

# UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
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Nancy L. Lancaster, Managing Editor

The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah state government. The Office 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 <https://rules.utah.gov/>. 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: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-538-3003. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://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 <https://rules.utah.gov/> for additional information.

Office of Administrative Rules, Salt Lake City 84114

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## NOTICES OF PROPOSED RULES

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A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between July 02, 2019, 12:00 a.m., and July 15, 2019, 11:59 p.m. are included in this, the August 01, 2019, 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 Office 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 Office of Administrative Rules.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Bulletin* until at least September 3, 2019. 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 November 29, 2019, the agency may notify the Office 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 Office 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.

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**The Proposed Rules Begin on the Following Page**

Health, Family Health and  
Preparedness, Emergency Medical  
Services  
**R426-2**  
Emergency Medical Services Provider  
Designations for Pre-Hospital  
Providers, Critical Incident Stress  
Management and Quality Assurance  
Reviews

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 43881

FILED: 07/11/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of these amendments is to include designation requirements for nonemergency secured behavioral health transport, and to add peer support training approval for the Critical Incident Stress Management Team.

**SUMMARY OF THE RULE OR CHANGE:** These amendments add new statutory requirements consistent with Title 26, Chapter 8a, by including designation requirements for nonemergency secured behavioral health providers. The designation requirements include the application criteria. The amendments also add requirements for peer support training as a part of the Critical Incident Stress Management functions. The authority for the peer support training approval is found in Section 78B-5-902.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 78B-5-902 and Title 26 Chapter 8a

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** These proposed rule amendments are not expected to have any fiscal impact on state government revenues or expenditures because new designation application reviews and vehicle inspections are cost neutral since fees are charged for staff time. Peer support training approval does not significantly impact staff time or resources.

♦ **LOCAL GOVERNMENTS:** These proposed rule amendments are not expected to have any fiscal impact on local governments' revenues or expenditures. These amendments may actually provide a small fiscal benefit for licensed ambulance providers in rural areas by allowing an alternative mode of behavioral health patient transport that has lower operational expenses than an ambulance. Peer support training is voluntary. Costs would only be incurred if

a local government chooses to train staff and develop a program.

♦ **SMALL BUSINESSES:** A possible fiscal cost may result to the 17 small businesses in Utah that currently transport qualified behavioral health patients. The fiscal cost would be estimated to be \$135 for designation application fees and \$100 per permitted vehicle inspection fees. It is assumed that each small business would permit two vehicles. The cost in fees would be 17 providers X \$335 = \$5,695. Staff training is estimated to cost \$300 per employee. An estimate of four employees per small business would be needed. The cost in staff training would be estimated at 17 X 4 X \$300 = \$20,400. A total cost would be \$26,095.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** A fiscal benefit may be incurred due to lower operational costs for transporting behavioral health patients who do not require an ambulance. A fiscal cost may be incurred to licensed ambulance providers due to a decrease in lower volume of transports where a designated nonemergency secured behavioral health transporter is providing an alternative mode of transportation.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** Compliance costs for affected behavioral persons would be reduced in cases when a transport by a nonemergency secured behavioral health patient transport is less expensive than an ambulance. Hospitals typically pay for these types of transports.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** These proposed amendments add designation requirements and application criteria for nonemergency secured behavioral health providers in accordance with statutory changes. They also add requirements for peer support training as part of the Critical Incident Stress Management functions. The proposed fiscal impact would increase fees for small businesses and increase the cost of training to approximately \$300 per year, however, it may result in lower operational costs for transporting behavioral health patients who do not required an ambulance. These proposed amendments will increase the cost of businesses who provide these services and decrease the volume or transport provided by ambulance service providers but will lower transportation costs for providers and increase the business of nonemergency secured behavioral health transport providers.

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

HEALTH  
FAMILY HEALTH AND PREPAREDNESS,  
EMERGENCY MEDICAL SERVICES  
3760 S HIGHLAND DR  
SALT LAKE CITY, UT 84106  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Guy Dansie by phone at 801-273-6671, by FAX at 801-273-4165, or by Internet E-mail at gdansie@utah.gov or mail at PO Box 142004, Salt Lake City, UT 84114-2004

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Joseph Miner, MD, Executive Director

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$26,095	\$26,095	\$26,095
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$26,095</b>	<b>\$26,095</b>	<b>\$26,095</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>-\$26,095</b>	<b>-\$26,095</b>	<b>-\$26,095</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

There is one non-small business in the specialty needs transportation industry in question (NAICS 485991) in Utah. This data was obtained from jobs.utah.gov on Firm Finder. This business was directly contacted, and they do not directly own specialty needs vehicles. All of their specialty needs transports are subcontracted with local small businesses. The small business subcontractors providing the actual transportation will be required to pay a \$135 designation fee per business and a \$100 permit fee per vehicle.

**R426. Health, Family Health and Preparedness, Emergency Medical Services.**

**R426-2. Emergency Medical Services Provider Designations for Pre-Hospital Providers, Critical Incident Stress Management and Quality Assurance Reviews.**

**R426-2-100. Authority and Purpose.**

(1) This rule establishes types of providers that require a designation, the application process for a obtaining a designation and minimum designation requirements.

(2) The rule also establishes criteria for critical incident stress management and the process for quality assurance reviews.

**R426-2-200. EMS Provider Designation Types.**

(1) The following type of provider shall obtain a designation from the Department:

- (a) Quick Response Unit[-];
- (b) Emergency Medical Service Dispatch Center[-]; or
- (c) Nonemergency Secured Behavioral Health Transport.

**R426-2-300. Quick Response Unit Minimum Designation Requirements.**

(1) A quick response unit shall meet the following minimum designation requirements:

- (a) vehicle(s), equipment, and supplies that meet Department requirements;
- (b) describe location(s) for stationing its vehicle(s), equipment and supplies;
- (c) a current dispatch agreement with a designated Emergency Medical Service Dispatch Center;
- (d) a Department-~~certified~~ endorsed training officer;
- (e) a current plan of operations, which shall include:
  - (i) the names, EMS ID Number, and license level of all personnel;
  - (ii) operational procedures; and
  - (iii) a description of how the designated provider proposes to interface with other licensed and designated EMS providers.

(f) A current agreement with a Department-certified off-line medical director who will perform the following:

- (i) develop and implement patient care standards which include written standing orders and triage, treatment, pre-hospital protocols, and/or pre-arrival instructions to be given by designated emergency medical dispatch centers;
- (ii) ensure the qualification of field licensed EMS personnel involved in patient care and dispatch through the provision of ongoing continuing medical education programs and appropriate review and evaluation;
- (iii) develop and implement an effective quality improvement program, including medical audit, review, and critique of patient care;
- (iv) annually review triage, treatment, and transport protocols and update them as necessary;

(v) suspend from patient care, pending Department review, a field EMS personnel or dispatcher who does not comply with local medical triage, treatment and transport protocols, pre-arrival instruction protocols, or who violates any of the EMS rules, or who the medical director determines is providing emergency medical service in a careless or unsafe manner.

(vi) notify the Department within one business day of any imposed suspensions; and

(vii) attend meetings of the local EMS Council, if one exists, to participate in the coordination and operations of local EMS providers.

(g) Have current treatment protocols approved by the certified off-line medical director for the designated service level;

(h) provide the Department with a copy of its certificate of insurance;

(i) provide the Department with a letter of support from the licensed ambulance provider(s) in the geographical service area; and

(j) not be disqualified for reasons including:

(i) violation of Subsection 26-8a-504; or

(ii) a history of disciplinary action relating to an EMS license, permit, designation or certification in this or any other state.

**R426-2-400. Emergency Medical Service Dispatch Center Minimum Designation Requirements.**

(1) Have in effect a selective medical dispatch system approved by the off-line medical director which includes:

(a) systemized caller interrogation questions;

(b) systemized pre-arrival instructions;

(c) protocols matching the dispatcher's evaluation of injury or illness severity with vehicle response mode and configuration;

(d) use protocols matching the dispatcher's evaluation of injury or illness severity with vehicle response mode and configuration;

(e) provide pre-hospital arrival instructions by a licensed Emergency Medical Dispatcher;

(f) have a current updated plan of operations including:

(i) plan of operations to be used in a disaster or emergency;

(ii) communication systems; and

(iii) aid agreements with other designated medical service dispatch centers;

(g) a current agreement with a Department-certified off-line medical director;

(h) an ongoing medical call review quality assurance program; and

(i) a licensed emergency medical dispatcher roster including licensed staff names, Department license numbers and expiration dates, and dispatch system training certification number and expiration dates.

**R426-2-500. Nonemergency Secured Behavioral Health Transport Minimum Designation Requirements.**

(1) Vehicle(s), equipment, and supplies that meet the current requirements of the Department for designated nonemergency secured behavioral health transport providers as found on the Bureau of EMS and Preparedness' website.

(2) Meet staffing requirements as set forth by the EMS Committee. During transport each designated nonemergency secured behavioral health transport vehicle shall be staffed with two personnel,

with at least one who has obtained required training as approved by Department policy for mental health patient de-escalation and American Heart Association cardiopulmonary resuscitation or equivalent.

**R426-2-[500]600. Designation Applications.**

(1) Any person applying for designation shall submit to the Department:

(a) Applications fees.

(b) Complete application on Department approved forms.

(c) Documentation verifying that the provider meets the minimum requirements for the designation.

(2) The Department may determine if clarifying information is needed for approval or processing. The Department will provide needed requirements to the applicant.

(3) A provider applying for re-designation should submit an application as described above 90 days prior to the expiration of its designation in order to avoid a lapsed period of time.

(4) A designation may be issued for up to a four-year period.

**R426-2-[600]700. Quick Response Unit Designation Applications.**

(1) A Quick Response Unit shall provide:

(a) name of the organization and its principles;

(b) name of the person or organization financially responsible for the service and documentation from that entity accepting responsibility;

(c) if the applicant is privately owned, they shall submit certified copies of the document creating the entity;

(d) a description of the geographical area of service; and

(e) a demonstrated need for the service.

**R426-2-[700]800. Emergency Medical Service Dispatch Center Designation Applications.**

(1) An Emergency Medical Service Dispatch Center shall provide:

(a) name of the organization and its principles;

(b) name of the person or organization financially responsible for the service provided by the designee and documentation from that entity accepting responsibility;

(c) if the applicant is privately owned, they shall submit certified copies of the document creating the entity;

(d) a description of the geographical area of service; and

(e) a demonstrated need for the service.

**R426-2-900. Nonemergency Secured Behavioral Health Transport Designation Applications.**

(1) A designated nonemergency secured behavioral health transport provider shall provide to the Department:

(a) name of the organization and its principles;

(b) name of the person or organization financially responsible for the service and documentation from that entity accepting responsibility; and

(c) if the applicant is privately owned, they shall submit certified copies of the document creating the entity.

(2) Provide a current plan of operations, which shall include:

(a) a description of operational procedures;

(b) description(s) of how the designated non-emergency secured behavioral health transport will interface with hospitals.



emergency receiving facilities, licensed mental health facilities, and EMS providers:

(c) a list of current insurance carriers and health facilities in which the designated provider has current contracts;

(d) written policies that address under what circumstances a transport will be declined for medical or payment purposes;

(e) a written protocol to activate 911 if an emergency medical situation arises; and

(f) procedures for patient care.

(3) Provide a written policy of how the designated nonemergency secured behavioral health transport will report patient care data to the Department.

(4) Provide a copy of its certificate of insurance or if seeking application, provide proof of the ability to obtain insurance to respond to damages due to operation of a vehicle in the and following minimum amounts:

(a) liability insurance in the amount of \$1,000,000 for each individual claim; and

(b) liability insurance in the amount of \$1,000,000 for property damage from any one occurrence.

(5) A designated nonemergency secured behavioral health transport provider shall obtain the insurance from an insurance company authorized to write liability coverage in Utah or through a self-insurance program and shall:

(a) provide the Department with a copy of its certificate of insurance demonstrating compliance with this section;

(b) direct the insurance carrier or self-insurance program to notify the Department of all changes in insurance coverage within 60 days; and

(c) provide the Department with a copy of its certificate of insurance indicating coverage at or above \$1,000,000 for liability.

(6) Prior to approval of the designation, all vehicles will be inspected and permitted by the Department and shall meet the requirements in R426-4-300(5).

(7) Not be disqualified for any of the following reasons:

(a) violation of Subsection 26-8a-504; or

(b) a history of disciplinary action relating to an EMS license, permit, designation or certification in this or any other state.

**R426-2-[800]1000. Denial or Revocation of Designation.**

(1) The Department may deny an application for a designation for any of the following reasons:

(a) failure to meet requirements as specified in the rules governing the service;

(b) failure to meet vehicle, equipment, or staffing requirements;

(c) failure to meet requirements for renewal or upgrade;

(d) conduct during the performance of duties relating to its responsibilities as an EMS provider that is contrary to accepted standards of conduct for EMS personnel described in Sections 26-8a-502 and 26-8a-504;

(e) failure to meet agreements covering training standards or testing standards;

(f) a history of disciplinary action relating to a license, permit, designation, or certification in this or any other state.

(g) a history of criminal activity by the licensed or designated provider or its principals while licensed or designated as an EMS provider or while operating as an EMS service with permitted vehicles;

(h) falsifying or misrepresenting any information required for licensure or designation or by the application for either;

(i) failure to pay the required designation or permitting fees or failure to pay outstanding balances owed to the Department;

(j) failure to submit records and other data to the Department as required by statute or rule;

(k) misuse of grant funds received under Section 26-8a-207; and

(l) violation of OSHA or other federal standards that it is required to meet in the provision of the EMS service.

(2) An applicant who has been denied a designation may request a Department review by filing a written request for reconsideration within thirty calendar days of the issuance of the Department's denial.

**R426-2-[900]1100. Application Review and Approval.**

(1) If the Department finds that an application for designation is complete and that the applicant meets all requirements, it may approve the designation.

**R426-2-[1000]1200. Change in Designated [Service-]Level of Service.**

(1) A quick response unit may apply to provide a higher designated level of service by:

(a) submitting the applicable fees; and

(b) submitting an application on Department-approved forms to the Department.

(2) As part of the application, the applicant shall provide:

(a) a copy of the new treatment protocols for the higher level of service approved by the off-line medical director;

(b) an updated plan of operations demonstrating the applicant's ability to provide the higher level of service;

(c) a written assessment of the performance of the applicant's field performance by the applicant's off-line medical director; and

(d) provide the Department with a letter of support from the licensed provider(s) in the geographical service area.

(3) If the Department finds that the applicant has demonstrated the ability to provide the upgraded service, it shall issue a new designation reflecting the higher level of service.

**R426-2-[1100]1300. Critical Incident Stress Management and Peer Support Training.**

(1) The Department may establish a critical incident stress management (CISM) team to meet its public health responsibilities[~~under Utah Code Section 26-8a-206~~].

(2) The Department's CISM team may conduct stress debriefings, defusings, demobilizations, education, and other critical incident stress interventions upon request for persons who have been exposed to one or more stressful incidents in the course of providing emergency services.

(3) The Department's CISM team may assist the Department in approving peer support training for licensed EMS personnel.

~~(3)~~(4) Individuals who serve on the CISM team shall complete Department approved initial and ongoing training.

~~(4)~~(5) While serving as a CISM team member, the individual is acting on behalf of the Department. All records collected by the CISM team are Department records. CISM team members shall

maintain all information in strict confidence, ~~as provided in Utah Code Title 26, Chapter 3.~~

~~(5)~~(6) The Department may reimburse a CISM team member for travel expenses incurred in performing his or her duties in accordance with state finance mileage reimbursement policy.

(7) The Department will maintain a list of individuals who have successfully completed an approved peer support training program.

(8) Individuals who perform peer support functions may receive legal protections to not be compelled to disclose information as described in Utah Code Section 78B-5 Part 9.

(9) Individuals who perform peer support functions for a licensed or designated EMS provider should be familiar with peer support policies for the licensed or designated EMS provider with whom they are employed or otherwise serving.

**R426-2-~~1200~~1400. Quality Assurance Reviews.**

(1) The Department may conduct quality assurance reviews of licensed and designated providers and training programs on an annual basis or more frequently as necessary to enforce this rule.

(2) The Department shall conduct a quality assurance review prior to issuing a new license or designation.

(3) The Department may conduct quality assurance reviews on all personnel, vehicles, facilities, communications, equipment, documents, records, methods, procedures, materials and all other attributes or characteristics of the designated provider.

(a) The Department will provide a written copy to the designated provider.

(b) The designated provider shall correct deficiencies within 30 days unless otherwise directed by the Department.

(c) The designated provider shall immediately notify the Department on a Department-approved form when the deficiencies have been corrected.

**KEY: emergency medical services**

**Date of Enactment or Last Substantive Amendment: ~~January 11, 2019~~**

**Notice of Continuation: October 9, 2018**

**Authorizing, and Implemented or Interpreted Law: 26-8a**

Health, Family Health and  
Preparedness, Emergency Medical  
Services  
**R426-4**  
Operations

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 43882

FILED: 07/11/2019

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of these amendments is to include operational requirements for nonemergency secured

behavioral health transport, and to ensure emergency medical services (EMS) providers are following safety policies for weather assessment and fatigue management.

**SUMMARY OF THE RULE OR CHANGE:** These amendments add new statutory requirements consistent with Title 26, Chapter 8a, by including operational requirements for nonemergency secured behavioral health providers. They will also add best practices for safety for severe weather conditions and fatigue management.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Title 26 Chapter 8a

**ANTICIPATED COST OR SAVINGS TO:**

♦ **THE STATE BUDGET:** These proposed rule amendments are not expected to have any fiscal impact on state government revenues or expenditures because new operational requirements and vehicle inspections for nonemergency secured behavioral health transport vehicles are cost neutral since fees are charged for staff time. Policy templates for weather assessments and fatigue management already have been developed, and no additional costs were incurred.

♦ **LOCAL GOVERNMENTS:** These proposed rule amendments are not expected to have any fiscal impact on local governments' revenues or expenditures because new operational requirements and vehicle inspections for nonemergency secured behavioral health transport vehicles are currently not owned or operated by local governments. Policy templates for weather assessments and fatigue management already have been developed, and no additional costs were incurred.

♦ **SMALL BUSINESSES:** A possible fiscal cost may result to the 17 small businesses in Utah that currently transport qualified behavioral health patients. The fiscal cost would be estimated to be \$135 for designation application fees and \$100 per permitted vehicle inspection fees. It is assumed that each small business would permit two vehicles. The cost in fees would be 17 providers X \$335 = \$5,695. Staff training is estimated to cost \$300 per employee. An estimate of four employees per small business would be needed. The cost in staff training would be estimated at 17 X 4 X \$300 = \$20,400. A total cost would be \$26,095.

♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** A fiscal benefit may be incurred due to lower operational costs for transporting behavioral health patients who do not require an ambulance. A fiscal cost may be incurred to licensed ambulance providers due to a decrease in lower volume of transports where a designated nonemergency secured behavioral health transporter is providing an alternative mode of transportation. Policies for weather assessment and fatigue management are readily available to all providers at no cost.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** Compliance costs for affected behavioral persons would be reduced in cases when a transport by a nonemergency

secured behavioral health patient transport is less expensive than an ambulance. Hospitals typically pay for these types of transports.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: These proposed amendments add operation requirements for nonemergency secured behavioral health providers and to add provisions to ensure that EMS providers are following safety polices for weather assessment and fatigue management. The proposed fiscal impact would increase fees for small businesses and increase the cost of training to approximately \$300 per year, however, it may result in lower operational costs for transporting behavioral health patients who do not required an ambulance. These proposed amendments will increase the cost of businesses who provide these services and decrease the volume of transports provided by ambulance service providers but will lower transportation costs for providers ad increase the business of nonemergency secured behavioral health transport providers.

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

HEALTH  
 FAMILY HEALTH AND PREPAREDNESS,  
 EMERGENCY MEDICAL SERVICES  
 3760 S HIGHLAND DR  
 SALT LAKE CITY, UT 84106  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Guy Dansie by phone at 801-273-6671, by FAX at 801-273-4165, or by Internet E-mail at gdansie@utah.gov or mail at PO Box 142004, Salt Lake City, UT 84114-2004

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Joseph Miner, MD, Executive Director

Appendix 1: Regulatory Impact Summary Table\*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$26,095	\$26,095	\$26,095
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0

<b>Total Fiscal Costs:</b>	<b>\$26,095</b>	<b>\$26,095</b>	<b>\$26,095</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>-\$26,095</b>	<b>-\$26,095</b>	<b>-\$26,095</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

There is one non-small business in the specialty needs transportation industry in question (NAICS 485991) in Utah. This data was obtained from jobs.utah.gov on Firm Finder. This business was directly contacted, and they do not directly own specialty needs vehicles. All of their specialty needs transports are subcontracted with local small businesses. The small business subcontractors providing the actual transportation will be required to pay a \$135 designation fee per business and a \$100 permit fee per vehicle.

