</u>						
Public Safety, Highway Patrol	40197	R714-160	EXT	02/08/2016	2016-5/29	
	40198	R714-161	EXT	02/08/2016	2016-5/29	
	40199	R714-162	EXT	02/08/2016	2016-5/29	
<u>motor vehicles</u>						
Public Safety, Driver License	40143	R708-20	5YR	01/19/2016	2016-4/83	
<u>motorboat noise</u>						
Natural Resources, Parks and Recreation	40081	R651-222	5YR	01/07/2016	2016-3/524	
<u>multiple stage bidding</u>						
Administrative Services, Purchasing and General Services	40048	R33-6-114	AMD	02/23/2016	2016-2/6	
<u>national register</u>						
Heritage and Arts, History	40187	R455-6	5YR	02/02/2016	2016-5/26	
<u>Native American remains</u>						
Heritage and Arts, Indian Affairs	40137	R456-1	5YR	01/14/2016	2016-3/511	
<u>natural resources</u>						
Natural Resources, Forestry, Fire and State Lands	40136	R652-41	5YR	01/14/2016	2016-3/530	
<u>nonattainment</u>						
Environmental Quality, Air Quality	40193	R307-403-2	NSC	02/25/2016	Not Printed	
<u>noxious weeds</u>						
Agriculture and Food, Plant Industry	39965	R68-9	AMD	02/02/2016	2015-24/8	
<u>nuclear medicine</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40010	R313-32-2	NSC	01/15/2016	Not Printed	

<u>nutrient limits</u>						
Environmental Quality, Water Quality	39981	R317-1-3	AMD	02/25/2016	2016-1/40	
<u>occupational licensing</u>						
Commerce, Occupational and Professional Licensing	40052	R156-46b	5YR	01/05/2016	2016-3/509	
	40131	R156-55c	NSC	02/02/2016	Not Printed	
<u>off-highway vehicles</u>						
Natural Resources, Parks and Recreation	40087	R651-401	5YR	01/07/2016	2016-3/526	
	40088	R651-405	5YR	01/07/2016	2016-3/526	
	40089	R651-406	5YR	01/07/2016	2016-3/527	
<u>offset</u>						
Environmental Quality, Air Quality	40193	R307-403-2	NSC	02/25/2016	Not Printed	
<u>operating permit</u>						
Environmental Quality, Air Quality	39847	R307-415-3	AMD	02/04/2016	2015-21/50	
<u>operator certification</u>						
Public Safety, Highway Patrol	39850	R714-500	AMD	01/21/2016	2015-22/144	
<u>out of school time child care programs</u>						
Health, Child Care Center Licensing Committee	39898	R381-70	AMD	01/31/2016	2015-22/40	
<u>out-of-home care</u>						
Human Services, Child and Family Services	39955	R512-305	AMD	01/21/2016	2015-24/44	
<u>ozone</u>						
Environmental Quality, Air Quality	39849	R307-110-28	AMD	02/04/2016	2015-21/45	
	39845	R307-328-4	AMD	02/04/2016	2015-21/47	
<u>parades</u>						
Transportation, Operations, Traffic and Safety	39941	R920-4	AMD	01/07/2016	2015-23/46	
<u>parks</u>						
Natural Resources, Parks and Recreation	40059	R651-201	5YR	01/07/2016	2016-3/513	
	40063	R651-205	5YR	01/07/2016	2016-3/515	
	40064	R651-206	5YR	01/07/2016	2016-3/516	
	40091	R651-206	NSC	02/02/2016	Not Printed	
	40074	R651-215	5YR	01/07/2016	2016-3/520	
	40076	R651-217	5YR	01/07/2016	2016-3/522	
	40078	R651-219	5YR	01/07/2016	2016-3/523	
	40080	R651-221	5YR	01/07/2016	2016-3/524	
	40065	R651-611	5YR	01/07/2016	2016-3/527	
<u>PCN</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	40181	R414-320	5YR	02/01/2016	2016-4/78	
<u>peer review</u>						
Commerce, Occupational and Professional Licensing	39982	R156-26a	AMD	02/11/2016	2016-1/4	
<u>per diem allowances</u>						
Administrative Services, Finance	40042	R25-7-10	AMD	02/23/2016	2016-2/4	
<u>permits</u>						
Natural Resources, Wildlife Resources	40231	R657-63	5YR	02/29/2016	Not Printed	
Transportation, Operations, Traffic and Safety	39941	R920-4	AMD	01/07/2016	2015-23/46	
<u>pesticides</u>						
Agriculture and Food, Plant Industry	40232	R68-7	5YR	02/29/2016	Not Printed	
<u>physicians</u>						
Commerce, Occupational and Professional Licensing	40196	R156-67	5YR	02/08/2016	2016-5/24	
<u>plant disease</u>						
Agriculture and Food, Plant Industry	40200	R68-18	5YR	02/08/2016	2016-5/23	

RULES INDEX

---

<u>plumbers</u>						
Commerce, Occupational and Professional Licensing	40131	R156-55c	NSC	02/02/2016	Not Printed	
<u>plumbing</u>						
Commerce, Occupational and Professional Licensing	40131	R156-55c	NSC	02/02/2016	Not Printed	
<u>PM10</u>						
Environmental Quality, Air Quality	39849	R307-110-28	AMD	02/04/2016	2015-21/45	
<u>PM2.5</u>						
Environmental Quality, Air Quality	39849	R307-110-28	AMD	02/04/2016	2015-21/45	
<u>power lines</u>						
Navajo Trust Fund, Trustees	40026	R661-8	NEW	02/29/2016	2016-2/115	
<u>principals</u>						
Education, Administration	39997	R277-920-3	AMD	02/08/2016	2016-1/20	
<u>procurement</u>						
Capitol Preservation Board (State), Administration	40092	R131-4	5YR	01/11/2016	2016-3/507	
<u>PSD</u>						
Environmental Quality, Air Quality	39846	R307-405-3	AMD	02/04/2016	2015-21/48	
<u>public buildings</u>						
Capitol Preservation Board (State), Administration	40092	R131-4	5YR	01/11/2016	2016-3/507	
<u>public health</u>						
Regents (Board Of), University of Utah, Administration	40153	R805-5	5YR	01/25/2016	2016-4/85	
<u>public health emergency</u>						
Health, Administration	39879	R380-60	AMD	01/20/2016	2015-22/32	
<u>public investments</u>						
Money Management Council, Administration	40227	R628-12	5YR	02/26/2016	Not Printed	
	40228	R628-13	5YR	02/26/2016	Not Printed	
	40229	R628-16	5YR	02/26/2016	Not Printed	
<u>public records</u>						
Agriculture and Food, Administration	40234	R51-3	5YR	02/29/2016	Not Printed	
<u>quarantines</u>						
Health, Disease Control and Prevention, Epidemiology	39952	R386-702	AMD	02/11/2016	2015-24/17	
<u>rabies</u>						
Health, Disease Control and Prevention, Epidemiology	39952	R386-702	AMD	02/11/2016	2015-24/17	
<u>radiation safety</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40007	R313-18-11	NSC	01/15/2016	Not Printed	
<u>radioactive materials</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40003	R313-15	NSC	01/15/2016	Not Printed	
	40007	R313-18-11	NSC	01/15/2016	Not Printed	
	40008	R313-21	NSC	01/15/2016	Not Printed	
	40009	R313-22	NSC	01/15/2016	Not Printed	
	40010	R313-32-2	NSC	01/15/2016	Not Printed	
	40011	R313-70	NSC	01/15/2016	Not Printed	
<u>radiopharmaceutical</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40010	R313-32-2	NSC	01/15/2016	Not Printed	