**R426. Health, Family Health and Preparedness, Emergency Medical Services.**

**R426-4. Operations.**

**R426-4-100. Authority and Purpose.**

(1) This rule is establishes standards for the operation of licensed ground EMS providers or designated EMS providers under the provisions of the Utah Emergency Medical Services System Act.

**R426-4-200. Licensed Ground Ambulance, ~~and~~ Designated QRU, and Designated Nonemergency Secured Behavioral Health Transport Staffing.**

(1) While responding to a call, each permitted QRV shall be staffed by at least one individual licensed at or above the provider's designated level of service.

(2) While responding to a call, each licensed ground ambulance shall be staffed with the following minimum complement of licensed personnel for the ~~service~~ level of service described:

(a) Basic Life Support ambulance: two EMTs, AEMTs, or paramedics, or any combination thereof;

(b) AEMT ambulance: one AEMT and one EMT, AEMT, or paramedic;

(c) EMT-IA ambulance: one EMT-IA and one EMT, AEMT, or Paramedic;

(d) Paramedic ambulance: one paramedic and one EMT, AEMT, EMT-IA, or paramedic;

(e) Paramedic (non-transport): one paramedic;

(f) Paramedic inter-facility: one paramedic and one EMT, AEMT, EMT-IA, or paramedic;

(g) Paramedic tactical: one paramedic.

(3) A paramedic ground ambulance or paramedic provider shall deploy two paramedics to the scene of 911 calls for service requiring Advanced Life Support response, unless otherwise determined by local selective medical dispatch system protocols.

(4) When providing care, responders not in a uniform shall display upon request their level of medical licensure.

(5) Each licensed or designated provider shall maintain a personnel file for each licensed individual. The personnel file shall include records documenting the individual's qualifications, training, endorsements, certifications, licensure, immunizations, and continuing medical education.

(6) A licensed individual may perform only to his licensed EMS provider level of service, even if the licensed EMS or designated provider is licensed or designated at a higher level of service.

(7) During transport each designated nonemergency secured behavioral health transport vehicle shall be staffed with a minimum of two personnel, with at least one who has obtained required training as approved by Department policy for mental health patient de-escalation and American Heart Association cardiopulmonary resuscitation or equivalent.

#### **R426-4-300. Permits and Inspections.**

(1) A licensed ground ambulance or designated EMS provider shall only use vehicles for which the provider has obtained a permit from the Department. All new ground ambulances shall meet current State approved specifications and standards. Department policy for ground ambulances will be posted on the Bureau of Emergency Medical Services and Preparedness's website.

(2) A permit issued by the Department is valid for one year.

(3) The provider shall display the current permit location on vehicle in a location easily visible at ground level from outside of the vehicle.

(4) Permits and decals are not transferable to other vehicles.

(5) Each licensed ambulance and designated QRU provider shall annually provide proof upon request that every operator of an emergency vehicle has successfully completed an emergency vehicle operator's course approved by the Department.

#### **R426-4-400. Licensed Ground Ambulance, ~~and~~ Designated QRU Provider, and Designated Nonemergency Secured Behavioral Health Transport Operations.**

(1) Each licensed ground ambulance provider or designated QRU provider shall notify the Department of the permanent location of its ground ambulances and QRVs. The licensed ground EMS provider or designated QRU provider shall notify the Department in writing whenever it changes the permanent location for any permitted vehicles.

(2) Each licensed ground ambulance provider, ~~or~~ designated QRU provider, or designated nonemergency secured

behavioral health transport provider shall maintain each operational permitted vehicle on a premise suitable to make it available for immediate use, in good mechanical repair, properly equipped, and in a sanitary condition.

(3) Each licensed ground ambulance provider or designated provider shall maintain each operational vehicle in a clean condition with the interior being thoroughly cleaned after each use in accordance with OSHA standards and the provider's exposure control plan.

(4) Each licensed ground ambulance provider or designated provider shall equip each operational vehicle with adult and child safety restraints. To the point practicable and feasible, all occupants shall be safely restrained during operation.

(5) Each licensed ground ambulance provider or designated QRU provider shall assure that each emergency vehicle operator who may drive the emergency vehicle:

(a) is at least 18 years of age;

(b) possesses a valid driver license;

(c) successfully passed the provider's criminal background check within the prior four years; and

(d) successfully completed a department approved emergency vehicle operator's course or refresher course within the past two years.

(6) The Department shall verify annually that licensed ground ambulance providers or designated providers are in compliance with this requirement.

#### **R426-4-500. Scene and Patient Management.**

(1) Designated Emergency medical service dispatch centers shall use a selective medical dispatch system to determine which licensed ambulance provider will be notified for patient transport.

(2) When responding to a medical emergency call, EMS personnel shall follow protocols approved by the service provider's medical director, and act within their scope of practice.

(3) EMS personnel shall establish communication with on-line medical control as soon as reasonable.

(4) Licensed Paramedic tactical service provider may only function at the invitation of the local or state public safety authority. When called upon for assistance, the licensed tactical paramedic provider shall immediately notify the local emergency medical service dispatch center to coordinate patient transportation.

(5) Patients who are to be transferred to a different hospital, patient receiving facility, or mental health facility may be delayed by the licensed ambulance provider for severe weather, hazardous conditions, or any other situation that may endanger the safety of the EMS personnel, employed staff, the person being transported, or the public.

(a) Severe weather should be evaluated based on the licensed ambulance provider's written policies. Policies for weather assessment should be shared with hospitals and other receiving facilities in the geographical service area. During periods of severe weather, the transport should be delayed until the transportation risks are acceptable. The licensed providers shall maintain a weather assessment policy.

(b) When EMS personnel are not immediately able to respond due to unusual demands with other events, the licensed ambulance provider shall communicate the delay with the transferring hospital or facility. Additionally, the transferring hospital or facility should notify the receiving hospital facility, or mental health facility, regarding the delay. Communications shall provide an estimated

response time. The licensed ambulance provider is responsible to coordinate with the discharging facility an acceptable delay period or make reasonable attempts to arrange the transport with another licensed ambulance provider.

(6) Personnel shall be evaluated by the licensed ambulance provider for fatigue as to reduce possibilities of accidents while driving. If the licensed ambulance provider determines that personnel have fatigue to the point of compromised ability to drive or perform medical skills, the licensed ambulance shall discuss transport options with the transferring facility. Additionally, the transferring facility should notify the delay to the receiving facility. Options may include a possible transport delay, or assistance through mutual agreements.

#### **R426-4-600. Pilot Projects.**

(1) A person who proposes to undertake a research or study project which requires waiver of any rule shall have a project director who is a physician licensed to practice medicine in Utah, and shall submit a written proposal to the Department for presentation to the EMS Committee for recommendation.

(2) The proposal shall include the following:

- (a) a project description that describes the
- (b) need for project;
- (c) project goal;
- (d) specific objectives;
- (e) approval by the provider off-line medical director;
- (f) methodology for the project implementation;
- (g) geographical area involved by the proposed project;
- (h) specific rule or portion of rule to be waived;
- (i) proposed waiver language;
- (j) evaluation methodology;
- (k) a list of the EMS providers and hospitals participating in

the project; and

(l) a signed statement of endorsement from the participating hospital medical directors and administrators, the director of each participating licensed paramedic and ambulance provider, other project participants, and other parties who may be significantly affected.

(3) If the pilot project requires the use of additional skills, a description of the skills to be utilized by the field EMS licensed personnel and provision for training and supervising the field EMS licensed personnel who are to utilize these skills, including the names of the field EMS licensed personnel.

(4) The name and signature of the project director attesting to his or her support and approval of the project proposal.

(5) If the pilot project involves human subjects' research, the applicant shall also obtain Department Institutional Review Board approval.

(6) The Department or Committee, as appropriate, may require the applicant to meet additional conditions as it considers necessary or helpful to the success of the project, integrity of the EMS system, and safety to the public.

(7) The Department or Committee, as appropriate, may initially grant project approval for one year. The Department or Committee, as appropriate, may grant approval for continuation beyond the initial year based on the achievement and satisfactory progress as evidenced in written progress reports to be submitted to the Department at least 90 days prior to the end of the approved period. A pilot project may not exceed three years.

(8) The Department or Committee, as appropriate, may only waive a rule if:

- (a) the applicant has met the requirements of this section;
- (b) the waiver is not inconsistent with statutory requirements;
- (c) there is not already another pilot project being conducted on the same subject; and
- (d) it finds that the pilot project has the potential to improve pre-hospital medical care.

(9) Approval of a project allows the field EMS licensed personnel listed in the proposal to exercise the specified skills of the participants in the project. The project director shall submit the names of field EMS licensed personnel not initially approved to the Department.

(10) The Department or Committee, as appropriate, may rescind approval for the project at any time if:

- (a) those implementing the project fail to follow the protocols and conditions outlined for the project;
- (b) it determines that the waiver is detrimental to public health; or
- (c) it determines that the project's risks outweigh the benefits that have been achieved.

(11) The Department or Committee, as appropriate, shall allow the licensed or designated EMS provider involved in the study to appear before the Department or Committee, as appropriate, to explain and express its views before determining to rescind the waiver for the project.

(12) At least six months prior to the planned completion of the project, the medical director shall submit to the Department a report with the preliminary findings of the project and any recommendations for change in the project requirements.

#### **R426-4-700. Confidentiality of Patient Information.**

(1) Licensed or designated EMS providers and all licensed EMS personnel shall not disclose patient information except as necessary for patient care or as allowed by statute or rule.

#### **R426-4-800. Permitted Vehicle Supply Requirements.**

(1) In accordance with the licensed EMS provider level or designation type and level, the each permitted vehicle shall carry the quantities of supplies, medications, and equipment as described in the Department inspection requirements. The vehicle requirements shall be approved by the State EMS Medical Director and the State EMS Committee.

(2) Medical directors for licensed or designated providers are responsible to provide protocols, training, and quality assurance for all medications used by licensed individuals performing duties for their respective licensed or designated provider.

(3) If a licensed or designated EMS provider desires to carry different equipment, supplies, or medication from the vehicle supply requirements, the provider shall submit a written request from the certified off-line medical director to the Department requesting the waiver. The request shall include:

- (a) a detailed training outline;
- (b) protocols;
- (c) proficiency testing;
- (d) supporting documentation;

- (e) local EMS Council or committee comments; and  
 (f) a detailed letter of justification.
- (4) All non-disposable equipment shall be designed and constructed of materials that are durable and capable of withstanding repeated cleaning. The provider shall:
- (a) clean the equipment after each use in accordance with OSHA standards;
- (b) sanitize or sterilize equipment prior to reuse;
- (c) not reuse equipment intended for single use;
- (d) clean and change linens after each use; and  
 (e) store or secure all equipment in a readily accessible and safe manner to prevent its movement.
- (5) The provider shall have all equipment tested, maintained, and calibrated according to the manufacturer's standards.
- (6) The provider shall document all equipment inspections, testing, maintenance and calibrations. Testing or calibration conducted by an outside service shall be documented. Such inspections, testing and calibration shall be performed monthly. All testing documentation shall be maintained and available for Department review upon request.
- (7) A provider required to carry any of the following equipment shall perform monthly inspections to ensure proper functionality:
- (a) defibrillator, manual, or automatic;
- (b) autovent;
- (c) infusion pump;
- (d) glucometer;
- (e) flow restricted, oxygen-powered ventilation devices;
- (f) suction equipment;
- (g) electronic Doppler device;
- (h) automatic blood pressure/pulse measuring device;
- (i) pulse oximeter; and  
 (j) any other electronic, battery powered, or critical care device.
- (8) The licensed or designated EMS provider shall perform monthly inspections to ensure proper functionality of all equipment that require consumable items, power supplies, electrical cables, pneumatic power lines, hydraulic power lines, or related connectors.
- (9) Unless otherwise authorized by the State EMS Medical Director, a licensed or designated EMS provider shall store all medications according to the manufacturers' recommendations, including temperature control and packaging requirements.
- (10) All medication known or suspected to have been subjected to temperatures outside the recommended temperature range shall be return to the supplier for replacement.
- (11) The Department shall maintain and publish requirements for ground ambulances, QRVs, and other designated providers on the Department's website.

**KEY: emergency medical services****Date of Enactment or Last Substantive Amendment: [~~December 12, 2015~~2019]****Notice of Continuation: October 9, 2018****Authorizing, and Implemented or Interpreted Law: 26-8a**

## Health, Center for Health Data, Health Care Statistics **R428-2-10** Exemptions and Extensions

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 43852

FILED: 07/03/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** This rule change clarifies the enrollment threshold for stand-alone dental carriers reporting to the Utah Department of Health's (Department) Office of Health Care Statistics (OHCS); existing policy is put into rule.

**SUMMARY OF THE RULE OR CHANGE:** This amendment makes one addition to the rule: A stand-alone dental carrier that covers fewer than 20,000 individual Utah residents as of January 1 of a given year is exempt from all requirements of this title except that once a stand-alone dental carrier has covered a cumulative total of 20,000 such individuals during a calendar year, they are no longer considered exempt for the remainder of that year.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 26-33a-109

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** This rule change is not expected to have any fiscal impact on state government revenues or expenditures, because it only clarifies the version of Data Submitter Guide expected for use by data submitters to Utah's Health Care Facility Database. The Department determines enactment of the amended version will not create any cost or savings impact to the state budget or the Department's budget, since the change will not increase workload and can be carried out with existing budget.

◆ **LOCAL GOVERNMENTS:** This rule change is not expected to have any fiscal impact on local governments' revenues or expenditures, because they are not directly affected by this rule; nor are local governments indirectly impacted because this rule does not create a situation requiring services from local governments.

◆ **SMALL BUSINESSES:** This rule change is not expected to have any fiscal impact on small businesses' revenues or expenditures, because all potentially impacted businesses have more than 50 employees. As a result, this rule will have no effect on small businesses for costs or savings.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This rule change is not expected to have any fiscal impact on other individuals' revenues or expenditures, because the change clarifies a prior expectation.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are no compliance costs to affected persons. The proposed addition will clarify the threshold requirement for dental stand-alone plans.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This rule change clarifies that a stand-alone dental carrier that covers less than 20,000 individuals is exempt from all requirements except the requirements that once the carrier reaches a cumulative total of 20,000 covered individuals in a calendar year, it is no longer considered exempt. This is an existing OHCS policy that is now being added to this rule so there is no fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 HEALTH  
 CENTER FOR HEALTH DATA,  
 HEALTH CARE STATISTICS  
 CANNON HEALTH BLDG  
 288 N 1460 W  
 SALT LAKE CITY, UT 84116-3231  
 or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**  
 ♦ Mike Martin by phone at 801-538-9205, by FAX at 801-538-9916, or by Internet E-mail at mikemartin@utah.gov or mail at PO Box 144004, Salt Lake City, UT 84114-4004  
 ♦ Norman Thurston by phone at 801-538-7052, by FAX at 801-237-0787, or by Internet E-mail at nthurston@utah.gov or mail at PO Box 144004, Salt Lake City, UT 84114-4004

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Joseph Miner, MD, Executive Director

Appendix 1: Regulatory Impact Summary Table\*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described above. Inestimable impacts for Non-Small Businesses are described below.

**Appendix 2: Regulatory Impact to Non-Small Businesses**  
 The Office of Health Care Statistics has approximately 140 facilities and carriers currently supplying data to the office. Each of these entities would be considered a non-small business. This change put existing policy into rule. The rule change is not expected to have any fiscal impact on non-small businesses' revenues or expenditures because the changes are being made to solidify current Department of Health procedure and practice and do not place additional costs on the businesses.

The Executive Director of the Utah Department of Health, Joseph Miner, MD, has reviewed and approved this final analysis.

**R428. Health, Center for Health Data, Health Care Statistics.  
 R428-2. Health Data Authority Standards for Health Data.  
 R428-2-10. Exemptions and Extensions.**

(1) The committee may grant exemptions or extensions from reporting requirements in Title R428 to data suppliers under certain circumstances.

(2) The committee may grant an exemption to a data supplier when the supplier demonstrates that compliance imposes an unreasonable cost.

(a) A data supplier may request an exemption from any particular requirement or set of requirements of Title R428. The data supplier must submit a request for exemption no less than 30 calendar days before the date the supplier would have to comply with the requirement.

(b) The committee may grant an exemption for a maximum of one calendar year. A data supplier wishing an additional exemption must submit an additional, separate request.

(3) The committee may grant an extension to a data supplier when the supplier demonstrates that technical or unforeseen difficulties prevent compliance.

(a) A data supplier may request an extension for any deadline required in Title R428. For each deadline for which the data supplier requests an extension, the data supplier must submit its request no less than seven calendar days before the deadline in question.

(b) The committee may grant an extension for a maximum of 30 calendar days. A data supplier wishing an additional extension must submit an additional, separate request.

(4) The supplier requesting an extension or exemption shall include:

(a) The data supplier's name, mailing address, telephone number, and contact person;

(b) the dates the exemption or extension is to start and end;

(c) a description of the relief sought, including reference to specific sections or language of the requirement;

(d) a statement of facts, reasons, or legal authority in support of the request; and

(e) a proposed alternative to the requirement or deadline.

(5) A carrier that covers fewer than 2,500 individual Utah residents as of January 1 of a given year is exempt from all requirements of this title except that once a carrier has covered a cumulative total of 2,500 such individuals during a calendar year, they are no longer considered exempt for the remainder of that year.

(6) A stand-alone dental carrier that covers fewer than 20,000 individual Utah residents as of January 1 of a given year is exempt from all requirements of this title except that once a stand-alone dental carrier has covered a cumulative total of 20,000 such individuals during a calendar year, they are no longer considered exempt for the remainder of that year.

**KEY:** health, health policy, health planning

**Date of Enactment or Last Substantive Amendment:** [~~December 13, 2017~~]2019

**Notice of Continuation:** November 10, 2016

**Authorizing, and Implemented or Interpreted Law:** 26-33a-104

## Regents (Board of), Administration R765-620

### Access Utah Promise Scholarship Program

#### NOTICE OF PROPOSED RULE

(New Rule)

DAR FILE NO.: 43853

FILED: 07/03/2019

#### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this rule is the establishment of a new scholarship program enacted by H.B. 260, passed in the 2019 General Session.

**SUMMARY OF THE RULE OR CHANGE:** The Access Utah Promise Scholarship Program provides limited funding for Utah residents to allow attendance at a Utah public post-secondary institution. This program provides need-based funding for tuition and fees after all other sources of funds are applied for an individual student, i.e. last dollar funding.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 53B-8-102 and Section 53B-8-114 and Sections 53B-8-301 through 53B-8-304 and Subsection 53B-2-101(1)

#### ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** The Utah legislature has appropriated annual base funding of \$2,000,000 for the Access Utah Promise Scholarship Program.

◆ **LOCAL GOVERNMENTS:** Local governments are not affected by this program, therefore, there are no anticipated costs nor savings to local governments.

◆ **SMALL BUSINESSES:** There are no anticipated costs to small businesses. There is a provision in the law for this program to allow up to 20% of funds to be used by employers, selected in consultation with the Talent Ready Center at the Governor's office, for tuition reimbursement for employees attending an eligible institution. If this partnership option were fully utilized the savings to small businesses could potentially be \$400,000 annually.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This program does not establish any costs for affected individuals or awardees. It provides tuition funds to attend college at a public institution for qualifying individuals.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are no anticipated compliance costs for any affected persons.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This program may allow increased productivity for any business entity or agency through the increased education of Utah residents who may otherwise not attend college without program funds. The fiscal impact of this program and rule is indeterminable.

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

REGENTS (BOARD OF)

ADMINISTRATION

BOARD OF REGENTS BUILDING, THE GATEWAY

60 SOUTH 400 WEST

SALT LAKE CITY, UT 84101-1284

or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Ronell Crossley by phone at 801-321-7291, by FAX at 801-321-7299, or by Internet E-mail at rccrossley@utahsbr.edu



INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Dave Buhler, Commissioner of Higher Education

Appendix 1: Regulatory Impact Summary Table\*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$2,000,000	\$2,000,000	\$2,000,000
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>	<b>\$2,000,000</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described above. Inestimable impacts for Non-Small Businesses are described below.

**Appendix 2. Regulatory Impact to Non-Small Businesses**

This program provides for limited reimbursement to business that offer tuition reimbursement to employees. Since the number of employers and employees that may participate in any given year is unknown the impact of possible tuition reimbursement is inestimable.

**R765. Regents (Board of), Administration.**

**R765-620. Access Utah Promise Scholarship Program.**

**R765-620-1. Purpose.**

To provide the Board of Regents ("The Board") policy and procedures for implementing the Access Utah Promise Scholarship ("Promise Scholarship"). This program provides a statewide needs-based scholarship program to expand access to postsecondary opportunities for all students who face financial barriers in paying for college. The program provides students an award for up to full tuition and fees in qualifying circumstances.

**R765-620-2. References.**

2.1. Utah Code Sections 53B-8-301 through 53B-8-304 (Access Utah Promise Scholarship Program).

2.2. Utah Code Section 63G-12-402 (Receipt of state, local, or federal public benefits -- Verification Exceptions -- Fraudulently obtaining benefits -- Criminal penalties -- Annual report).

2.3. Utah Code Subsection 53B-2-101(1) (Institutions of Higher Education).

2.4. Utah Code Section 53B-8-102 (Definition of Resident Student).

2.5. Policy and Procedures R512, Determination of Resident Status.

**R765-620-3. Definitions.**

3.1. "Institution" means institutions of higher education listed in Utah Code Section 53B-2-101(1).

3.2. "Promise Partner" an employer that has applied to the Board, and has established a Memorandum of Understanding (MOU) with the Board.

**R765-620-4. Scholarship Administration.**

4.1. Eligibility: To qualify for a Promise Scholarship, applicants must meet the following criteria:

4.1.1. Have a high school diploma or equivalent;

4.1.2. Not have previously earned an associate degree or higher postsecondary degree;

4.1.3. Be a resident of the State of Utah under Utah Code Section 53B-8-102 and Regent Policy R512.

4.1.4. Demonstrate financial need, in accordance with sections 4.2 and 4.7;

4.1.5. Accept all other grants, tuition and/or fee waivers, and scholarships offered to the applicant to attend the institution in which the applicant enrolls; and

4.1.6. Maintain academic good standing as defined by the institution at which they attend.

4.2. Award Criteria: An institution shall establish criteria to assess an applicant's financial need. The criteria shall use quantifiable, need-based measures (for example, institutions may establish a range with a minimum and maximum Expected Family Contribution (EFC) based on the Free Application for Federal Student Aid within which an eligible recipient's EFC must fall to be eligible for an award). Institutions shall annually revise and publish eligibility criteria by February 1 in all publications referencing the scholarship.

4.3. Scholarship Award: The institution may award an amount to each eligible recipient up to the cost of published tuition and fees.

4.4. Last Dollar In: When determining the award amount, the institution shall first apply the total value of all grants, tuition waivers, fee waivers, and scholarships the recipient has received. The institution may then award an amount not to exceed the recipient's remaining cost of tuition and fees. If, after the recipient's aid has been packaged and awarded, the student later receives other financial assistance of more than \$500, the institution will appropriately reduce the amount of financial aid disbursed to the student so that the total Promise Scholarship does not exceed the cost of tuition and fees.

4.5. Scholarship Duration: A recipient may receive scholarship funds until the earliest of the following events occurs:

4.5.1. Two years after the initial award;

4.5.2. A recipient uses the scholarship for four semesters;

4.5.3. A recipient meets the academic qualifications for an associate degree; or

4.5.4. For USHE institutions that do not offer an associate degree, a recipient earns a cumulative total of 60 credits.

4.6. Application Process: Institutions shall establish an application process that applicants can easily access and complete. The Board may require an institution to modify an application or process that is overly cumbersome or confusing.

4.7. Prioritizing Awards: If an institution does not have enough appropriated Promise Scholarship funds or other funding sources to award all eligible applicants, it may establish procedures to prioritize which applicants will receive awards based on financial need.

4.8. Competency-based Assessment: Institutions shall evaluate a recipient's knowledge, skills, and competencies acquired through formal or informal education outside the traditional postsecondary academic environment, and award appropriate credit for the recipient's prior learning.

4.9. Outreach: Institutions may advertise the Promise Scholarship under another name. All publications about the Promise Scholarship shall include disclosure that program funds are limited and subject to change.

#### **R765-620-5. Transfers.**

5.1. A recipient may transfer to another institution and retain eligibility for the scholarship, if the recipient meets the qualifications defined in sections 4.2 at the institution to which the recipient is transferring. Recipients are responsible to inform the financial aid office at the institution to which they are transferring that they are receiving the Promise Scholarship at their current institution. The financial aid offices at the respective institutions shall coordinate the transfer of scholarship information. Upon transfer, the institution shall prioritize the award of any eligible recipient before all others awarded in accordance with section 4.7 of this policy. The institution to which the recipient is transferring shall make adjustments in a recipient's award in accordance with section 4.3 of this policy.

#### **R765-620-6. Distribution of Award Funds to Institutions.**

6.1. As a condition of program participation, an eligible institution's financial aid director will report to the Board the total dollar amount of Federal Pell Grant funds awarded to resident

students at the institution for the most recently completed academic year by March 1 each year.

6.1.1. An institution that fails to report the total amount of Pell Grant funds by March 1 is ineligible to participate in the program for the next fiscal year.

6.2. The Board will allocate program funds to eligible institutions in proportion to each eligible institution's percentage of total Federal Pell Grant funds received for Utah resident students in the most recently completed award year by all participating institutions.

#### **R765-620-7. Deferral or Leave of Absence.**

7.1. A recipient shall apply for a deferral or leave of absence if they do not continuously enroll and wish to continue to receive the scholarship.

7.2. Institutions shall develop a process for recipients to apply for deferrals or leaves of absence, which may be granted for military service, humanitarian/religious service, documented medical reasons, and other exigent reasons.

#### **R765-620-8. Utah Promise Partners.**

8.1. The Board, in consultation with the Talent Ready Utah Center at the Governor's Office of Economic Development, may select employers as Promise Partners whose employees may be eligible to receive a partner award. The Board shall establish an MOU with any selected Promise Partner that includes requirements related to an employer providing reimbursement to an employee who receives an award. The reimbursement of a Promise Partner to a corresponding recipient employed by that Promise Partner must be applied during the eligible term of the award in accordance with section 4.4 of this policy.

8.2. An employee is eligible to receive an award in accordance with the requirements of section 4.1 of this policy in addition to any criteria and limitations established through a corresponding MOU with a Promise Partner.

8.3. A recipient of an award who is an employee of a Promise Partner is subject to the same conditions as all other recipients under this policy.

#### **R765-620-9. Reporting.**

9.1. During the first year of the program, no later than October 1, 2019, participating institutions shall report to the Board all requested data on Promise Scholarships awarded to date.

9.2. Annually, the Board will distribute a Promise Scholarship performance report template to the director of financial aid of each participating institution before the end of each fiscal year. The institution will submit the completed report by July 31 of each year.

9.3. The Board may, at any time, request additional documentation or data related to the Promise Scholarship and may review or formally audit an institution's compliance with this policy. The institution will cooperate with the Board in providing records and information requested for any scheduled audits or program reviews. Participating institutions shall maintain records substantiating its compliance with all the program's terms for three years after the end of the award year, or until a program review has been completed and any exceptions raised in the review have been resolved, whichever occurs first. If at the end of the three-year retention period, an audit or program review exception is pending,

resolution, the institution will retain records for the award year involved until the exception has been resolved.

**R765-620-10. Institutional Participation Agreement.**

10.1. Each participating institution will enter into a written agreement with the Board or assigned designee agreeing to abide by the program policies, accept and disburse funds per program rules, provide the required report each year, and retain documentation for the program to support the awards and actions taken. By accepting the funds, the participating institution agrees to the additional following terms and conditions:

10.2. The institution may at its discretion use up to three percent of the allocated program funds for its student financial aid administrative expenses.

10.3. The institution may not carry forward or carry back from one award year to another any of its Promise Scholarship allocation. Any exception to this rule must be approved in advance by the Board. The institution will inform the Board immediately if it determines it will not be able to utilize all program funds allotted to it for an award year. Absent any exception for a carry forward amount, institutions shall return unused funds to the Board. The Board will redistribute unused to the other eligible institutions as supplemental Promise Scholarship allocations for disbursement during the same award year. The portion of Promise Scholarship allocations budgeted for administrative expenses pursuant to Section 10.1 will not be part of any carryover.

**KEY: financial aid, higher education, scholarship**  
**Date of Enactment or last Substantive Amendment: 2019**  
**Authorizing, and Implemented or Interpreted Law: 53B-8-114; 53B-8-102; 53B-8-301-304; 53B-2-101(1)**

Regents (Board of), Salt Lake  
 Community College  
**R784-2**  
 Free Expression on Campus

**NOTICE OF PROPOSED RULE**  
 (New Rule)

DAR FILE NO.: 43895  
 FILED: 07/15/2019

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This proposed rule is to comply with Section 53B-27-3.

SUMMARY OF THE RULE OR CHANGE: This rule addresses speech on campus.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53B-27-3

**MATERIALS INCORPORATED BY REFERENCE:**

- ◆ Adds Campus Speech, published by Salt Lake Community College, 05/01/2018

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ THE STATE BUDGET: There will be no cost or savings because this rule is only applicable to students at Salt Lake Community College (SLCC).
- ◆ LOCAL GOVERNMENTS: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ SMALL BUSINESSES: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There will be no cost or savings because this rule is applicable to students at SLCC.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no cost to comply with this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule, which incorporates requirement in SLCC's current policy, will not have any fiscal impact on businesses. This rule is only applicable to students at SLCC.

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

REGENTS (BOARD OF)  
 SALT LAKE COMMUNITY COLLEGE  
 ROOM AD150  
 JAY L NELSON ADMINISTRATION BLDG  
 4600 S REDWOOD RD  
 TAYLORSVILLE, UT 84123  
 or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

- ◆ Chad Lambourne by phone at 801-957-4637, or by Internet E-mail at chad.lambourne@slcc.edu

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/27/2019

AUTHORIZED BY: Chad Lambourne, Policy Coordinator

Appendix 1: Regulatory Impact Summary Table\*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

**Appendix 2: Regulatory Impact to Non-Small Businesses**  
 There will be no fiscal impact to non-small businesses because this rule only impacts students at Salt Lake Community College.

**R784. Regents (Board of), Salt Lake Community College.**

**R784-2. Free Expression on Campus.**

**R784-2-1. Purpose.**

(1) In accordance with Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act, the rule establishes general rights to expression on campus as established by law and recognizes narrow limits on speech, including time, place, and manner restrictions.

**R784-2-2. References.**

- (1) United States Constitution, Amendment 1, Freedom of Expression and Religion.
- (2) Utah Constitution, Article 1, Section 15, Freedom of Speech and of the Press.
- (3) Title 53B, Chapter 27, Part 2, Campus Free Expression Act.
- (4) Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act.

**R784-2-3. Definitions.**

(1) Free Expression means all forms of verbal, written, or symbolic communication, including peaceful assembly, protests, speaking verbally, holding signs, circulating petitions, and distributing written materials.

(a) Free expression does not include speech or conduct that is not recognized as protected by the First Amendment to the U.S. Constitution and Article 1, Section 15 of the Utah Constitution, including speech or conduct that is a true threat, fraudulent, harassment, obscene, defamatory, or otherwise unlawful.

**R784-2-4. General Rights of Free Expression on Campus.**

(1) The college upholds and promotes free expression on campus. Except as limited by regulations consistent with the law and this rule, (a) all faculty, students, and staff have the right to express views and ideas, and are free to criticize, contest, and condemn views expressed on campus and (b) neither the faculty,

staff, nor students may obstruct, disrupt, suppress or otherwise interfere with the freedom of others to express views.

(2) The college's outdoor areas are a public forum.

(3) Subject to R765-800-5, the college may not prohibit:

(a) a member of the college's community or the public from spontaneously and contemporaneously assembling in an outdoor area of the college's campus; or

(b) a person from freely engaging in noncommercial expressive activity in an outdoor area of the college's campus if the person's conduct is lawful.

**R784-2-5. Time, Place and Manner Restrictions.**

(1) The college may reasonably regulate the time, place, and manner of free expression to ensure that it does not disrupt the ordinary activities of the college. This restriction includes established procedures for engaging in organized speech activities, such as protest marches or invited speakers.

(2) These exceptions to the principle of freedom of expression must be viewpoint neutral, generally content neutral, narrowly tailored, and leave ample opportunity for alternative means for expression. The college will not use these exceptions in a manner that is inconsistent with the college's commitment to free and open discussion of ideas.

**R784-2-6. Incorporations of College Policies.**

(1) The college has adopted the following policies that are incorporated by reference within this rule:

- (a) Campus Speech 3-2.03. (08/01/2018)

**KEY: campus speech, free expression**

**Date of Enactment or Last Substantive Amendment: 2019**

**Authorizing, and Implemented or Interpreted Law: 53B-27-3**

**Regents (Board of), Salt Lake  
 Community College  
 R784-3  
 Weapons on Campus**

**NOTICE OF PROPOSED RULE**

(New Rule)

DAR FILE NO.: 43896

FILED: 07/15/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** This proposed rule is to comply with Section 53B-27-3.

**SUMMARY OF THE RULE OR CHANGE:** This rule is to address weapons on Salt Lake Community College (SLCC) campuses.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 53B-27-3

**MATERIALS INCORPORATED BY REFERENCE:**

- ◆ Adds Weapons, published by Salt Lake Community College, 10/02/2018

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ THE STATE BUDGET: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ LOCAL GOVERNMENTS: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ SMALL BUSINESSES: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There will be no cost or savings because this rule is only applicable to students at SLCC.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There will be no cost to comply with this rule.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This rule, which incorporates requirement in SLCC's current policy, will not have any fiscal impact on businesses. This rule is only applicable to students at SLCC.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 REGENTS (BOARD OF)  
 SALT LAKE COMMUNITY COLLEGE  
 ROOM AD150  
 JAY L NELSON ADMINISTRATION BLDG  
 4600 S REDWOOD RD  
 TAYLORSVILLE, UT 84123  
 or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**  
 ◆ Chad Lambourne by phone at 801-957-4637, or by Internet E-mail at chad.lambourne@slcc.edu

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/27/2019

AUTHORIZED BY: Chad Lambourne, Policy Coordinator

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

There will be no fiscal impact to non-small businesses because this rule only impacts students at Salt Lake Community College.

**R784. Salt Lake Community College.**

**R784-3. Weapons on Campus.**

**R784-3-1. Purpose.**

(1) In accordance with Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act, this rule establishes general rights and restrictions on possessing weapons on campus.

**R784-3-2. References.**

(1) Title 76, Chapter 10, Part 500 Uniform Law (Right to bear arms in Utah)

(2) Title 76, Chapter 10, Part 501 Definitions.

(3) Title 76, Chapter 10, Part 505.5 Possession of a dangerous weapon, firearm, or sawed off shotgun on or about school premises - Penalties.

(4) Title 76, Chapter 3, Part 203.2 Definitions - Use of dangerous weapon in offenses committed on or about school premises - Enhanced penalties. Exceptions.

(5) Title 53, Chapter 5, Section 704 Bureau duties -- Permit to carry concealed firearm -- Certification for concealed firearms instructor -- Requirements for issuance -- Violation -- Denial, suspension, or revocation -- Appeal Procedure.

(6) Title 53, Chapter 5, Section Temporary permit to carry concealed firearm - Denial, suspension, or revocation - Appeal.

(7) Title 76, Chapter 10, Possession of firearm at residence or on real property authorized.

(8) Title 76, Chapter 10, Persons exempt from weapons laws.

(9) Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act

**R784-3-3. Possession of Weapons on Campus**

(1) The college complies with and enforces the state laws referenced in section 2 governing firearms on campus.

**R784-3-4. Incorporations of College Policies.**

(1) The college has adopted the following policies that are incorporated by reference within this rule:

- (a) Policy - Weapons 2-3.14, 10/02/2018.

**KEY: weapons**

**Date of Enactment or Last Substantive Amendment: 2019**

**Authorizing, and Implemented or Interpreted Law: 53B-27-3**

**Regents (Board of), Salt Lake  
Community College  
R784-4  
Student Due Process**

**NOTICE OF PROPOSED RULE**

(New Rule)  
DAR FILE NO.: 43897  
FILED: 07/15/2019

**RULE ANALYSIS**

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule is to comply with Section 53B-27-3.

SUMMARY OF THE RULE OR CHANGE: This rule is to address weapons on Salt Lake Community College (SLCC) campuses.

STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53B-27-3

**MATERIALS INCORPORATED BY REFERENCE:**

- ◆ Adds Code of Student Rights & Responsibilities, published by Salt Lake Community College, 10/16/2018
- ◆ Adds Student Sexual Misconduct, published by Salt Lake Community College, 01/17/2017

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ THE STATE BUDGET: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ LOCAL GOVERNMENTS: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ SMALL BUSINESSES: There will be no cost or savings because this rule is only applicable to students at SLCC.
- ◆ PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES: There will be no cost or savings because this rule is only applicable to students at SLCC.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no cost to comply with this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:

This rule, which incorporates requirement in SLCC's current policy, will not have any fiscal impact on businesses. This rule is only applicable to students at SLCC.

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

REGENTS (BOARD OF)  
SALT LAKE COMMUNITY COLLEGE  
ROOM AD150  
JAY L NELSON ADMINISTRATION BLDG  
4600 S REDWOOD RD  
TAYLORSVILLE, UT 84123  
or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

- ◆ Chad Lambourne by phone at 801-957-4637, or by Internet E-mail at chad.lambourne@slcc.edu

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/27/2019

AUTHORIZED BY: Chad Lambourne, Policy Coordinator

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

There will be no fiscal impact to non-small businesses because this rule only impacts students at Salt Lake Community College.

**R784. Salt Lake Community College.****R784-4. Student Due Process.****R784-4-1. Purpose.**

(1) In accordance with Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act, this rule establishes general elements of due process that must be provided to a student prior to being expelled or suspended for 10 days or more for non-academic code of conduct violations.

**R784-4-2. References.**

(1) United States Constitution, Amendment 14, Due Process.

(2) Utah Constitution, Article 1, Section 7, Due Process of Law.

(3) Title 53B, Chapter 27, Part 3, Campus Civil Liberties Protection Act.

(4) Policy - Code of Student Rights and Responsibilities 9.0.020.

(5) Policy - Student Sexual Misconduct 9.0.060.

**R784-4-3. General Rights of Due Process.**

(1) In matters of non-academic conduct that may result in either expulsion or a minimum 10-day suspension, the college will provide students the following minimum due process:

(a) Notice: Prior to being interviewed about allegations of misconduct, the college shall provide students with notice of the allegations against them and of their right to have an advisor throughout the process who may, but need not be, an attorney.

(i) During an inquiry, investigation, or other informal process, an advisor may only advise the student and may not actively participate in the investigation or informal process.

(b) Explanation of the evidence: Prior to a formal hearing, unless prohibited by reasonable circumstances, each party shall provide to the hearing committee chair (or hearing officer) copies of the documents they intend to submit as evidence and a list of witnesses they intend to call during the formal hearing. This information will be shared with both parties. In all circumstances, including informal processes, the college will provide students an explanation of the evidence against them.

(c) Opportunity to respond: The college will provide students an opportunity for a full hearing at which they can respond to the allegations and evidence against them. With the agreement of all parties, the college may also provide an informal hearing or opportunity to respond or an agreed upon informal resolution.

(i) At formal adjudicatory hearings, students may have an advisor advocate for them. The student's advisor may be an attorney. The student's advisor may actively participate in the hearing in accordance with the college's policies regarding active participation.

**R784-4-4. Standard of Proof.**

(1) Students are presumed not to have engaged in a Code of Conduct violation until the college has established a violation by a preponderance of the evidence.

**R784-4-5. Incorporations of Colleges' Policies.**

(1) The college has adopted the following policies that are incorporated by reference within this rule.

(a) Policy - Code of Student Rights and Responsibilities 3-2.01, 10/16/2018.

(b) Policy - Student Sexual Misconduct 3-2.02, 01/17/2017.