<u>range management</u>						
School and Institutional Trust Lands, Administration	39960	R850-50	AMD	01/21/2016	2015-24/52	
	40184	R850-50	NSC	02/17/2016	Not Printed	
<u>real estate</u>						
Financial Institutions, Administration	40139	R331-26	5YR	01/15/2016	2016-3/511	
<u>real estate auction</u>						
Commerce, Real Estate	40041	R162-2f	AMD	02/23/2016	2016-2/11	
<u>real estate investing</u>						
Financial Institutions, Administration	40139	R331-26	5YR	01/15/2016	2016-3/511	
<u>registration</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40011	R313-70	NSC	01/15/2016	Not Printed	
<u>relinquishments</u>						
Public Safety, Peace Officer Standards and Training	40165	R728-409-14	NSC	02/17/2016	Not Printed	
<u>reservoirs</u>						
Natural Resources, Water Rights	40166	R655-10	5YR	01/29/2016	2016-4/80	
	40167	R655-11	5YR	01/29/2016	2016-4/81	
	40168	R655-12	5YR	01/29/2016	2016-4/81	
<u>residency</u>						
Navajo Trust Fund, Trustees	40021	R661-3	NEW	02/29/2016	2016-2/105	
<u>residential certification</u>						
Health, Family Health and Preparedness, Child Care Licensing	39897	R430-50	AMD	01/31/2016	2015-22/52	
<u>reverse auction</u>						
Administrative Services, Purchasing and General Services	40048	R33-6-114	AMD	02/23/2016	2016-2/6	
<u>revocations</u>						
Public Safety, Peace Officer Standards and Training	40165	R728-409-14	NSC	02/17/2016	Not Printed	
<u>right to petition</u>						
Natural Resources, Forestry, Fire and State Lands	40133	R652-9	5YR	01/14/2016	2016-3/530	
<u>right-of-way</u>						
Transportation, Preconstruction	39988	R930-7	AMD	02/23/2016	2016-1/77	
<u>road races</u>						
Transportation, Operations, Traffic and Safety	39941	R920-4	AMD	01/07/2016	2015-23/46	
<u>rules and procedures</u>						
Fair Corporation (Utah State), Administration	40220	R325-1	5YR	02/23/2016	Not Printed	
	40221	R325-2	5YR	02/23/2016	Not Printed	
	40222	R325-3	5YR	02/23/2016	Not Printed	
	40223	R325-4	5YR	02/23/2016	Not Printed	
	40224	R325-5	5YR	02/23/2016	Not Printed	
Health, Disease Control and Prevention, Epidemiology	39952	R386-702	AMD	02/11/2016	2015-24/17	
Natural Resources, Forestry, Fire and State Lands	40138	R652-2	5YR	01/14/2016	2016-3/529	
<u>safety</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40003	R313-15	NSC	01/15/2016	Not Printed	
<u>safety inspection manual</u>						
Public Safety, Highway Patrol	40197	R714-160	EXT	02/08/2016	2016-5/29	
	40198	R714-161	EXT	02/08/2016	2016-5/29	
	40199	R714-162	EXT	02/08/2016	2016-5/29	