**KEY: due process**

**Date of Enactment or Last Substantive Amendment: 2019**

**Authorizing, and Implemented or Interpreted Law: 53B-27-3**

**System of Technical Colleges (Utah),  
Dixie Technical College  
R951-1  
Campus Access Rule**

**NOTICE OF PROPOSED RULE**

(New Rule)

DAR FILE NO.: 43887

FILED: 07/13/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** There was a statutory change that requires this rule.

**SUMMARY OF THE RULE OR CHANGE:** This rule provides the outline for how to get campus access.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 53B-27-201 et seq.

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** There will be no cost or savings because this rule only outlines how to get campus access.
- ◆ **LOCAL GOVERNMENTS:** There will be no cost or savings because this rule only outlines how to get campus access.
- ◆ **SMALL BUSINESSES:** There will be no cost or savings because this rule only outlines how to get campus access.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There will be no cost or savings because this rule only outlines how to get campus access.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There will be no cost or savings because this rule only outlines how to get campus access.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This rule should have no effect on businesses.

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

SYSTEM OF TECHNICAL COLLEGES (UTAH)  
DIXIE TECHNICAL COLLEGE  
610 S TECH RIDGE ROAD

ST. GEORGE, UT 84770  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Sam Draper by phone at 435-674-8636, or by Internet E-mail at sdraper@dixietech.edu

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/24/2019

AUTHORIZED BY: Kelle Stephens, President

Appendix 1: Regulatory Impact Summary Table

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

Appendix 2: Regulatory Impact to Non-Small Businesses  
 There is no anticipated impact or benefit to non-small businesses.

President Kelle Stephens has reviewed and approved this fiscal analysis.

**R951. System of Technical Colleges (Utah), Dixie Technical College.**

**R951-1. Campus Access Rule.**

**R951-1-1. Expressive Activities.**

(a) The College permits non-disruptive expressive activities in the outdoor areas of campus.

(b) Expressive activities must take place during normal operational hours of the College on days when the College is open (as designated on the official College calendar.)

(c) Expressive activities may not unreasonably interfere with or disrupt College operations or planned campus activities.

(d) While prior written notification of a planned expressive activity (in writing or electronic mail) to Campus Security is preferred, such notice is not required.

(e) Termination of Expressive Activity.

(i) The College reserves the right to terminate an expressive activity when, in the opinion of the College President, Campus Security, or the College President's designee, the expressive activity becomes a danger to or interferes with the operations of the College.

(ii) Indicators that an expressive activity is disruptive, or a danger to, or interferes with operations of the College community include:

(A) Illegal possession or use of weapons;

(B) Physical contact between individuals involved in the expressive activity and members of the College community or general public;

(C) Sustained speech which incites violence or calls for immediate violent action;

(D) Damage to College property or facilities;

(E) Any attempt to block or obstruct building entrances, walkways or vehicular or pedestrian traffic.

(F) Activity which is commercial in nature (i.e. members of the College community are solicited for money in exchange for goods, services, or are offered other material or immaterial rewards for participating in the expressive activity.)

(iii) If an expressive activity must be brought to termination, Campus Security will coordinate with local law enforcement including the St George Police Department and/or the Washington County Sherriff's Office.

(f) Nothing in this rule shall be deemed to prohibit a member of the College community or the public from spontaneously and contemporaneously assembling in an outdoor area of the campus to engage in expressive activity so long as the conduct is lawful and does not violate the provisions of this rule. Nevertheless, the College reserves the right to move a spontaneous expressive activity to a location which, in the professional judgement of the College President, Campus Security, or the College President's designee, is safer for the College community.

**R951-1-2. Indoor Facilities Are Protected Areas Due to Instructional and Safety Concerns.**

(a) The indoor areas of the campus are available to employees, affiliates and guests as outlined in this rule.

(i) Employees may access any College facility which is necessary and appropriate for the completion of their assigned duties.

(ii) Students are permitted access to the classrooms/labs during established class hours. They may access classrooms/labs at other times only with the express permission of an instructor or College administrator.

(iii) Affiliates may access facilities which are expressly assigned to them through a formal written agreement with the College or any facility when accompanied by an instructor or College administrator or the administrator's designee.



(iv) Guests may access facilities which would reasonably be considered public (café, bookstore, lobby, etc.) any time such facilities are open. They may access other campus facilities if they have been specifically invited by (or are accompanied by) a College administrator or the administrator's designee.

(v) Individuals who do not fit one of the listed categories (employee, student, affiliate or guest) are not permitted access to indoor College facilities unless they are accompanied by a member of the administration at the level of Director or Executive.

(b) Spaces designated through signage as mechanical, electrical, or otherwise restricted access may not be entered by anyone without express permission from a College administrator or authorized employee.

#### **R951-1-3. Violation of Rule.**

(a) Individuals who violate this rule will be asked to leave by Campus Security, the College President, or the College President's designee. Should they fail to comply with the request, local law enforcement will be notified.

(b) Students and/or staff members who violate the provisions of this rule may be subject to disciplinary action.

(c) If a faculty member or other employee becomes aware of a violation of this rule, they are directed to notify security or their immediate supervisor who will take appropriate action.

#### **R951-1-4. Definitions.**

(a) Expressive activity -- Any non-commercial activity which includes peacefully assembling, protesting or speaking; distributing literature; carrying a sign; or circulating a petition.

(b) Employee -- any individual who is directly remunerated through the College payroll system for work performed on behalf of the College.

(c) Student -- any individual who is currently identified as actively enrolled in the College student information system.

(d) Affiliate -- non-employee, non-student who has a formal, recognized connection to the College including (but not limited to) vendors, volunteers, and state, local, and federal government officials.

(e) Guest -- any individual (not a student, employee or affiliate) who is hosted by an employee or affiliate of the College or any individual who can demonstrate legitimate business with the College such as enrollment, pre-enrollment investigation, testing or need to access other services.

(f) College community -- The group of individuals having some direct, legal relationship with the College such as employees, students, affiliates, or guests.

#### **KEY: campus access**

**Date of Enactment or Last Substantive Amendment: 2019**

**Authorizing, and Implemented or Interpreted Law: 53B-27-201 et seq.**

System of Technical Colleges (Utah),  
Dixie Technical College  
**R951-2**  
Student Free Expression Rule

## NOTICE OF PROPOSED RULE

(New Rule)

DAR FILE NO.: 43888

FILED: 07/13/2019

### RULE ANALYSIS

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** There was a statutory change that requires this rule.

**SUMMARY OF THE RULE OR CHANGE:** This rule provides guidance for acceptable free expression on campus which does not interfere with the education of students or other college operations.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 53B-27-301 et seq.

#### ANTICIPATED COST OR SAVINGS TO:

◆ **THE STATE BUDGET:** There are not anticipated to be any costs or savings because this rule just outlines free expression on campus.

◆ **LOCAL GOVERNMENTS:** There are not anticipated to be any costs or savings because this rule just outlines free expression on campus.

◆ **SMALL BUSINESSES:** There are not anticipated to be any costs or savings because this rule just outlines free expression on campus.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There are not anticipated to be any costs or savings because this rule just outlines free expression on campus.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are not anticipated to be any costs or savings because this rule just outlines free expression on campus.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** It is not anticipated there will be any fiscal impact on businesses.

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

SYSTEM OF TECHNICAL COLLEGES (UTAH)

DIXIE TECHNICAL COLLEGE

610 S TECH RIDGE ROAD

ST. GEORGE, UT 84770

or at the Office of Administrative Rules.

#### DIRECT QUESTIONS REGARDING THIS RULE TO:

◆ Sam Draper by phone at 435-674-8636, or by Internet E-mail at sdraper@dixietech.edu

**INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019**

**THIS RULE MAY BECOME EFFECTIVE ON: 09/24/2019**

AUTHORIZED BY: Kelle Stephens, President

Appendix 1: Regulatory Impact Summary Table\*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>			
	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

Appendix 2: Regulatory Impact to Non-Small Businesses

There is no anticipated impact or benefit to non-small businesses.

President Kelle Stephens has reviewed and approved this fiscal analysis.

**R951. System of Technical Colleges (Utah), Dixie Technical College.**

**R951-2. Student Free Expression Rule.**

**R951-2-1. Student Free Expression.**

(a) Students may peacefully assemble, protest or speak; distribute literature; carry a sign; or circulate a petition in the outdoor areas of campus in accordance with the Campus Access Rule.

(b) Behavior that unreasonably disrupts or otherwise interferes with the lawful functions of the College, the rights of other students to pursue an education or actions of the College faculty or staff such as abusive or threatening behavior towards other students, faculty, staff or other College representatives, as well as knowingly or recklessly disturbing the peace of the College including, but not limited to, disorderly conduct, failure to comply with an order to disperse, and/or being intoxicated is prohibited.

(c) Language which is offensive, abusive, insulting, vulgar, obscene, degrading, morbid, lascivious or erotic in nature is prohibited, as it interferes with the education of other students. Students are expected to act in a professional and respectful manner while on campus or when representing the college.

**KEY: student free expression, free expression on campus**  
**Date of Enactment or Last Substantive Amendment: 2019**  
**Authorizing, and Implemented or Interpreted Law: 53B-27-201 et seq.**

**System of Technical Colleges (Utah),  
 Dixie Technical College  
 R951-3  
 Student Grievance Rule**

**NOTICE OF PROPOSED RULE**  
 (New Rule)  
 DAR FILE NO.: 43889  
 FILED: 07/13/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** There was a statutory change that requires this rule.

**SUMMARY OF THE RULE OR CHANGE:** This rule establishes the Dixie Technical College's student grievance procedure.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 53B-27-301 et seq.

**ANTICIPATED COST OR SAVINGS TO:**

- ♦ **THE STATE BUDGET:** There is not anticipated to be any cost or savings because this rule only establishes student grievance procedures.
- ♦ **LOCAL GOVERNMENTS:** There is not anticipated to be any cost or savings because this rule only establishes student grievance procedures.
- ♦ **SMALL BUSINESSES:** There is not anticipated to be any cost or savings because this rule only establishes student grievance procedures.
- ♦ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** There is not anticipated to be any cost or savings because this rule only establishes student grievance procedures.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There is not anticipated to be any cost or savings because this rule only establishes student grievance procedures.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** It is not anticipated that this rule will have a fiscal impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 SYSTEM OF TECHNICAL COLLEGES (UTAH)  
 DIXIE TECHNICAL COLLEGE

610 S TECH RIDGE ROAD  
 ST. GEORGE, UT 84770  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Sam Draper by phone at 435-674-8636, or by Internet E-mail at sdraper@dixietech.edu

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/24/2019

AUTHORIZED BY: Kelle Stephens, President

Appendix 1: Regulatory Impact Summary Table\*

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

Appendix 2: Regulatory Impact to Non-Small Businesses  
 There is no anticipated impact or benefit to non-small businesses.

President Kelle Stephens has reviewed and approved this fiscal analysis.

**R951. System of Technical Colleges (Utah), Dixie Technical College.**

**R951-3. Student Grievance Rule.**  
**R951-3-1. Student Grievance Rule.**

(a) In the course of technical training at Dixie Technical College, the student shall have the opportunity as set forth herein

for requesting the review of any action, grading, or evaluation made by administration, faculty, or staff of Dixie Technical College if so desired.

(b) A grievance is a claim or charge of injustice or discrimination based on an event or condition that affects the welfare or conditions of an individual student or group of students.

(i) The grievance must be filed in writing within ninety (90) days of the occurrence of the circumstance upon which it is based.

(ii) It must specifically identify the policy, procedure, or status violated, misrepresented, or inequitably applied.

(iii) It must furnish sufficient background concerning the alleged violation, misrepresentation, or inequitable applications to identify persons, actions, and/or omissions that led to the allegation.

**R951-3-2. Procedures.**

(a) Informal: Should a student or parent of a minor student believe there is a cause for grievance, he/she should discuss the grievance with the person(s) involved (instructor, student, student services staff, etc.) in an effort to resolve the grievance mutually and informally.

(b) Formal: If attempts to resolve the grievance informally are unsuccessful, the student should file a written, dated, and signed grievance within ninety (90) days of the occurrence with the Student Services Officer. The Student Services Officer will review the matter, make a decision and notify the grievant of the decision in writing.

(c) Records of student grievances will be maintained by the Student Services Officer.

(d) In the event that the grievance cannot be resolved through the above measures, students may contact the school's accrediting commission:

The Council on Occupational Education  
7840 Roswell Road, Building 300, Suite 325  
Atlanta, GA 30350  
www.council.org  
(800) 917-2081 or (770) 396-3898

**KEY: student grievances**

**Date of Enactment or Last Substantive Amendment: 2019**

**Authorizing, and Implemented or Interpreted Law: 53B-27-201 et seq.**

**Tax Commission, Administration**  
**R861-1A-46**  
**Procedures for Purchaser Refund**  
**Requests Pursuant to Utah Code Ann.**  
**Sections 59-1-1410 and 59-12-110**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 43883

FILED: 07/12/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of these amendments is to clarify the Tax Commission (Commission) review process for appeals from purchaser refund request dismissals.

**SUMMARY OF THE RULE OR CHANGE:** These proposed rule amendments clarify that when reviewing an appeal from a dismissal of a purchaser refund request, the Commission must determine whether adequate information and documents which determine the validity of the request were timely submitted to the division. If the appeal is successful the commission shall hear the underlying tax issue.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 59-1-1410 and Section 59-12-110

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** These proposed amendments are not expected to have any fiscal impact on state government revenues or expenditures because they only clarify the administrative appeals process.
- ◆ **LOCAL GOVERNMENTS:** These proposed amendments are not expected to have any fiscal impact on local governments' revenues or expenditures because they only clarify the administrative appeals process.
- ◆ **SMALL BUSINESSES:** These proposed amendments are expected to reduce the burden on small businesses who file a sales tax purchaser refund request because they will allow the Commission to consider whether adequate information and documentation was timely filed, and the merits of the underlying case in the same action. This may result in a cost savings to impacted small businesses by reducing the number of actions they must file with the Commission.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** These proposed amendments are expected reduce the burden on persons other than small businesses or local governments who file a sales tax purchaser refund request because they will allow the Commission to consider whether adequate information and documentation was timely filed, and the merits of the underlying case in the same action. This may result in a cost savings to impacted persons by reducing the number of actions they must file with the Commission.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** These proposed amendments are expected reduce the compliance burden on affected persons who file a sales tax purchaser refund request because they will allow the Commission to consider whether adequate information and documentation was timely filed and the merits of the underlying case in the same action. This could result in a cost savings to affected persons by reducing the number of actions they must file with the Commission.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** These rule amendments will not have a fiscal impact because

they reduce the compliance burden on businesses. They will reduce the number of actions required when a taxpayer prevails in certain refund requests.

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

TAX COMMISSION  
ADMINISTRATION  
210 N 1950 W  
SALT LAKE CITY, UT 84134-0002  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

- ◆ Jennifer Franklin by phone at 801-297-3901, or by Internet E-mail at [jenniferfranklin@utah.gov](mailto:jenniferfranklin@utah.gov)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Rebecca Rockwell, Commissioner

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>Net Fiscal Benefits:</b>	\$0	\$0	\$0
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\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described above. Inestimable impacts for Non-Small Businesses are described below.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

These proposed amendments are not expected to reduce the burden non-small businesses who file a sales tax purchaser refund request because they will allow the commission to consider whether adequate information and documentation was timely filed and the merits of the underlying case in the same action. This may result in small cost savings to impacted businesses by reducing the number of actions they must file with the commission.

Commissioner of the Utah State Tax Commission, Rebecca L. Rockwell, has reviewed and approved this fiscal analysis.

**R861. Tax Commission, Administration.**

**R861-1A. Administrative Procedures.**

**R861-1A-46. Procedures for Purchaser Refund Requests Pursuant to Utah Code Ann. Sections 59-1-1410 and 59-12-110.**

(1) Definitions.

(a) "Division" means the Auditing Division of the commission.

(b) "Purchaser refund request" means:

- (i) a refund request for sales tax overpaid; and
- (ii) submitted by a person other than the seller that originally collected and remitted the sales tax to the commission.

(c) "Required information and documents" means, for each transaction included in a purchaser refund request:

- (i) a description of the item for which a refund is requested;
- (ii) the invoiced transaction date;
- (iii) the taxable purchase amount;
- (iv) the tax rate applied to the purchase amount;
- (v) the invoice number;
- (vi) invoices or receipts or other books and records that show the items purchased and sales tax charged;
- (vii) the sales tax paid;
- (viii) the reason and basis in Utah law for exempting or excluding the item from sales tax;

(ix) documentation that verifies that the item qualifies for a sales tax exemption or exclusion;

(x) the amount of sales tax overpaid;

(xi) proof of payment of sales tax, such as a canceled check, bank statement, credit card statement or receipt, letter from the seller, or other books and records that demonstrate payment was made;

(xii) if an agent applies for the refund on behalf of a purchaser, a power of attorney;

(xiii) the name and address of the seller; and

(xiv) a signed statement that the seller that calculated and remitted the sales tax:

- (A) has not provided a sales tax refund or credit; and
- (B) will not be asked to provide a sales tax refund or credit.

(2)(a) Except as provided in Subsection (3), a person submitting a purchaser refund request shall include the required information and documents with the application to the division.

(b) The items described in Subsection (2)(a) shall be provided to the division in the format and manner prescribed by the division.

(c) If the application is not accompanied by all of the required information and documents, the division shall send a notice to the person that submitted the purchaser refund request.

(d) The notice described in Subsection (2)(c) shall:

(i) indicate the required information and documents that are missing; and

(ii) allow the person submitting the purchaser refund request 30 days to provide the missing required information and documents to the division.

(e)(i) A person submitting a purchaser refund request who is unable to provide the information and documents described in Subsection (2)(d)(i) within the time period described in Subsection (2)(d)(ii) may contact the division to request an extension of time to provide the required information and documents that are missing.

(ii) The division shall grant reasonable requests for extension that will not unnecessarily prolong the processing of the refund request. If an extension is granted, the division shall provide written notice to the person submitting the purchaser refund request of the length of an extension of time granted under Subsection (2)(e)(i).

(f) If the division has not received all of the required information and documents within the time period described in Subsection (2)(d), or if applicable, within an extension of time granted under Subsection (2)(e), the division shall:

(i) evaluate the purchaser refund request based solely on the required information and documents received; and

(ii) dismiss for lack of evidence requests for refunds on items for which the division has not received the required information and documents.

(g)(i) Dismissals under Subsection (2)(f) may be appealed to the commission.

(ii) On an appeal under Subsection (2)(g)(i), the ~~only matter that will be reviewed by the~~ commission shall review [is] whether information and documents adequate to determine the validity of the purchaser refund request were received by the division within the time period prescribed under Subsection (2)(d), or if applicable, within an extension of time granted under Subsection (2)(e).

(iii) If a person prevails on an appeal under Subsection (2)(g)(i), the commission shall hold a hearing for disposition of the underlying tax issue.

(3)(a) A person who submits a purchaser refund request may, at the time the application for the refund is filed, request the division use a sampling method in its review of the purchaser refund request.

(b) A person requesting a sampling method of review under Subsection (3)(a) shall include the following information for each transaction included in the purchaser refund request with the application to the division:

- (i) the invoice number;
- (ii) the invoiced transaction date;
- (iii) the taxable purchase amount;
- (iv) the tax rate applied to the purchase amount;
- (v) the sales tax paid;
- (vi) the amount of sales tax overpaid;
- (vii) the name and address of the seller

(viii) a description of the item for which a refund is requested; and

(ix) the reason and basis in Utah law the item is exempt or excluded from sales tax.

(c) The items described in Subsection (3)(b) shall be provided to the division in the format and manner prescribed by the division.

(4)(a) If the division and a person submitting a purchaser refund request agree to the division's use of a sampling method in its review of the purchaser refund request, the division shall:

(i) determine the items that will be included in the sample;

(ii) notify the person submitting the purchaser refund request of the items that will be included in the sample and the information and documents that must be submitted to the division; and

(iii) allow the person submitting the purchaser refund request 30 days to provide the information and documents to the division in the format and manner prescribed by the division.

(b)(i) A person submitting a purchaser refund request who is unable to provide the information and documents described in Subsection (4)(a)(ii) within the time period described in Subsection (4)(a)(iii) may contact the division to request an extension of time to provide the information and documents that are missing.

(ii) The division shall grant reasonable requests for extension that will not unnecessarily prolong the processing of the refund request. If an extension is granted, the division shall provide written notice to the person submitting the purchaser refund request of the length of an extension of time granted under Subsection (4)(b)(i).

(c) Information and documents described in Subsection (4)(a)(ii) that are not received by the end of the period described in Subsection(4)(a), or if applicable, within an extension of time granted under Subsection (4)(b), shall be:

(i) considered errors; and

(ii) included in the overall error factor by which the purchaser refund request is decreased.

(d)(i) Errors under Subsection (4)(c) may be appealed to the commission.

(ii) On an appeal under Subsection (4)(d)(i), the only matter that will be reviewed by the commission is whether information and documents adequate to determine the validity of the purchaser refund request were received by the division within the time period prescribed under Subsection (4)(a), or if applicable, within an extension of time granted under Subsection (4)(b).

**KEY: developmental disabilities, grievance procedures, taxation, disclosure requirements**

**Date of Enactment or Last Substantive Amendment: [September 10, 2018]2019**

**Notice of Continuation: November 10, 2016**

**Authorizing, and Implemented or Interpreted Law: 10-1-405; 41-1a-209; 52-4-207; 59-1-205; 59-1-207; 59-1-210; 59-1-301; 59-1-302.1; 59-1-304; 59-1-401; 59-1-403; 59-1-404; 59-1-405; 59-1-501; 59-1-502.5; 59-1-602; 59-1-611; 59-1-705; 59-1-706; 59-1-1004; 59-1-1404; 59-7-505; 59-10-512; 59-10-532; 59-10-533; 59-10-535; 59-12-107; 59-12-114; 59-12-118; 59-13-206; 59-13-210; 59-13-307; 59-10-544; 59-14-404; 59-2-212; 59-2-701; 59-2-705; 59-2-1003; 59-2-1004; 59-2-1006; 59-2-1007; 59-2-704; 59-2-924; 59-7-517; 63G-3-301; 63G-4-102; 76-8-502; 76-8-503; 59-2-701; 63G-4-201; 63G-4-**

**202; 63G-4-203; 63G-4-204; 63G-4-205 through 63G-4-209; 63G-302; 63G-4-401; 63G-4-503; 63G-3-201(2); 68-3-7; 68-3-8.5; 69-2-5; 42 USC 12201; 28 CFR 25.107 1992 Edition**

**Tax Commission, Auditing  
R865-19S-93  
Waste Tire Recycling Fee Pursuant to  
Utah Code Ann. Section 19-6-808**

**NOTICE OF PROPOSED RULE**

(Amendment)

DAR FILE NO.: 43884

FILED: 07/12/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of these amendments are to clarify the recycling fee information that must be included on the invoice for the purchase of a new tire.

**SUMMARY OF THE RULE OR CHANGE:** These proposed rule amendments clarify the statutory requirement under Subsections 19-6-808(4) and 59-12-107(3)(c) that a retailer must provide all purchasers of new tires with an invoice that specifically identifies the recycling fee as the "UCA 19-6-805 Recycling Fee".

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 19-6-808

**ANTICIPATED COST OR SAVINGS TO:**

◆ **THE STATE BUDGET:** These proposed amendments are not expected to have any fiscal impact on state government revenues or expenditures because they only clarify the information that must be included on the invoice for the purchase of new tires.

◆ **LOCAL GOVERNMENTS:** These proposed amendments are not expected to have any fiscal impact on local governments' revenues or expenditures because they only clarify the information that must be included on the invoice for the purchase of new tires.

◆ **SMALL BUSINESSES:** These proposed amendments are not expected to have any fiscal impact on small businesses' revenues or expenditures because they only clarify the information that must be included on the invoice for the purchase of new tires.

◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** These proposed amendments are not expected to have any fiscal impact on the revenues or expenditures of persons other than small businesses or local government because they only clarify the information that must be included on the invoice for the purchase of new tires.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** These proposed amendments may require some affected persons that sell new tires to modify their invoice to specifically identify the recycling fee as the "UCA 19-6-805 Recycling Fee" on the invoice. This may create a small one-time compliance cost on affected persons that do not already separately identify the recycling fee on the invoice.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** These amendments may create a small one-time compliance cost on businesses because of the requirement to specify certain information on invoices.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 TAX COMMISSION  
 AUDITING  
 210 N 1950 W  
 SALT LAKE CITY, UT 84134  
 or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**  
 ♦ Jennifer Franklin by phone at 801-297-3901, or by Internet E-mail at jenniferfranklin@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Rebecca Rockwell, Commissioner

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0

Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>			
	\$0	\$0	\$0

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described above. Inestimable impacts for Non-Small Businesses are described below.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

These rule changes may require some non-small businesses that sell new tires to modify their invoice to specifically identify the recycling fee as the "UCA 19-6-805 Recycling Fee" on the invoice. This may create a small one-time compliance cost on those that do not already separately identify the recycling fee on the invoice.

Commissioner of the Utah State Tax Commission, Rebecca L. Rockwell, has reviewed and approved this fiscal analysis.

**R865. Tax Commission, Auditing.**

**R865-19S. Sales and Use Tax.**

**R865-19S-93. ~~Waste Tire~~ Recycling Fee Pursuant to Utah Code Ann. Section 19-6-808.**

~~[A:]~~(1) The ~~recycling fee~~ shall be paid by the retailer to the ~~State Tax Commission~~ commission at the same time and in the same manner as sales and use tax returns are filed. The sales tax account number will also be the recycling fee account number. A separate return form will be provided.

~~[1:]~~(a) ~~Except as provided in (1)(c), the retailer shall impose the recycling fee on all purchasers~~ will be imposed at the same time the sales tax is imposed. ~~For example, if tires are purchased for resale either as part of a vehicle sale or to be sold separately by a vehicle dealer, the recycling fee and the sales tax would be collected by the dealer at the time the vehicle is sold. If sales tax is paid to a tire retailer by a vehicle dealer when tires are purchased, the recycling fee will also be paid by the vehicle dealer to the tire retailer.~~

(b) The retailer shall provide an invoice to all purchasers that separately itemizes and identifies the recycling fee as the "UCA 19-6-805 Recycling Fee".

~~[2:]~~(c) Where tires are sold to entities exempt from sales tax, the exempt entity must still pay the recycling fee.

~~[B:]~~(2) The recycling fee is not considered part of the sales price of the tire and is not subject to sales or use tax.

~~[C:]~~(3) Wholesalers purchasing tires for resale are not subject to the recycling fee.

~~[D:]~~(4) Tires sold and delivered out of state are not subject to the recycling fee.

~~[E:]~~(5) Tires purchased from out of state vendors are subject to the recycling fee. The recycling fee must be reported and paid directly to the ~~Tax Commission~~ commission ~~in conjunction~~ with the use tax.

**KEY: charities, tax exemptions, religious activities, sales tax**  
**Date of Enactment or Last Substantive Amendment:** ~~December 13, 2018~~**2019**  
**Notice of Continuation:** November 10, 2016  
**Authorizing, and Implemented or Interpreted Law:** 9-2-1702; 9-2-1703; 10-1-303; 10-1-306; 10-1-307; 10-1-405; 19-6-808; 26-32a-101 through 26-32a-113; 59-1-210; 59-12; 59-12-102; 59-12-103; 59-12-104; 59-12-105; 59-12-106; 59-12-107; 59-12-108; 59-12-118; 59-12-301; 59-12-352; 59-12-353

**Tax Commission, Property Tax**  
**R884-24P-24**  
**Form for Notice of Property Valuation**  
**and Tax Changes Pursuant to Utah**  
**Code Ann. Sections 59-2-918.5 through**  
**59-2-924**

**NOTICE OF PROPOSED RULE**  
 (Amendment)  
 DAR FILE NO.: 43885  
 FILED: 07/12/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** The purpose of this amendment is to reflect statutory changes pursuant to H.B. 446, passed in the 2019 General Session.

**SUMMARY OF THE RULE OR CHANGE:** Consistent with H.B. 446 (2019), this proposed amendment changes the deadline for a fiscal year taxing entity to complete the tax increase process from by "August 17" to before "September 1".

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 59-2-918.5 and Section 59-2-924

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** This proposed amendment is not expected to have any fiscal impact on state government revenues or expenditures because any fiscal impacts would have been addressed in the fiscal note of H.B. 446 (2019).
- ◆ **LOCAL GOVERNMENTS:** This proposed amendment is not expected to have any fiscal impact on local governments' revenues or expenditures because any fiscal impacts would have been addressed in the fiscal note of H.B. 446 (2019).
- ◆ **SMALL BUSINESSES:** This proposed amendment is not expected to have any fiscal impact on small businesses' revenues or expenditures because any fiscal impacts would have been addressed in the fiscal note of H.B. 446 (2019).
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This proposed amendment is not expected to have any fiscal impact on the revenues or expenditures of persons other than

small businesses or local governments because any fiscal impacts would have been addressed in the fiscal note of H.B. 446 (2019).

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** The proposed amendment is likely to slightly decrease the compliance burden on affected persons by delaying the deadline for a fiscal year taxing entity to complete the tax increase process from by "August 17" to before "September 1".

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This amendment does not have a fiscal impact on businesses. Rather, it reduces compliance burdens.

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

TAX COMMISSION  
 PROPERTY TAX  
 210 N 1950 W  
 SALT LAKE CITY, UT 84134  
 or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Jennifer Franklin by phone at 801-297-3901, or by Internet E-mail at [jenniferfranklin@utah.gov](mailto:jenniferfranklin@utah.gov)

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Rebecca Rockwell, Commissioner

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits			
State Government	\$0	\$0	\$0



Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described above. Inestimable impacts for Non-Small Businesses are described below.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

This proposed amendment is not expected to have any regulatory impacts on non-small business because any impacts would have been addressed in the fiscal note of 2019 HB 446.

Commissioner of the Utah State Tax Commission, Rebecca L. Rockwell, has reviewed and approved this fiscal analysis.

**R884. Tax Commission, Property Tax.**

**R884-24P. Property Tax.**

**R884-24P-24. Form for Notice of Property Valuation and Tax Changes Pursuant to Utah Code Ann. Sections 59-2-918.5 through 59-2-924.**

(1) The county auditor must notify all real property owners of property valuation and tax changes on the Notice of Property Valuation and Tax Changes form.

(a) If a county desires to use a modified version of the Notice of Property Valuation and Tax Changes, a copy of the proposed modification must be submitted for approval to the Property Tax Division of the Tax Commission no later than March 1.

(i) Within 15 days of receipt, the Property Tax Division will issue a written decision, including justifications, on the use of the modified Notice of Property Valuation and Tax Changes.

(ii) If a county is not satisfied with the decision, it may petition for a hearing before the Tax Commission as provided in R861-1A-22.

(b) The Notice of Property Valuation and Tax Changes, however modified, must contain the same information as the unmodified version. A property description may be included at the option of the county.

(2) The Notice of Property Valuation and Tax Changes must be completed by the county auditor in its entirety, except in the following circumstances:

(a) New property is created by a new legal description; or

(b) The status of the improvements on the property has changed.

(c) In instances where partial completion is allowed, the term nonapplicable will be entered in the appropriate sections of the Notice of Property Valuation and Tax Changes.

(d) If the county auditor determines that conditions other than those outlined in this section merit deletion, the auditor may enter the term "nonapplicable" in appropriate sections of the Notice of Property Valuation and Tax Changes only after receiving approval from the Property Tax Division in the manner described in Subsection (1).

(3) Real estate assessed under the Farmland Assessment Act of 1969 must be reported at full market value, with the value based upon Farmland Assessment Act rates shown parenthetically.

(4)(a) All completion dates specified for the disclosure of property tax information must be strictly observed.

(b) Requests for deviation from the statutory completion dates must be submitted in writing on or before June 1, and receive the approval of the Property Tax Division in the manner described in Subsection (1).

(5) If the cost of public notice required under Section 59-2-919 is greater than one percent of the property tax revenues to be received, an entity may combine its advertisement with other entities, or use direct mail notification.

(6) Calculation of the amount and percentage increase in property tax revenues required by Section 59-2-919 shall be computed by comparing property taxes levied for the current year with property taxes budgeted the prior year, without adjusting for revenues attributable to new growth.

(7) If a taxing [district]entity has not completed the tax rate setting process as prescribed in Sections 59-2-919 and 59-2-920 [by]before [August 17]September 1, the county auditor must seek approval from the Tax Commission to use the certified rate in calculating taxes levied.

(8) The value of property subject to the uniform fee under Sections 59-2-405 through 59-2-405.3 is excluded from taxable value for purposes of calculating new growth, the certified tax rate, and the proposed tax rate.

(9) The value and taxes of property subject to the uniform fee under Sections 59-2-405 through 59-2-405.3 are excluded when calculating the percentage of property taxes collected as provided in Section 59-2-924.

(10) Entities required to set levies for more than one fund must compute an aggregate certified rate. The aggregate certified rate is the sum of the certified rates for individual funds for which separate levies are required by law. The aggregate certified rate computation applies where:

(a) the valuation bases for the funds are contained within identical geographic boundaries; and

(b) the funds are under the levy and budget setting authority of the same governmental entity.

(11) For purposes of determining the certified tax rate of a municipality incorporated on or after July 1, 1996, the levy imposed for municipal-type services or general county purposes shall be the certified tax rate for municipal-type services or general county purposes, as applicable.

(12) No new entity, including a new city, may have a certified tax rate or levy a tax for any particular year unless that entity existed on the first day of that calendar year.

**KEY: taxation, personal property, property tax, appraisals**  
**Date of Enactment or Last Substantive Amendment: [May 17,] 2019**

**Notice of Continuation: November 10, 2016**

**Authorizing, and Implemented or Interpreted Law:** Art. XIII, Sec 2; 9-2-201; 11-13-302; 41-1a-202; 41-1a-301; 59-1-210; 59-2-102; 59-2-103; 59-2-103.5; 59-2-104; 59-2-201; 59-2-210; 59-2-211; 59-2-301; 59-2-301.3; 59-2-302; 59-2-303; 59-2-303.1; 59-2-305; 59-2-306; 59-2-401; 59-2-402; 59-2-404; 59-2-405; 59-2-405.1; 59-2-406; 59-2-508; 59-2-514; 59-2-515; 59-2-701; 59-2-702; 59-2-703; 59-2-704; 59-2-704.5; 59-2-705; 59-2-801; 59-2-918 through 59-2-924; 59-2-1002; 59-2-1004; 59-2-1005; 59-2-1006; 59-2-1101; 59-2-1102; 59-2-1104; 59-2-1106; 59-2-1107 through 59-2-1109; 59-2-1113; 59-2-1115; 59-2-1202; 59-2-1202(5); 59-2-1302; 59-2-1303; 59-2-1308.5; 59-2-1317; 59-2-1328; 59-2-1330; 59-2-1347; 59-2-1351; 59-2-1365; 59-2-1703

**Utech Board of Trustees,  
Administration  
R945-2  
Institutional Civil Liberties Policy  
Review**

**NOTICE OF PROPOSED RULE  
(New Rule)**

DAR FILE NO.: 43898  
FILED: 07/15/2019

**RULE ANALYSIS**

**PURPOSE OF THE RULE OR REASON FOR THE CHANGE:** This rule is being established in response to H.B. 116, Student Civil Liberties Protection Act, which was passed during the 2018 General Session.

**SUMMARY OF THE RULE OR CHANGE:** This new rule is being implemented in accordance with Section 53B-27-303 to establish a procedure whereby a student enrolled in an institution of the Utah System of Technical Colleges may submit a complaint to the Utah System of Technical Colleges Board of Trustees alleging a policy of the institution directly affects one or more of the student's civil liberties.

**STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE:** Section 53B-27-303

**ANTICIPATED COST OR SAVINGS TO:**

- ◆ **THE STATE BUDGET:** This new rule has no anticipated cost or savings to the state budget.
- ◆ **LOCAL GOVERNMENTS:** This new rule has no anticipated cost or savings to local governments.
- ◆ **SMALL BUSINESSES:** This new rule has no anticipated cost or savings to small businesses.
- ◆ **PERSONS OTHER THAN SMALL BUSINESSES, BUSINESSES, OR LOCAL GOVERNMENTAL ENTITIES:** This new rule has no anticipated cost or savings to other persons.

**COMPLIANCE COSTS FOR AFFECTED PERSONS:** There are no compliance costs for affected persons.

**COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:** This proposed rule will not result in a direct fiscal impact to businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
UTECH BOARD OF TRUSTEES  
ADMINISTRATION  
310 SOUTH MAIN STREET, SUITE 1250  
SALT LAKE CITY, UT 84101  
or at the Office of Administrative Rules.

**DIRECT QUESTIONS REGARDING THIS RULE TO:**

◆ Kim Ziebarth by phone at 801-341-6010, or by Internet E-mail at kim.ziebarth@utec.edu

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS NO LATER THAN AT 5:00 PM ON 09/03/2019

THIS RULE MAY BECOME EFFECTIVE ON: 09/10/2019

AUTHORIZED BY: Jared Haines, Associate Commissioner

**Appendix 1: Regulatory Impact Summary Table\***

Fiscal Costs	FY 2020	FY 2021	FY 2022
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Person	\$0	\$0	\$0
<b>Total Fiscal Costs:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Fiscal Benefits</b>			
State Government	\$0	\$0	\$0
Local Government	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

\*This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts for State Government, Local Government, Small Businesses and Other Persons are described in the narrative. Inestimable impacts for Non-Small Businesses are described in Appendix 2.

**Appendix 2: Regulatory Impact to Non-Small Businesses**

There is no anticipated impact or benefit to non-small businesses. The Interim Commissioner, Jared Haines, has reviewed and approved this fiscal analysis.

**R945. UTech Board of Trustees, Administration.****R945-2. Institutional Policy Review.****R945-2-1. Purpose.**

(1) This rule establishes a procedure whereby a student enrolled in a Utah System of Technical Colleges institution may submit a complaint to the Utah System of Technical Colleges Board of Trustees alleging a policy of the institution directly affects one or more of the student's civil liberties.

**R945-2-2. References.**

(1) Section 53B-27-303, Student Civil Liberties Protection Act: Complaint Process, Reporting.

**R945-2-3. Complaint Process.**

(1) A student enrolled in a Utah System of Technical Colleges institution may submit a complaint to the Utah System of Technical Colleges Board of Trustees (Board) alleging a policy of the institution directly affects one or more of the student's civil liberties.

(2) To file a complaint, a student may send a written request that identifies the policy for which a review is requested to the Office of the Commissioner of Technical Education. The Office of the Commissioner will forward the request to the Board Chair.

(3) Within 30 days after the day on which the complaint has been received by the Office of the Commissioner, the Board will evaluate the petition to determine whether the complaint is made in good faith; and

(a) if the Board determines that the complaint is made in good faith, direct the institution against which the complaint is made to initiate rulemaking proceedings for the challenged policy; or

(b) if the Board determines that the complaint is made in bad faith, dismiss the complaint.

(4) If the Board directs an institution to initiate rulemaking proceedings for a challenged policy in accordance with this section, the institution will initiate rulemaking proceedings for the policy within 60 days after the day on which the direction has been given.

(5) The Commissioner will report any complaints alleging that a policy of an institution directly affecting one or more of a student's civil liberties and action taken to the Board during the next regularly scheduled meeting.

**KEY: civil liberty, technical college, technical education**

**Date of Enactment or Last Substantive Amendment: 2019**

**Authorizing, and Implemented or Interpreted Law: 53B-27-303**

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



# FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

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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 <https://rules.utah.gov/>. The rule text may also be inspected at the agency or the Office of Administrative Rules. **REVIEWS** are effective upon filing.

**REVIEWS** are governed by Section 63G-3-305.

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## Administrative Services, Purchasing and General Services

### **R33-1**

## Utah Procurement Rules, General Procurement Provisions

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

DAR FILE NO.: 43859

FILED: 07/08/2019

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

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

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

ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at [jbgardner@graniteschools.org](mailto:jbgardner@graniteschools.org)

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

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## Administrative Services, Purchasing and General Services

### **R33-2**

## Rules of Procedure for Procurement Policy Board

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

DAR FILE NO.: 43854

FILED: 07/08/2019

### **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: Rule R33-2 is authorized under Subsection 63G-6a-202(5) which directs that the Procurement Policy Board "adopt rules of procedure for

conducting its business." The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

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 were no written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued as Subsection 63G-6a-202(5) directs that the Procurement Policy Board "adopt rules of procedure for conducting its business."