RULES INDEX

---

<u>safety regulations</u>						
Transportation, Motor Carrier	39953	R909-19	AMD	01/21/2016	2015-24/58	
<u>San Juan County</u>						
Navajo Trust Fund, Trustees	40021	R661-3	NEW	02/29/2016	2016-2/105	
<u>scholarships</u>						
Navajo Trust Fund, Trustees	40024	R661-6	NEW	02/29/2016	2016-2/110	
<u>school grading accountability</u>						
Education, Administration	39984	R277-497	AMD	02/08/2016	2016-1/13	
<u>school improvement</u>						
Education, Administration	39997	R277-920-3	AMD	02/08/2016	2016-1/20	
<u>school leaders</u>						
Education, Administration	39997	R277-920-3	AMD	02/08/2016	2016-1/20	
<u>school reports</u>						
Education, Administration	39984	R277-497	AMD	02/08/2016	2016-1/13	
<u>schools</u>						
Education, Administration	39789	R277-920	NEW	02/08/2016	2015-20/70	
<u>sealed bidding</u>						
Administrative Services, Purchasing and General Services	40048	R33-6-114	AMD	02/23/2016	2016-2/6	
<u>securities regulation</u>						
Money Management Council, Administration	40229	R628-16	5YR	02/26/2016	Not Printed	
<u>self insurance plans</u>						
Public Safety, Driver License	40142	R708-19	5YR	01/19/2016	2016-4/82	
<u>smoke</u>						
Regents (Board Of), University of Utah, Administration	40153	R805-5	5YR	01/25/2016	2016-4/85	
<u>smoking</u>						
Regents (Board Of), University of Utah, Administration	40153	R805-5	5YR	01/25/2016	2016-4/85	
<u>social services</u>						
Human Services, Administration	40050	R495-862	5YR	01/04/2016	2016-3/512	
Human Services, Child and Family Services	39939	R512-301	AMD	01/07/2016	2015-23/35	
	39955	R512-305	AMD	01/21/2016	2015-24/44	
<u>source materials</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40008	R313-21	NSC	01/15/2016	Not Printed	
<u>special events</u>						
Transportation, Operations, Traffic and Safety	39941	R920-4	AMD	01/07/2016	2015-23/46	
<u>specific licenses</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40009	R313-22	NSC	01/15/2016	Not Printed	
<u>standards</u>						
Health, Center for Health Data, Vital Records and Statistics	39817	R436-13	AMD	02/17/2016	2015-21/88	
<u>state employees</u>						
Administrative Services, Finance	40042	R25-7-10	AMD	02/23/2016	2016-2/4	
	39943	R25-15	NEW	01/13/2016	2015-23/6	

<u>state lands</u>						
Heritage and Arts, Indian Affairs	40137	R456-1	5YR	01/14/2016	2016-3/511	
<u>state parole inmates</u>						
Governor, Criminal and Juvenile Justice (State Commission on)	39964	R356-1	AMD	02/10/2016	2015-24/14	
<u>state probationary inmates</u>						
Governor, Criminal and Juvenile Justice (State Commission on)	39964	R356-1	AMD	02/10/2016	2015-24/14	
<u>state register</u>						
Heritage and Arts, History	40187	R455-6	5YR	02/02/2016	2016-5/26	
<u>statewide online education program</u>						
Education, Administration	39996	R277-726	AMD	02/08/2016	2016-1/15	
<u>stock brokers</u>						
Money Management Council, Administration	40229	R628-16	5YR	02/26/2016	Not Printed	
<u>student achievement</u>						
Education, Administration	40097	R277-404	NSC	02/02/2016	Not Printed	
<u>substance use disorder counselors</u>						
Commerce, Occupational and Professional Licensing	40055	R156-60d	5YR	01/05/2016	2016-3/509	
<u>surviving spouse trust fund</u>						
Public Safety, Administration	40001	R698-8	NEW	02/24/2016	2016-2/117	
<u>technology best practices</u>						
Technology Services, Administration	40030	R895-5	AMD	02/23/2016	2016-2/118	
<u>technology purchases</u>						
Technology Services, Administration	40030	R895-5	AMD	02/23/2016	2016-2/118	
<u>terms and conditions</u>						
Administrative Services, Purchasing and General Services	40047	R33-12-502	AMD	02/23/2016	2016-2/7	
<u>therapists</u>						
Commerce, Occupational and Professional Licensing	39924	R156-60b-102	AMD	01/07/2016	2015-23/12	
<u>tolls</u>						
Transportation, Program Development	40204	R926-9	EXT	02/09/2016	2016-5/30	
Transportation Commission, Administration	40205	R940-1	EXT	02/09/2016	2016-5/30	
<u>tollways</u>						
Transportation, Program Development	40204	R926-9	EXT	02/09/2016	2016-5/30	
Transportation Commission, Administration	40205	R940-1	EXT	02/09/2016	2016-5/30	
<u>tow trucks</u>						
Transportation, Motor Carrier	39953	R909-19	AMD	01/21/2016	2015-24/58	
<u>towing</u>						
Transportation, Motor Carrier	39953	R909-19	AMD	01/21/2016	2015-24/58	
<u>traffic regulations</u>						
Public Safety, Driver License	40095	R708-16	EXT	01/11/2016	2016-3/533	
<u>Transition to Adult Living</u>						
Human Services, Child and Family Services	39955	R512-305	AMD	01/21/2016	2015-24/44	
<u>transportation</u>						
Administrative Services, Finance	40042	R25-7-10	AMD	02/23/2016	2016-2/4	
Transportation, Program Development	40204	R926-9	EXT	02/09/2016	2016-5/30	
Transportation Commission, Administration	40205	R940-1	EXT	02/09/2016	2016-5/30	