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

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**Administrative Services, Purchasing  
and General Services  
R33-3  
Procurement Organization**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 43855  
FILED: 07/08/2019

**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: In addition to the other requirements of Part 3 of the Utah Procurement Code, the Chief Procurement Officer may delegate, in writing, any authority pursuant to Section 63G-6a-304 as deemed

appropriate to any employees of the office of the Chief Procurement Officer, or of an executive branch procurement unit, respectively. These delegations shall remain in effect unless modified or revoked in writing. All definitions in the Utah Procurement Code shall apply to this rule unless otherwise specified in this rule. This administrative rule provides additional requirements and procedures and must be used in conjunction with the Utah Procurement Code.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

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**Administrative Services, Purchasing  
and General Services  
R33-4  
Supplemental Procurement Procedures**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 43856  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

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

OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 ADMINISTRATIVE SERVICES  
 PURCHASING AND GENERAL SERVICES  
 ROOM 3150 STATE OFFICE BLDG  
 450 N STATE ST  
 SALT LAKE CITY, UT 84114-1201  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
 and General Services**

**R33-5**

**Other Standard Procurement  
 Processes**

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

DAR FILE NO.: 43857  
 FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
 CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy

Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
 ADMINISTRATIVE SERVICES  
 PURCHASING AND GENERAL SERVICES  
 ROOM 3150 STATE OFFICE BLDG  
 450 N STATE ST  
 SALT LAKE CITY, UT 84114-1201  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
 and General Services**

**R33-6**

**Bidding**

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

DAR FILE NO.: 43858  
 FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
 CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
and General Services  
R33-7  
Request for Proposals**

**Administrative Services, Purchasing  
and General Services  
R33-8  
Exceptions to Standard Procurement  
Process**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 43860  
FILED: 07/08/2019

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 43861  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq. The request for proposals standard procurement process shall be conducted in accordance with the requirements set forth in, Utah Procurement Code Title 63G, Chapter 6a, Part 7.

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR



OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing and General Services**

**R33-9**

**Cancellations, Rejections, and Debarment**

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

DAR FILE NO.: 43862  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing and General Services**

**R33-10**

**Preferences**

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

DAR FILE NO.: 43864  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq. In addition to the reciprocal preference requirements contained in Section 63G-6a-1002 for the providers of procurement items produced, manufactured, mined, grown, or performed in Utah, Rule R33-10 outlines the process for award of a contract when there is more than one equally low preferred bidder.

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

comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
and General Services  
R33-11  
Form of Bonds**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 43863  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
and General Services  
R33-12  
Terms and Conditions, Contracts,  
Change Orders and Costs**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
OF CONTINUATION**  
DAR FILE NO.: 43865  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

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

ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at [jbgardner@graniteschools.org](mailto:jbgardner@graniteschools.org)

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

## Administrative Services, Purchasing and General Services

### R33-13

#### General Construction Provisions

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

DAR FILE NO.: 43866  
FILED: 07/08/2019

#### NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq. As required by Section 63G-6a-1302, this rule contains provisions applicable to: (1) selecting the appropriate method of management for construction contracts; (2) documenting the selection of a particular method of construction contract management; and (3) the selection of a construction manager/general contractor.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

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

ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at [jbgardner@graniteschools.org](mailto:jbgardner@graniteschools.org)

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

## Administrative Services, Purchasing and General Services

### R33-14

#### Procurement of Design-Build Transportation Project Contracts

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

DAR FILE NO.: 43867  
FILED: 07/08/2019

#### 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: In accordance with Subsection 63G-6a-1402(3)(a)(ii), the Utah Department of Transportation shall make rules governing the procurement of design-build transportation projects.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing and General Services**

**R33-15**

**Procurement of Design Professional Services**

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

DAR FILE NO.: 43868  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing and General Services**

**R33-16**

**Protests**

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

DAR FILE NO.: 43869  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

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ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES

ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
and General Services**

**R33-17**

**Procurement Appeals Panel**

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

DAR FILE NO.: 43870  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

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ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing  
and General Services**

**R33-18**

**Appeals to Court and Court  
Proceedings**

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

DAR FILE NO.: 43871  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

EFFECTIVE: 07/08/2019

**Administrative Services, Purchasing and General Services  
R33-19**

**General Provisions Related to Protest or Appeal**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 43872  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

**Administrative Services, Purchasing and General Services  
R33-20  
Records**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 43873  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq. General provisions related to records are in Part 20 of the Utah Procurement Code.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

Administrative Services, Purchasing and General Services

R33-21

Interaction Between Procurement Units

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 43875
FILED: 07/08/2019

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq. Cooperative purchasing shall be conducted in accordance with the requirements set forth in Section 63G-6a-2105.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT: ADMINISTRATIVE SERVICES PURCHASING AND GENERAL SERVICES ROOM 3150 STATE OFFICE BLDG 450 N STATE ST SALT LAKE CITY, UT 84114-1201 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

Administrative Services, Purchasing and General Services

R33-22

Reserved

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 43874
FILED: 07/08/2019

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: Part 22 of Title 63G, Chapter 6a, the Utah Procurement Code, does not exist at this point in time. Rules R33-1 through R33-24 are designed to match the corresponding Part of the Utah Procurement Code. When Part 22 of the Utah Procurement Code contains statutory language, the Board will consider whether to prepare draft rules for rulemaking process.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT: ADMINISTRATIVE SERVICES PURCHASING AND GENERAL SERVICES ROOM 3150 STATE OFFICE BLDG 450 N STATE ST SALT LAKE CITY, UT 84114-1201 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

Administrative Services, Purchasing and General Services

R33-23

Reserved

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 43876
FILED: 07/08/2019

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: Part 23 of Title 63G, Chapter 6a, the Utah Procurement Code, does not exist at this point in time. Rules R33-1 through R33-24 are designed to match the corresponding Part of the Utah Procurement Code. When Part 23 of the Utah Procurement Code contains statutory language, the Board will consider whether to prepare draft rules for rulemaking process.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT: ADMINISTRATIVE SERVICES PURCHASING AND GENERAL SERVICES ROOM 3150 STATE OFFICE BLDG 450 N STATE ST SALT LAKE CITY, UT 84114-1201 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

Administrative Services, Purchasing and General Services

R33-24

Unlawful Conduct and Ethical Standards

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 43877
FILED: 07/08/2019

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT: ADMINISTRATIVE SERVICES PURCHASING AND GENERAL SERVICES ROOM 3150 STATE OFFICE BLDG 450 N STATE ST SALT LAKE CITY, UT 84114-1201 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019



Administrative Services, Purchasing  
and General Services

**R33-25**

Executive Branch Insurance  
Procurement

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

DAR FILE NO.: 43879  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

Administrative Services, Purchasing  
and General Services

**R33-26**

State Surplus Property

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

DAR FILE NO.: 43878  
FILED: 07/08/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized under Title 63G, Chapter 6a, which directs that the Procurement Policy Board adopt rules. The Procurement Policy Board is also authorized to make rules under Section 63G-6a-203 et seq. Under the provisions of Section 63A-2-103, the Division of Purchasing and General Services shall manage and administer the State's surplus property program.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: There have been no written comments received during and since the last five-year review of this rule from interested persons.

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 should be continued as it is required by Title 63G, Chapter 6a.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:  
ADMINISTRATIVE SERVICES  
PURCHASING AND GENERAL SERVICES  
ROOM 3150 STATE OFFICE BLDG  
450 N STATE ST  
SALT LAKE CITY, UT 84114-1201  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jared Gardner by phone at 385-646-4561, or by Internet E-mail at jbgardner@graniteschools.org

AUTHORIZED BY: Jared Gardner, Chair, Procurement Policy Board

EFFECTIVE: 07/08/2019

Commerce, Occupational and Professional Licensing  
**R156-78**

Vocational Rehabilitation Counselors Licensing Act Rule

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 43890  
FILED: 07/15/2019

**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: Title 58, Chapter 78, provides for the licensure and regulation of vocational rehabilitation counselors. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-78-201(3)(a) provides that the Vocational Rehabilitation Counselors Licensing Board's duties and responsibilities shall be in accordance with Section 58-1-202. Subsection 58-1-202(1)(a) provides that one of the duties of each board is to recommend appropriate rules to the Division Director. This rule was enacted to clarify the provisions of Title 58, Chapter 78, with respect to vocational rehabilitation counselors.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since this rule was last reviewed in August 2014, the Division has received no written comments with regards to 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: This rule should be continued as it provides a mechanism to inform potential licensees of the requirements for licensure as allowed under statutory authority provided in Title 58, Chapter 78, with respect to vocational rehabilitation counselors. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

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 Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
♦ Jeff Busjahn by phone at 801-530-6789, by FAX at 801-530-6511, or by Internet E-mail at jbusjahn@utah.gov

AUTHORIZED BY: Mark Steinagel, Director

EFFECTIVE: 07/15/2019

Commerce, Occupational and Professional Licensing  
**R156-79**  
Hunting Guides and Outfitters Licensing Act Rule

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION**  
DAR FILE NO.: 43880  
FILED: 07/08/2019

**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: Title 58, Chapter 79, provides for the licensure and regulation of hunting guides and outfitters. Subsection 58-1-106(1)(a) provides that the Division of Occupational and Professional Licensing (Division) may adopt and enforce rules to administer Title 58. Subsection 58-79-201(4)(a) provides that the Hunting Guides and Outfitters Licensing Board's duties and responsibilities shall be in accordance with Section 58-1-202. Subsection 58-1-202(1)(a) provides that one of the duties of each board is to recommend appropriate rules to the Division Director. This rule was enacted to clarify the provisions of Title 58, Chapter 79, with respect to hunting guides and outfitters.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since this rule was last reviewed in 2014, it has been amended one time in July 2015. The Division has received no written comments with respect to 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: This rule should be continued as it provides a mechanism to inform potential licensees of the requirements

for licensure as allowed under statutory authority provided in Title 58, Chapter 79, with respect to hunting guides and outfitters. This rule should also be continued as it provides information to ensure applicants for licensure are adequately trained and meet minimum licensure requirements, and provides licensees with information concerning unprofessional conduct, definitions, and ethical standards relating to the profession.

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 Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Jana Johansen by phone at 801-530-6621, by FAX at 801-530-6511, or by Internet E-mail at [janajohansen@utah.gov](mailto:janajohansen@utah.gov)

AUTHORIZED BY: Mark Steinagel, Director

EFFECTIVE: 07/08/2019

Health, Family Health and  
Preparedness, Children with Special  
Health Care Needs

**R398-5**

Birth Defects and Critical Congenital  
Heart Disease Reporting

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

DAR FILE NO.: 43886

FILED: 07/12/2019

**NOTICE OF REVIEW AND STATEMENT OF  
CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: This rule is authorized by Subsections 26-1-30(5), (6), (7), (9), (18), (22), 26-10-1(2), Section 26-10-2, and Subsection 26-10-6(1)(d). The rule establishes reporting requirements for birth defects and related test results.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: All comments received were

addressed during the last amendment on 03/11/2019. No additional 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: Sections 26-1-30, 26-10-1, 26-10-2, 26-10-6, and 26-25-1 are still in effect and require this rule. 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,  
CHILDREN WITH SPECIAL HEALTH CARE NEEDS  
44 N MARIO CAPECCHI DR  
SALT LAKE CITY, UT 84113  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Joyce McStotts by phone at 801-584-8239, by FAX at 801-584-8488, or by Internet E-mail at [jmcstotts@utah.gov](mailto:jmcstotts@utah.gov)

AUTHORIZED BY: Joseph Miner, MD, Executive Director

EFFECTIVE: 07/12/2019

Health, Health Care Financing,  
Coverage and Reimbursement Policy

**R414-61**

Home and Community-Based Services  
Waivers

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

DAR FILE NO.: 43851

FILED: 07/02/2019

**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 26-18-3 requires the Department of Health (Department) to implement the Medicaid program through administrative rules, and Section 1915(c) of the Social Security Act authorizes payment for home and community-based services (HCBS) under an HCBS waiver.

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 did not receive any written or oral 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: This rule should be continued because it allows the Department to administer HCBS waivers for Medicaid members.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Craig Devashrayee by phone at 801-538-6641, by FAX at 801-538-6099, or by Internet E-mail at [cdevashrayee@utah.gov](mailto:cdevashrayee@utah.gov)

AUTHORIZED BY: Joseph Miner, MD, Executive Director

EFFECTIVE: 07/02/2019

Human Services, Services for People  
with Disabilities  
**R539-2**  
Service Coordination

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

DAR FILE NO.: 43891  
FILED: 07/15/2019

**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 62A-5-103(2) provides statutory authority for the Division of Services for People with Disabilities (Division) to administer an array of services and supports to persons with disabilities and their families; make rules that establish eligibility criteria; enhance the quality of life for a person with a disability directly or by contract with private organizations; and supervise those organizations and private services providers. Rule R539-2 sets forth standards for the way in which the Division provides services, including planning, developing, and managing those services, and how they will be provided through the use of privately contracted support coordinators and service providers. All of which are explicitly or nearly explicitly required by the statute cited above. Currently, this rule states

that authority for this rule comes from Subsection 62A-5-103(2)(b). The Division is preparing a rule amendment that will change this to cite the entirety of Subsection 62A-5-103(2).

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 received no written comments either in support or opposition to 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: This rule sets forth necessary rules regarding how applicants are selected and ranked according to need to receive services, the process by which individualized service plans are crafted to meet a persons needs, the process by which applicants are placed on one of the Medicaid waivers that the Division operates, how the Division oversees and manages its contractors and ensures quality services. These are all functions that the Division must layout in rule to continue to provide services to people with disabilities in the state of Utah. Therefore, this rule should be continued.

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

HUMAN SERVICES  
SERVICES FOR PEOPLE WITH DISABILITIES  
195 N 1950 W 3RD FLR  
SALT LAKE CITY, UT 84116  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Amy Huppi by phone at 801-538-4154, or by Internet E-mail at [amyhuppi@utah.gov](mailto:amyhuppi@utah.gov)

AUTHORIZED BY: Angella Pinna, Director

EFFECTIVE: 07/15/2019

Human Services, Services for People  
with Disabilities  
**R539-3**  
Rights and Protections

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

DAR FILE NO.: 43892  
FILED: 07/15/2019

**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 62A-5-103(2)(e) provides statutory authority for the Division of Services for People with Disabilities (Division) to "supervise the programs and facilities operated by, or under contract with, the Division." Subsection 62A-5-103(2)(g) states that the Division has responsibility to "ensure that a person with a disability is not deprived of that person's constitutionally protected rights without due process procedures." The purpose of Rule R539-3 is to support persons with disabilities in exercising their rights and ensuring that those rights are protected and not unduly infringed upon. The Division is preparing a rule amendment that will change this to cite the entirety of Subsection 62A-5-103(2).

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 received no written comments either in support or opposition to 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: This rule is comprised of necessary provisions which help preserve the rights and privileges of persons with disabilities while they are receiving services through the Division, including establishing committees for reviewing potential human rights violations, setting forth protections for a person's personal property and privacy, allowing for administrative hearings, and prohibiting certain actions and procedures outright. This rule has helped protect the dignity and basic rights of countless people in services over the years and is heavily relied upon by the Division. Implementation of the CMS Final Settings Rule has also emphasized the need to have a rule surrounding the protection of civil rights for persons with disabilities. Therefore, this rule should be continued.

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

HUMAN SERVICES  
SERVICES FOR PEOPLE WITH DISABILITIES  
195 N 1950 W 3RD FLR  
SALT LAKE CITY, UT 84116  
or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

♦ Amy Huppi by phone at 801-538-4154, or by Internet E-mail at amyhuppi@utah.gov

AUTHORIZED BY: Angella Pinna, Director

EFFECTIVE: 07/15/2019

## Human Services, Services for People with Disabilities **R539-4** Behavior Interventions

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

DAR FILE NO.: 43893  
FILED: 07/15/2019

### 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 62A-5-102(2) states that "the division has the responsibility to plan and deliver an appropriate array of services and supports to persons with disabilities and their families within this state." Subsection 62A-5-103(2) states that the Division of Services for People with Disabilities (Division) has the authority and responsibility to: administer an array of services and supports for persons with disabilities, supervise those programs, ensure that constitutional rights are not deprived without due process, establish standards and rules for administration and operations of programs, and insure compliance. Rule R539-4 establishes standards for behavior supports, which are a vital part of being able to provide services to people with disabilities in the community instead of institutional settings. This rule is necessary to protect the people the Division serves by setting forth the supports that are appropriate, establishing criteria and standards for when those behavior supports can and should be used and in what manner, and overall providing oversight when they are used.

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 participated in a collaborative workgroup with various stakeholders to gather feedback and make changes to Rule R539-4. The input has been substantial. This is a vital rule that will be reworked significantly because of that feedback. However, the main components and purposes remain the same - to provide protection for those persons with disabilities who are receiving behavior supports. The revisions of this rule will be submitted following the conclusion of our workgroup.

REASONED JUSTIFICATION FOR THE CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The Division is tasked with managing community-based services waivers for people with

disabilities. This would not be possible for persons with targeted behavioral issues without the ability to provide a varied range of behavior supports. This rule allows the Division to do so, while also maintaining clear rules with the purpose of safeguarding the people the Division serves. The Division also relies on this rule, as do our service providers, to dictate appropriate behavior supports and interventions for those served. Therefore, this rule should be continued.

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

HUMAN SERVICES  
 SERVICES FOR PEOPLE WITH DISABILITIES  
 195 N 1950 W 3RD FLR  
 SALT LAKE CITY, UT 84116  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Amy Huppi by phone at 801-538-4154, or by Internet E-mail at amyhuppi@utah.gov

AUTHORIZED BY: Angella Pinna, Director

EFFECTIVE: 07/15/2019

**Human Services, Services for People  
 with Disabilities  
 R539-5  
 Self-Administered Services**

**FIVE-YEAR NOTICE OF REVIEW AND STATEMENT  
 OF CONTINUATION**  
 DAR FILE NO.: 43894  
 FILED: 07/15/2019

**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 62A-5-102(2) states that "the division has the responsibility to plan and deliver an appropriate array of services and supports to persons with disabilities and their families within this state." Subsection

62A-5-103(2) states that the Division of Services for People with Disabilities (Division) has the authority and responsibility to: administer an array of services and supports for persons with disabilities, to supervise those programs, and establish standards and rules for the administration and operation of those programs. Rule R539-5 governs the Division's Self-Administered Services Program. This Program offers a unique array of services in a unique setting, often within the home of the person with disabilities, and is a great alternative for many people with disabilities. As the Division is tasked with administering an array of services and supports, it has become necessary to put into rule the guidelines, allowances, and limitations upon the Self-Administered Services Program.

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 received no written comments either in support or opposition to 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: Self-Administered Services plays a key role in the Division's ability to provide services to people with disabilities in this state. It has an especially profound impact on the ability for people who live in rural areas to receive services. This rule needs to remain in place to continue to set guidelines and standards for this service delivery program, and to keep people with disabilities safe. Therefore, this rule should be continued.

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

HUMAN SERVICES  
 SERVICES FOR PEOPLE WITH DISABILITIES  
 195 N 1950 W 3RD FLR  
 SALT LAKE CITY, UT 84116  
 or at the Office of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:  
 ♦ Amy Huppi by phone at 801-538-4154, or by Internet E-mail at amyhuppi@utah.gov

AUTHORIZED BY: Angella Pinna, Director

EFFECTIVE: 07/15/2019

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

## NOTICES OF RULE EFFECTIVE DATES

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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 Office 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.

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### Abbreviations

AMD = Amendment

CPR = Change in Proposed Rule

NEW = New Rule

R&R = Repeal & Reenact

REP = Repeal

### Administrative Services

Child Welfare Parental Defense (Office of)

No. 43705 (REP): R19-1. Parental Defense Counsel Training

Published: 06/01/2019

Effective: 07/08/2019

### Education

Administration

No. 43654 (AMD): R277-301. Educator Licensing

Published: 05/01/2019

Effective: 07/02/2019

No. 43657 (AMD): R277-303. Educator Preparation Programs

Published: 05/01/2019

Effective: 07/02/2019

No. 43649 (AMD): R277-406. Early Literacy Program and Benchmark Reading Assessment

Published: 05/01/2019

Effective: 07/02/2019

No. 43658 (AMD): R277-417. Prohibiting LEAs and Third Party Providers from Offering Incentives or Disbursement for Enrollment or Participation

Published: 05/01/2019

Effective: 07/02/2019

No. 43652 (AMD): R277-463. Class Size Average and Pupil-Teacher Ratio Reporting

Published: 05/01/2019

Effective: 07/02/2019

No. 43647 (AMD): R277-480. Charter School Revolving Account

Published: 05/01/2019

Effective: 07/02/2019

No. 43683 (AMD): R277-493. Kindergarten Supplemental Enrichment Program

Published: 05/15/2019

Effective: 07/02/2019

No. 43648 (AMD): R277-511. Academic Pathway to Teaching (APT) Level 1 License

Published: 05/01/2019

Effective: 07/02/2019

No. 43651 (AMD): R277-707. Enhancement for Accelerated Students Program

Published: 05/01/2019

Effective: 07/02/2019

No. 43655 (NEW): R277-926. Certification of Residential Treatment Center Special Education Program

Published: 05/01/2019

Effective: 07/02/2019

### Governor

Economic Development

No. 43720 (NEW): R357-24. Utah Works Program Rule

Published: 06/01/2019

Effective: 07/08/2019

NOTICES OF RULE EFFECTIVE DATES

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Health

Health Care Financing, Coverage and Reimbursement Policy  
No. 43688 (AMD): R414-510. Intermediate Care Facility for  
Persons with Intellectual Disabilities Transition Program  
Published: 05/15/2019  
Effective: 07/15/2019

Transportation

Motor Carrier  
No. 43704 (AMD): R909-3. Standards for Utah School Buses  
Published: 06/01/2019  
Effective: 07/08/2019

Labor Commission

Boiler, Elevator and Coal Mine Safety  
No. 43711 (AMD): R616-2-3. Safety Codes and Rules for  
Boilers and Pressure Vessels  
Published: 06/01/2019  
Effective: 07/08/2019

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



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

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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, 2019 through July 15, 2019. 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 Office of Administrative Rules (801-538-3003).

A copy of the **RULES INDEX** is available for public inspection at the Office of Administrative Rules (5110 State Office Building, Salt Lake City, UT), or may be viewed online at the Office's web site (<https://rules.utah.gov/>).

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## 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>Administration</u>					
R13-2	Management of Records and Access to Records	43744	5YR	05/29/2019	2019-12/135
<u>Child Welfare Parental Defense (Office of)</u>					
R19-1	Parental Defense Counsel Training	43705	REP	07/08/2019	2019-11/4
<u>Facilities Construction and Management</u>					
R23-3	Planning, Programming, Request for Capital Development Projects and Operation and Maintenance Reporting for State Owned Facilities	43524	NSC	03/01/2019	Not Printed
R23-3	Planning, Programming, Request for Capital Development Projects and Operation and Maintenance Reporting for State Owned Facilities	43569	5YR	03/06/2019	2019-7/59
R23-23	Health Reform -- Health Insurance Coverage in State Contracts -- Implementation	43642	5YR	04/11/2019	2019-9/79
R23-29	Delegation of Project Management	43525	NSC	03/01/2019	Not Printed
R23-29	Delegation of Project Management	43567	5YR	03/06/2019	2019-7/60
R23-33	Rules for the Prioritization and Scoring of Capital Improvements by the Utah State Building Board	43568	5YR	03/06/2019	2019-7/60
<u>Finance</u>					
R25-7	Travel-Related Reimbursements for State Employees	43656	AMD	07/01/2019	2019-9/4
R25-10	State Entities' Posting of Financial Information to the Utah Public Finance Website	43404	AMD	01/23/2019	2018-24/6
R25-11	Utah Transparency Advisory Board, Procedures for Electronic Meetings	43471	5YR	01/07/2019	2019-3/43
<u>Purchasing and General Services</u>					
R33-1	Utah Procurement Rules, General Procurement Provisions	43859	5YR	07/08/2019	Not Printed
R33-2	Rules of Procedure for Procurement Policy Board	43854	5YR	07/08/2019	Not Printed
R33-3	Procurement Organization	43855	5YR	07/08/2019	Not Printed
R33-4	Supplemental Procurement Procedures	43856	5YR	07/08/2019	Not Printed
R33-5	Other Standard Procurement Processes	43857	5YR	07/08/2019	Not Printed
R33-6	Bidding	43858	5YR	07/08/2019	Not Printed
R33-7	Request for Proposals	43860	5YR	07/08/2019	Not Printed
R33-8	Exceptions to Standard Procurement Process	43861	5YR	07/08/2019	Not Printed
R33-9	Cancellations, Rejections, and Debarment	43862	5YR	07/08/2019	Not Printed

R33-10	Preferences	43864	5YR	07/08/2019	Not Printed
R33-11	Form of Bonds	43863	5YR	07/08/2019	Not Printed
R33-12	Terms and Conditions, Contracts, Change Orders and Costs	43865	5YR	07/08/2019	Not Printed
R33-13	General Construction Provisions	43866	5YR	07/08/2019	Not Printed
R33-14	Procurement of Design-Build Transportation Project Contracts	43867	5YR	07/08/2019	Not Printed
R33-15	Procurement of Design Professional Services	43868	5YR	07/08/2019	Not Printed
R33-16	Protests	43869	5YR	07/08/2019	Not Printed
R33-17	Procurement Appeals Panel	43870	5YR	07/08/2019	Not Printed
R33-18	Appeals to Court and Court Proceedings	43871	5YR	07/08/2019	Not Printed
R33-19	General Provisions Related to Protest or Appeal	43872	5YR	07/08/2019	Not Printed
R33-20	Records	43873	5YR	07/08/2019	Not Printed
R33-21	Interaction Between Procurement Units	43875	5YR	07/08/2019	Not Printed
R33-22	Reserved	43874	5YR	07/08/2019	Not Printed
R33-23	Reserved	43876	5YR	07/08/2019	Not Printed
R33-24	Unlawful Conduct and Ethical Standards	43877	5YR	07/08/2019	Not Printed
R33-25	Executive Branch Insurance Procurement	43879	5YR	07/08/2019	Not Printed
R33-26	State Surplus Property	43878	5YR	07/08/2019	Not Printed
<u>Records Committee</u>					
R35-1	State Records Committee Appeal Hearing Procedures	43760	5YR	06/03/2019	2019-13/111
R35-1a	State Records Committee Definitions	43761	5YR	06/03/2019	2019-13/111
R35-2	Declining Appeal Hearings	43762	5YR	06/03/2019	2019-13/112
R35-4	Compliance with State Records Committee Decisions and Orders	43763	5YR	06/03/2019	2019-13/112
R35-4-1	Authority and Purpose	43766	NSC	06/12/2019	Not Printed
R35-5	Subpoenas Issued by the Records Committee	43764	5YR	06/03/2019	2019-13/113
R35-6	Expedited Hearing	43765	5YR	06/03/2019	2019-13/113
<u>Risk Management</u>					
R37-4	Adjusted Utah Governmental Immunity Act Limitations on Judgments	43235	AMD	01/18/2019	2018-21/2
AGRICULTURE AND FOOD					
<u>Animal Industry</u>					
R58-20	Domesticated Elk Hunting Parks	43469	5YR	01/07/2019	2019-3/43
<u>Conservation Commission</u>					
R64-3	Utah Environmental Stewardship Certification Program (UESCP), a.k.a Agriculture Certification of Environmental Stewardship (ACES)	43685	5YR	04/30/2019	2019-10/115
<u>Marketing and Development</u>					
R65-1	Utah Apple Marketing Order	43546	NSC	03/13/2019	Not Printed
R65-5	Utah Red Tart and Sour Cherry Marketing Order	43547	NSC	03/13/2019	Not Printed
R65-8	Management of the Junior Livestock Show Appropriation	43545	NSC	03/13/2019	Not Printed
R65-11	Utah Sheep Marketing Order	43548	NSC	03/13/2019	Not Printed
R65-12	Utah Small Grains and Oilseeds Marketing Order	43549	NSC	03/13/2019	Not Printed
R65-12	Utah Small Grains and Oilseeds Marketing Order	43641	5YR	04/11/2019	2019-9/79
<u>Plant Industry</u>					
R68-25	Industrial Hemp Research Pilot Program for Processors	43571	NSC	03/21/2019	Not Printed
R68-27	Cannabis Cultivation	43686	EMR	05/03/2019	2019-10/107
<u>Regulatory Services</u>					
R70-310	Grade A Pasteurized Milk	43775	5YR	06/07/2019	2019-13/114

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Administration

R131-13	Health Reform -- Health Insurance Coverage in State Contracts -- Implementation	43662	5YR	04/17/2019	2019-10/115
R131-13	Health Reform -- Health Insurance Coverage in State Contracts -- Implementation	43517	AMD	06/13/2019	2019-5/6

COMMERCE

Consumer Protection

R152-34a	Utah Postsecondary School State Authorization Act Rule	43612	5YR	04/01/2019	2019-8/101
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Occupational and Professional Licensing

R156-15A	State Construction Code Administration and Adoption of Approved State Construction Code Rule	43522	AMD	04/08/2019	2019-5/8
R156-20a (Changed to R156-20b)	Environmental Health Scientist Act Rule	43466	NSC	01/11/2019	Not Printed
R156-28	Veterinary Practice Act Rule	43189	AMD	03/25/2019	2018-19/7
R156-28	Veterinary Practice Act Rule	43189	CPR	03/25/2019	2019-4/40
R156-31c	Nurse Licensure Compact Rule	43822	5YR	06/17/2019	2019-14/77
R156-55e	Elevator Mechanics Licensing Rule	43542	AMD	04/22/2019	2019-6/4
R156-60	Mental Health Professional Practice Act Rule	43543	5YR	02/26/2019	2019-6/41
R156-60a	Social Worker Licensing Act Rule	43799	5YR	06/13/2019	2019-13/114
R156-60b	Marriage and Family Therapist Licensing Act Rule	43800	5YR	06/13/2019	2019-13/115
R156-63a	Security Personnel Licensing Act Contract Security Rule	43318	AMD	05/13/2019	2018-22/89
R156-63a	Security Personnel Licensing Act Contract Security Rule	43318	CPR	05/13/2019	2019-7/48
R156-63a	Security Personnel Licensing Act Contract Security Rule	43577	NSC	05/14/2019	Not Printed
R156-63b	Security Personnel Licensing Act Armored Car Rule	43319	AMD	05/13/2019	2018-22/96
R156-63b	Security Personnel Licensing Act Armored Car Rule	43319	CPR	05/13/2019	2019-7/53
R156-63b	Security Personnel Licensing Act Armored Car Rule	43578	NSC	05/14/2019	Not Printed
R156-78	Vocational Rehabilitation Counselors Licensing Act Rule	43890	5YR	07/15/2019	Not Printed
R156-79	Hunting Guides and Outfitters Licensing Act Rule	43880	5YR	07/08/2019	Not Printed
R156-80a	Medical Language Interpreter Act Rule	43465	5YR	01/02/2019	2019-2/19

Real Estate

R162-2f	Real Estate Licensing and Practices Rules	43407	AMD	01/23/2019	2018-24/8
R162-2f	Real Estate Licensing and Practices Rules	43643	AMD	06/19/2019	2019-9/10

CORRECTIONS

Administration

R251-105	Applicant Qualifications for Employment with Department of Corrections	43218	AMD	02/11/2019	2018-20/12
R251-111	Government Records Access and Management	43596	5YR	03/19/2019	2019-8/102

EDUCATION

Administration

R277-100	Definitions for Utah State Board of Education (Board) Rules	43479	AMD	03/13/2019	2019-3/2
R277-102	Adjudicative Proceedings	43609	REP	05/23/2019	2019-8/4
R277-105	Recognizing Constitutional Freedoms in the Schools	43610	REP	05/23/2019	2019-8/6
R277-115	LEA Supervision and Monitoring Requirements of Third Party Providers and Contracts	43619	NEW	05/23/2019	2019-8/10

R277-117	Utah State Board of Education Protected Documents	43511	REP	04/08/2019	2019-5/19
R277-119	Discretionary Funds	43618	REP	05/23/2019	2019-8/12
R277-122	Board of Education Procurement	43441	AMD	02/07/2019	2019-1/17
R277-301	Educator Licensing	43654	AMD	07/02/2019	2019-9/15
R277-303	Educator Preparation Programs	43657	AMD	07/02/2019	2019-9/20
R277-304	Teacher Preparation Programs	43624	NEW	05/23/2019	2019-8/13
R277-308	New Educator Induction and Mentoring	43442	NEW	02/07/2019	2019-1/22
R277-400	School Facility Emergency and Safety	43507	5YR	02/08/2019	2019-5/95
R277-400	School Facility Emergency and Safety	43512	AMD	04/08/2019	2019-5/21
R277-404	Requirements for Assessments of Student Achievement	43450	AMD	02/22/2019	2019-2/6
R277-406	Early Literacy Program and Benchmark Reading Assessment	43649	AMD	07/02/2019	2019-9/23
R277-407	School Fees	43532	AMD	04/08/2019	2019-5/25
R277-417	Prohibiting LEAs and Third Party Providers from Offering Incentives or Disbursement for Enrollment or Participation	43658	AMD	07/02/2019	2019-9/26
R277-419	Pupil Accounting	43475	NSC	01/15/2019	Not Printed
R277-437	Student Enrollment Options	43397	AMD	01/09/2019	2018-23/6
R277-462	Comprehensive Counseling and Guidance Program	43739	5YR	05/23/2019	2019-12/135
R277-463	Class Size Average and Pupil-Teacher Ratio Reporting	43636	5YR	04/08/2019	2019-9/80
R277-463	Class Size Average and Pupil-Teacher Ratio Reporting	43652	AMD	07/02/2019	2019-9/29
R277-470	Charter Schools - General Provisions	43374	REP	01/09/2019	2018-23/9
R277-472	Charter School Student Enrollment and Transfers and School District Capacity Information	43637	5YR	04/08/2019	2019-9/81
R277-480	Charter School Revolving Account	43712	5YR	05/13/2019	2019-11/41
R277-480	Charter School Revolving Account	43647	AMD	07/02/2019	2019-9/31
R277-481	Charter School Oversight, Monitoring and Appeals	43399	REP	01/09/2019	2018-23/12
R277-482	Charter School Timelines and Approval Processes	43392	REP	01/09/2019	2018-23/15
R277-483	LEA Reporting and Accounting Requirements	43515	NEW	04/08/2019	2019-5/36
R277-486	Professional Staff Cost Program	43508	5YR	02/08/2019	2019-5/95
R277-486	Professional Staff Cost Program	43516	AMD	04/08/2019	2019-5/39
R277-487	Public School Data Confidentiality and Disclosure	43476	AMD	03/13/2019	2019-3/4
R277-493	Kindergarten Supplemental Enrichment Program	43638	5YR	04/08/2019	2019-9/81
R277-493	Kindergarten Supplemental Enrichment Program	43683	AMD	07/02/2019	2019-10/9
R277-494-4	Charter or Online School Student Participation in Co-Curricular Activities	43506	NSC	02/20/2019	Not Printed
R277-495	Required Policies for Electronic Devices in Public Schools	43531	AMD	04/08/2019	2019-5/42
R277-502	Educator Licensing and Data Retention	43664	NSC	05/14/2019	Not Printed
R277-502-4	License Levels, Procedures, and Periods of Validity	43600	NSC	04/01/2019	Not Printed
R277-509	Licensure of Student Teachers and Interns	43373	AMD	01/09/2019	2018-23/19
R277-511	Academic Pathway to Teaching (APT) Level 1 License	43648	AMD	07/02/2019	2019-9/34
R277-524	Paraprofessional/Paraeducator Programs, Assignments, and Qualifications	43583	5YR	03/14/2019	2019-7/61
R277-528	Use of Public Education Job Enhancement Program (PEJEP) Funds	43509	5YR	02/08/2019	2019-5/96
R277-550	Charter Schools – Definitions	43400	NEW	01/09/2019	2018-23/21
R277-551	Charter Schools - General Provisions	43393	NEW	01/09/2019	2018-23/24
R277-551	Charter Schools - General Provisions	43478	AMD	03/13/2019	2019-3/10
R277-552	Charter School Timelines and Approval Processes	43394	NEW	01/09/2019	2018-23/26
R277-552	Charter School Timelines and Approval Processes	43623	AMD	05/23/2019	2019-8/19

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R277-553	Charter School Oversight, Monitoring and Appeals	43401	NEW	01/09/2019	2018-23/31
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R277-555	Corrective Action Against Charter School Authorizers	43396	NEW	01/09/2019	2018-23/38
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R277-922	Digital Teaching and Learning Grant Program	43398	AMD	01/09/2019	2018-23/45
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R708-26	Learner Permit Rule	43591	5YR	03/15/2019	2019-7/66
R708-31	Ignition Interlock Systems	43592	5YR	03/15/2019	2019-7/66

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R704-1	Search and Rescue Financial Assistance Program	43827	5YR	06/26/2019	2019-14/79

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R710-12	Hazardous Materials Training and Certification	43455	NEW	04/09/2019	2019-2/14
R710-15	Seizure and Disposal of Fireworks, Class A Explosives, and Class B Explosives	43354	NEW	01/14/2019	2018-22/155

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R714-600	Performance Standards for Tow Truck Motor Carriers	43844	5YR	07/01/2019	2019-14/80
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R728-409	Suspension, Revocation, or Relinquishment of Certification	43666	AMD	06/24/2019	2019-10/100
R728-502	Procedure for POST Instructor Certification	43534	5YR	02/21/2019	2019-6/45

PUBLIC SERVICE COMMISSION

Administration

R746-8-301	Calculation and Application of UUSF Surcharge	43550	AMD	04/30/2019	2019-6/27
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R746-310	Uniform Rules Governing Electricity Service by Electric Utilities	43603	AMD	05/22/2019	2019-8/49
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R765-615	Talent Development Incentive Loan Program	43405	NEW	03/14/2019	2018-24/33
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R784-1	Government Records Access and Management Act Rules	43594	5YR	03/17/2019	2019-8/107
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R805-3	Overnight Camping and Campfires on University of Utah Property	43541	5YR	02/25/2019	2019-6/46
R805-3	Overnight Camping and Campfires on University of Utah Property	43566	AMD	05/22/2019	2019-7/38
R805-6	University of Utah Shooting Range Access and Use Requirements	43499	5YR	02/04/2019	2019-5/102
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R807-1	Curation of Collections from State Lands	43535	5YR	02/22/2019	2019-6/47
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R850-5-300	Royalties	43613	AMD	06/01/2019	2019-8/54
R850-21	Oil, Gas and Hydrocarbon Resources	43616	R&R	06/01/2019	2019-8/55
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<u>Property Tax</u>					
R884-24P-19	Appraiser Designation Program Pursuant to Utah Code Ann. Sections 59-2-701 and 59-2-702	43437	AMD	03/28/2019	2019-1/51
R884-24P-19	Appraiser Designation Program Pursuant to Utah Code Ann. Sections 59-2-701 and 59-2-702	43640	NSC	04/24/2019	Not Printed
R884-24P-27	Standards for Assessment Level and Uniformity of Performance Pursuant to Utah Code Ann. Sections 59-2-704 and 59-2-704.5	43371	AMD	01/10/2019	2018-23/119
R884-24P-62	Valuation of State Assessed Unitary Properties Pursuant to Utah Code Ann. Section 59-2-201	43698	NSC	05/17/2019	Not Printed
R884-24P-74	Changes to Jurisdiction of Mining Claims Pursuant to Utah Code Ann. Section 59-2-201	43438	AMD	03/28/2019	2019-1/54
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R895-7	Acceptable Use of Information Technology Resources	43467	5YR	01/03/2019	2019-3/45
R895-9	Utah Geographic Information Systems Advisory Council	43697	5YR	05/02/2019	2019-11/45
R895-13	Access to the Identity Theft Reporting Information System Database	43681	REP	06/21/2019	2019-10/105
TRANSPORTATION					
<u>Administration</u>					
R907-66	Incorporation and Use of Federal Acquisition Regulations on Federal-Aid and State-Financed Transportation Projects	43490	R&R	03/26/2019	2019-4/31
<u>Motor Carrier</u>					
R909-2	Utah Size and Weight Rule	43735	5YR	05/22/2019	2019-12/141
R909-3	Standards for Utah School Buses	43704	AMD	07/08/2019	2019-11/22