RULES INDEX

---

<u>trust fund</u>						
Administrative Services, Finance	39943	R25-15	NEW	01/13/2016	2015-23/6	
<u>trustees</u>						
Money Management Council, Administration	40228	R628-13	5YR	02/26/2016	Not Printed	
<u>unemployment compensation</u>						
Workforce Services, Unemployment Insurance	40045	R994-205-106	AMD	02/24/2016	2016-2/120	
<u>unfair marketing practices</u>						
Insurance, Administration	39945	R590-154	AMD	01/15/2016	2015-23/40	
<u>UPP</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	40181	R414-320	5YR	02/01/2016	2016-4/78	
<u>Utah Navajo Trust Fund (UNTF)</u>						
Navajo Trust Fund, Trustees	40019	R661-1	NEW	02/29/2016	2016-2/103	
	40020	R661-2	NEW	02/29/2016	2016-2/104	
	40021	R661-3	NEW	02/29/2016	2016-2/105	
	40022	R661-4	NEW	02/29/2016	2016-2/107	
	40023	R661-5	NEW	02/29/2016	2016-2/109	
	40024	R661-6	NEW	02/29/2016	2016-2/110	
	40025	R661-7	NEW	02/29/2016	2016-2/113	
	40026	R661-8	NEW	02/29/2016	2016-2/115	
<u>utilities</u>						
Transportation, Preconstruction	39988	R930-7	AMD	02/23/2016	2016-1/77	
<u>utility accommodation</u>						
Transportation, Preconstruction	39988	R930-7	AMD	02/23/2016	2016-1/77	
<u>vital statistics</u>						
Health, Center for Health Data, Vital Records and Statistics	39817	R436-13	AMD	02/17/2016	2015-21/88	
<u>vocational rehabilitation counselor</u>						
Commerce, Occupational and Professional Licensing	39912	R156-78-102	AMD	01/07/2016	2015-23/16	
<u>waste disposal</u>						
Environmental Quality, Waste Management and Radiation Control, Radiation	40003	R313-15	NSC	01/15/2016	Not Printed	
Environmental Quality, Water Quality	39981	R317-1-3	AMD	02/25/2016	2016-1/40	
<u>water pollution</u>						
Environmental Quality, Water Quality	39981	R317-1-3	AMD	02/25/2016	2016-1/40	
<u>water safety rules</u>						
Natural Resources, Parks and Recreation	40085	R651-801	5YR	01/07/2016	2016-3/528	
	40086	R651-802	5YR	01/07/2016	2016-3/528	
<u>water skiing</u>						
Natural Resources, Parks and Recreation	40082	R651-224	5YR	01/07/2016	2016-3/525	
<u>waterfowl</u>						
Natural Resources, Wildlife Resources	39978	R657-9	AMD	02/08/2016	2016-1/66	
<u>weed classifications</u>						
Agriculture and Food, Plant Industry	39965	R68-9	AMD	02/02/2016	2015-24/8	
<u>weed control</u>						
Agriculture and Food, Plant Industry	39965	R68-9	AMD	02/02/2016	2015-24/8	
<u>wildlife</u>						
Natural Resources, Wildlife Resources	39976	R657-5	AMD	02/08/2016	2016-1/60	
	39978	R657-9	AMD	02/08/2016	2016-1/66	
	39977	R657-37	AMD	02/08/2016	2016-1/68	

	40231	R657-63	5YR	02/29/2016	Not Printed
<u>x-rays</u>					
Environmental Quality, Waste Management and Radiation Control, Radiation	40004	R313-16-230	NSC	01/15/2016	Not Printed
	40011	R313-70	NSC	01/15/2016	Not Printed