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R909-19	Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation, and Certification	43443	AMD	02/07/2019	2019-1/56
<u>Operations, Maintenance</u>					
R918-4	Using Volunteer Groups and Third Party Contractors for the Adopt-a-Highway and Sponsor-a-Highway Litter Pickup Programs	43489	AMD	03/26/2019	2019-4/36
<u>Operations, Traffic and Safety</u>					
R920-4-9	Minimum Liability Coverage, Waiver and Release of Damages Form, and Indemnification Form Completion Requirements	43769	NSC	06/19/2019	Not Printed
R920-50	Ropeway Operation Safety	43444	AMD	02/07/2019	2019-1/63
<u>Preconstruction</u>					
R930-6	Access Management	43602	AMD	05/22/2019	2019-8/67
<u>Program Development</u>					
R926-16	Unsolicited Proposals for Transportation Infrastructure Public-Private Partnerships	43584	NEW	05/08/2019	2019-7/40

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R986-100-117	Disqualification Periods And Civil Penalties For Intentional Program Violations (IPVs)	43481	AMD	06/01/2019	2019-3/33
R986-200-250	Unauthorized Spending of TANF Financial Assistance Benefits	43482	AMD	06/01/2019	2019-3/35
R986-700	Child Care Assistance	43556	AMD	06/01/2019	2019-6/30
<u>Unemployment Insurance</u>					
R994-305-801	Wage List Requirement	43558	AMD	07/01/2019	2019-6/35
R994-309	Nonprofit Organizations	43818	5YR	06/17/2019	2019-14/80
R994-310	Coverage	43819	5YR	06/17/2019	2019-14/81
R994-311	Governmental Units and Indian Tribes	43820	5YR	06/17/2019	2019-14/81
R994-312	Employing Units Records	43821	5YR	06/17/2019	2019-14/82
R994-403	Claim for Benefits	43557	AMD	05/01/2019	2019-6/38
R994-403-109b	Profiled Claimants	43365	AMD	03/31/2019	2018-23/122

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**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>abortions</u> Health, Center for Health Data, Vital Records and Statistics	43462	R436-19	NEW	05/08/2019	2019-2/10
<u>Academic Pathway to Teaching</u> Education, Administration	43648	R277-511	AMD	07/02/2019	2019-9/34

<u>accelerated learning</u>						
Education, Administration	43651	R277-707	AMD	07/02/2019	2019-9/37	
<u>acceptable use</u>						
Technology Services, Administration	43467	R895-7	5YR	01/03/2019	2019-3/45	
<u>access control</u>						
Transportation, Preconstruction	43602	R930-6	AMD	05/22/2019	2019-8/67	
<u>access to information</u>						
Administrative Services, Administration	43744	R13-2	5YR	05/29/2019	2019-12/135	
<u>access to records</u>						
Public Safety, Criminal Investigations and Technical Services, Criminal Identification	43665	R722-900	AMD	06/24/2019	2019-10/95	
<u>accounting</u>						
Education, Administration	43515	R277-483	NEW	04/08/2019	2019-5/36	
<u>activities</u>						
Education, Administration	43506	R277-494-4	NSC	02/20/2019	Not Printed	
<u>administrative law judges</u>						
Human Resource Management, Administration	43470	R477-101	5YR	01/07/2019	2019-3/44	
<u>administrative procedures</u>						
Education, Administration	43609	R277-102	REP	05/23/2019	2019-8/4	
Environmental Quality, Drinking Water	43378	R309-100-9	AMD	01/15/2019	2018-23/57	
Heritage and Arts, History	43714	R455-14	5YR	05/14/2019	2019-11/43	
	43715	R455-15	5YR	05/14/2019	2019-11/43	
Human Resource Management, Administration	43678	R477-12	AMD	07/01/2019	2019-10/60	
	43680	R477-15	AMD	07/01/2019	2019-10/67	
Labor Commission, Adjudication	43574	R602-2-1	AMD	05/08/2019	2019-7/30	
Natural Resources, Forestry, Fire and State Lands	43480	R652-70	AMD	03/25/2019	2019-3/28	
School and Institutional Trust Lands, Administration	43616	R850-21	R&R	06/01/2019	2019-8/55	
<u>administrative proceedings</u>						
Public Safety, Driver License	43606	R708-22	5YR	03/28/2019	2019-8/106	
<u>administrative rules</u>						
Human Resource Management, Administration	43679	R477-13	AMD	07/01/2019	2019-10/62	
<u>adopt-a-highway</u>						
Transportation, Operations, Maintenance	43489	R918-4	AMD	03/26/2019	2019-4/36	
<u>adoption</u>						
Human Services, Child and Family Services	43518	R512-43	AMD	04/08/2019	2019-5/85	
<u>adult expansion</u>						
Health, Health Care Financing, Coverage and Reimbursement Policy	43708	R414-312	EMR	05/07/2019	2019-11/28	
<u>air pollution</u>						
Environmental Quality, Air Quality	43372	R307-101-2	AMD	02/07/2019	2018-23/49	
	43212	R307-110-10	AMD	03/05/2019	2018-19/31	
	43212	R307-110-10	CPR	03/05/2019	2019-3/40	
	42976	R307-110-17	AMD	01/03/2019	2018-13/35	
	42976	R307-110-17	CPR	01/03/2019	2018-21/134	
	43588	R307-150-3	AMD	06/25/2019	2019-7/5	
	43589	R307-401-10	AMD	06/06/2019	2019-7/6	
<u>air quality</u>						
Environmental Quality, Air Quality	43211	R307-511	NEW	03/05/2019	2018-19/32	
	43211	R307-511	CPR	03/05/2019	2019-3/41	

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<u>air travel</u>						
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<u>alcohol</u>						
Education, Administration	43448	R277-910	NEW	02/07/2019	2019-1/24	
Human Services, Substance Abuse and Mental Health	43576	R523-13-4	AMD	06/27/2019	2019-7/29	
<u>alimony</u>						
Human Services, Recovery Services	43727	R527-450	5YR	05/20/2019	2019-12/139	
<u>alternate multiple stage bid process</u>						
Administrative Services, Purchasing and General Services	43879	R33-25	5YR	07/08/2019	Not Printed	
<u>annuity insurance filings</u>						
Insurance, Administration	43581	R590-227	5YR	03/14/2019	2019-7/64	
<u>APCD</u>						
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<u>appeals</u>						
Administrative Services, Purchasing and General Services	43871	R33-18	5YR	07/08/2019	Not Printed	
	43872	R33-19	5YR	07/08/2019	Not Printed	
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	43401	R277-553	NEW	01/09/2019	2018-23/31	
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<u>appraisals</u>						
Tax Commission, Property Tax	43437	R884-24P-19	AMD	03/28/2019	2019-1/51	
	43640	R884-24P-19	NSC	04/24/2019	Not Printed	
	43371	R884-24P-27	AMD	01/10/2019	2018-23/119	
	43698	R884-24P-62	NSC	05/17/2019	Not Printed	
	43438	R884-24P-74	AMD	03/28/2019	2019-1/54	
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<u>archaeological</u>						
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Administrative Services, Purchasing and General Services	43868	R33-15	5YR	07/08/2019	Not Printed	
<u>armored car company</u>						
Commerce, Occupational and Professional Licensing	43319	R156-63b	AMD	05/13/2019	2018-22/96	
	43319	R156-63b	CPR	05/13/2019	2019-7/53	
	43578	R156-63b	NSC	05/14/2019	Not Printed	
<u>armored car security officers</u>						
Commerce, Occupational and Professional Licensing	43319	R156-63b	AMD	05/13/2019	2018-22/96	
	43319	R156-63b	CPR	05/13/2019	2019-7/53	
	43578	R156-63b	NSC	05/14/2019	Not Printed	
<u>assessment</u>						
Governor, Energy Development (Office of)	43419	R362-5	NEW	01/23/2019	2018-24/15	
<u>assessments</u>						
Education, Administration	43450	R277-404	AMD	02/22/2019	2019-2/6	
<u>assistance</u>						
Human Services, Recovery Services	43699	R527-332	5YR	05/03/2019	2019-11/44	



Natural Resources, Parks and Recreation	43416	R651-301	AMD	01/24/2019	2018-24/20
<u>assistive devices and technology</u> Public Service Commission, Administration	43550	R746-8-301	AMD	04/30/2019	2019-6/27
<u>attorney exemption application process</u> Insurance, Title and Escrow Commission	43783	R592-8	5YR	06/10/2019	2019-13/121
<u>audits</u> School and Institutional Trust Lands, Administration	43613	R850-5-300	AMD	06/01/2019	2019-8/54
<u>autism spectrum</u> Health, Family Health and Preparedness, Children with Special Health Care Needs	43538	R398-10	5YR	02/25/2019	2019-6/43
<u>awards</u> Education, Administration	43509	R277-528	5YR	02/08/2019	2019-5/96
<u>background</u> Human Services, Administration	43719	R495-885	EMR	05/14/2019	2019-11/30
<u>background screening</u> Human Services, Administration, Administrative Services, Licensing	43718	R501-14	EMR	05/14/2019	2019-11/33
<u>bail bond</u> Insurance, Administration	43694	R590-186	AMD	06/21/2019	2019-10/79
<u>ballots</u> Lieutenant Governor, Elections	43494	R623-2	5YR	01/28/2019	2019-4/44
<u>basic training</u> Public Safety, Peace Officer Standards and Training	43534	R728-502	5YR	02/21/2019	2019-6/45
<u>beam limitation</u> Environmental Quality, Waste Management and Radiation Control, Radiation	43253	R313-28-31	AMD	01/14/2019	2018-21/52
	43530	R313-28-31	AMD	04/15/2019	2019-5/50
<u>bear</u> Natural Resources, Wildlife Resources	43492	R657-33	AMD	03/25/2019	2019-4/27
<u>bed allocations</u> Human Services, Substance Abuse and Mental Health	43505	R523-2-9	AMD	04/17/2019	2019-5/92
<u>behavior</u> Human Services, Services for People with Disabilities	43893	R539-4	5YR	07/15/2019	Not Printed
<u>bid security</u> Administrative Services, Purchasing and General Services	43863	R33-11	5YR	07/08/2019	Not Printed
<u>big game seasons</u> Natural Resources, Wildlife Resources	43431	R657-5	AMD	02/07/2019	2019-1/37
<u>birds</u> Natural Resources, Wildlife Resources	43430	R657-9	AMD	02/07/2019	2019-1/41
	43726	R657-46	5YR	05/20/2019	2019-12/141
<u>birth control</u> Health, Family Health and Preparedness, Maternal and Child Health	43402	R433-200	NEW	03/06/2019	2018-24/18
<u>birth defect reporting</u> Health, Family Health and Preparedness, Children with Special Health Care Needs	43472	R398-5	AMD	03/11/2019	2019-3/18

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	43886	R398-5	5YR	07/12/2019	Not Printed
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	43464	R651-214	AMD	02/21/2019	2019-2/12
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Labor Commission, Boiler, Elevator and Coal Mine Safety	43572	R616-2-3	AMD	05/08/2019	2019-7/35
	43710	R616-2-3	EMR	05/09/2019	2019-11/39
	43711	R616-2-3	AMD	07/08/2019	2019-11/21
	43573	R616-2-8	AMD	05/08/2019	2019-7/36
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Commerce, Occupational and Professional Licensing	43522	R156-15A	AMD	04/08/2019	2019-5/8
<u>building inspections</u>					
Commerce, Occupational and Professional Licensing	43522	R156-15A	AMD	04/08/2019	2019-5/8
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Administrative Services, Facilities Construction and Management	43525	R23-29	NSC	03/01/2019	Not Printed
	43567	R23-29	5YR	03/06/2019	2019-7/60
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	43566	R805-3	AMD	05/22/2019	2019-7/38
<u>campfire</u>					
Regents (Board of), University of Utah, Administration	43541	R805-3	5YR	02/25/2019	2019-6/46
	43566	R805-3	AMD	05/22/2019	2019-7/38
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Regents (Board of), University of Utah, Administration	43541	R805-3	5YR	02/25/2019	2019-6/46
	43566	R805-3	AMD	05/22/2019	2019-7/38
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<u>cancer</u>					
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Agriculture and Food, Plant Industry	43571	R68-25	NSC	03/21/2019	Not Printed
<u>cannabis cultivation facility</u>					
Agriculture and Food, Plant Industry	43686	R68-27	EMR	05/03/2019	2019-10/107
<u>capital improvements</u>					
Administrative Services, Facilities Construction and Management	43568	R23-33	5YR	03/06/2019	2019-7/60
<u>capital investments</u>					
Governor, Economic Development	43488	R357-7	EXT	01/24/2019	2019-4/47
	43734	R357-7	5YR	05/22/2019	2019-12/136
<u>captive insurance</u>					
Insurance, Administration	43693	R590-238-4	AMD	06/21/2019	2019-10/84
<u>carbon monoxide detectors</u>					
Education, Administration	43507	R277-400	5YR	02/08/2019	2019-5/95
	43512	R277-400	AMD	04/08/2019	2019-5/21
<u>CCHD screening</u>					
Health, Family Health and Preparedness, Children with Special Health Care Needs	43472	R398-5	AMD	03/11/2019	2019-3/18
	43886	R398-5	5YR	07/12/2019	Not Printed
<u>certificate of state authorization</u>					
Commerce, Consumer Protection	43612	R152-34a	5YR	04/01/2019	2019-8/101
<u>certification</u>					
Education, Administration	43655	R277-926	NEW	07/02/2019	2019-9/40
Labor Commission, Boiler, Elevator and Coal Mine Safety	43572	R616-2-3	AMD	05/08/2019	2019-7/35
	43710	R616-2-3	EMR	05/09/2019	2019-11/39
	43711	R616-2-3	AMD	07/08/2019	2019-11/21
	43573	R616-2-8	AMD	05/08/2019	2019-7/36
<u>certification of programs</u>					
Human Services, Substance Abuse and Mental Health	43141	R523-5	AMD	01/29/2019	2018-17/60
	43141	R523-5	CPR	01/29/2019	2018-24/38
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Agriculture and Food, Conservation Commission	43685	R64-3	5YR	04/30/2019	2019-10/115
Public Safety, Peace Officer Standards and Training	43666	R728-409	AMD	06/24/2019	2019-10/100
Transportation, Motor Carrier	43443	R909-19	AMD	02/07/2019	2019-1/56
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Commerce, Occupational and Professional Licensing	43465	R156-80a	5YR	01/02/2019	2019-2/19
<u>change orders</u>					
Administrative Services, Purchasing and General Services	43865	R33-12	5YR	07/08/2019	Not Printed
<u>charter schools</u>					
Education, Administration	43374	R277-470	REP	01/09/2019	2018-23/9
	43637	R277-472	5YR	04/08/2019	2019-9/81
	43712	R277-480	5YR	05/13/2019	2019-11/41
	43647	R277-480	AMD	07/02/2019	2019-9/31
	43399	R277-481	REP	01/09/2019	2018-23/12
	43400	R277-550	NEW	01/09/2019	2018-23/21
	43393	R277-551	NEW	01/09/2019	2018-23/24
	43478	R277-551	AMD	03/13/2019	2019-3/10

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	43395	R277-554	NEW	01/09/2019	2018-23/34
	43396	R277-555	NEW	01/09/2019	2018-23/38
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<u>child care</u>					
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<u>child care facilities</u>					
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<u>child placing</u>					
Human Services, Administration, Administrative Services, Licensing	43356	R501-7	AMD	02/12/2019	2018-23/105
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	43699	R527-332	5YR	05/03/2019	2019-11/44
	43682	R527-394	5YR	04/29/2019	2019-10/116
	43727	R527-450	5YR	05/20/2019	2019-12/139
<u>child welfare</u>					
Administrative Services, Child Welfare Parental Defense (Office of)	43705	R19-1	REP	07/08/2019	2019-11/4
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	43358	R512-305	AMD	01/09/2019	2018-23/115
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	43652	R277-463	AMD	07/02/2019	2019-9/29
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	43385	R309-215-16	AMD	01/15/2019	2018-23/93
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	43517	R131-13	AMD	06/13/2019	2019-5/6
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Education, Administration	43395	R277-554	NEW	01/09/2019	2018-23/34
<u>mentors</u>					
Education, Administration	43442	R277-308	NEW	02/07/2019	2019-1/22
<u>migratory birds</u>					
Natural Resources, Wildlife Resources	43430	R657-9	AMD	02/07/2019	2019-1/41
<u>mobile crisis outreach team</u>					
Human Services, Substance Abuse and Mental Health	43554	R523-18	AMD	04/22/2019	2019-6/21
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Education, Administration	43619	R277-115	NEW	05/23/2019	2019-8/10
	43399	R277-481	REP	01/09/2019	2018-23/12
	43401	R277-553	NEW	01/09/2019	2018-23/31
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Public Safety, Highway Patrol	43844	R714-600	5YR	07/01/2019	2019-14/80
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Health, Disease Control and Prevention, Epidemiology	43468	R386-900	AMD	05/15/2019	2019-3/16
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Education, Administration	43442	R277-308	NEW	02/07/2019	2019-1/22
<u>nonattainment</u>					
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	43211	R307-511	CPR	03/05/2019	2019-3/41
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Workforce Services, Unemployment Insurance	43818	R994-309	5YR	06/17/2019	2019-14/80
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Commerce, Real Estate	43407	R162-2f	AMD	01/23/2019	2018-24/8
	43643	R162-2f	AMD	06/19/2019	2019-9/10

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Commerce, Occupational and Professional Licensing	43822	R156-31c	5YR	06/17/2019	2019-14/77	
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Human Services, Substance Abuse and Mental Health	43576	R523-13-4	AMD	06/27/2019	2019-7/29	
<u>offset</u>						
Environmental Quality, Air Quality	43211	R307-511	NEW	03/05/2019	2018-19/32	
	43211	R307-511	CPR	03/05/2019	2019-3/41	
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School and Institutional Trust Lands, Administration	43616	R850-21	R&R	06/01/2019	2019-8/55	
<u>on-premise</u>						
Human Services, Substance Abuse and Mental Health	43575	R523-12-4	AMD	06/27/2019	2019-7/27	
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School and Institutional Trust Lands, Administration	43616	R850-21	R&R	06/01/2019	2019-8/55	
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Commerce, Real Estate	43407	R162-2f	AMD	01/23/2019	2018-24/8	
	43643	R162-2f	AMD	06/19/2019	2019-9/10	
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Commerce, Occupational and Professional Licensing	43880	R156-79	5YR	07/08/2019	Not Printed	
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Human Services, Recovery Services	43699	R527-332	5YR	05/03/2019	2019-11/44	
Workforce Services, Unemployment Insurance	43558	R994-305-801	AMD	07/01/2019	2019-6/35	
<u>oversight</u>						
Education, Administration	43399	R277-481	REP	01/09/2019	2018-23/12	
	43401	R277-553	NEW	01/09/2019	2018-23/31	
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	42976	R307-110-17	AMD	01/03/2019	2018-13/35	
	42976	R307-110-17	CPR	01/03/2019	2018-21/134	
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	43892	R539-3	5YR	07/15/2019	Not Printed	
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	42976	R307-110-17	AMD	01/03/2019	2018-13/35
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	43430	R657-9	AMD	02/07/2019	2019-1/41
	43414	R657-11	AMD	01/24/2019	2018-24/25
	43420	R657-13	AMD	01/24/2019	2018-24/27
	43491	R657-22	AMD	03/25/2019	2019-4/22
	43492	R657-33	AMD	03/25/2019	2019-4/27
	43432	R657-38	AMD	02/07/2019	2019-1/44
	43726	R657-46	5YR	05/20/2019	2019-12/141
	43639	R657-62	5YR	04/09/2019	2019-9/89
	43498	R657-67	5YR	02/04/2019	2019-5/101
<u>wildlife conservation</u>					
Natural Resources, Wildlife Resources	43432	R657-38	AMD	02/07/2019	2019-1/44
<u>wildlife law</u>					
Natural Resources, Wildlife Resources	43414	R657-11	AMD	01/24/2019	2018-24/25
	43420	R657-13	AMD	01/24/2019	2018-24/27
	43491	R657-22	AMD	03/25/2019	2019-4/22
<u>workers' compensation</u>					
Labor Commission, Adjudication	43574	R602-2-1	AMD	05/08/2019	2019-7/30
<u>X-rays</u>					
Environmental Quality, Waste Management and Radiation Control, Radiation	43253	R313-28-31	AMD	01/14/2019	2018-21/52
	43530	R313-28-31	AMD	04/15/2019	2019-5/50
<u>youth</u>					
Human Services, Administration, Administrative Services, Licensing	43234	R501-8	AMD	01/17/2019	2018-21/89