

UTAH STATE DIGEST

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
Filed April 16, 2021, 12:00 a.m. through April 30, 2021, 11:59 p.m.

Number 2021-10
May 15, 2021

Sunnie Burningham, Managing Editor

The *Utah State Digest (Digest)* 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 *Digest* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Digest* 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 *Digest* should be addressed to the contact person for the rule. Questions about the *Digest* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The *Utah State Digest* summarizes the contents of the *Utah State Bulletin* 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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Utah state digest.

Semimonthly.

1. Delegated legislation--Utah--Digests. I. Utah. Office of Administrative Rules.

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EXECUTIVE DOCUMENTS

Under authority granted by the Utah Constitution and various federal and state statutes, the Governor periodically issues **EXECUTIVE DOCUMENTS**, which can be categorized as either Executive Orders, Proclamations, and Declarations. Executive Orders set policy for the executive branch; create boards and commissions; provide for the transfer of authority; or otherwise interpret, implement, or give administrative effect to a provision of the Constitution, state law or executive policy. Proclamations call special or extraordinary legislative sessions; designate classes of cities; publish states-of-emergency; promulgate other official formal public announcements or functions; or publicly avow or cause certain matters of state government to be made generally known. Declarations designate special days, weeks or other time periods; call attention to or recognize people, groups, organizations, functions, or similar actions having a public purpose; or invoke specific legislative purposes (such as the declaration of an agricultural disaster).

The Governor's Office staff files **EXECUTIVE DOCUMENTS** that have legal effect with the Office of Administrative Rules for publication and distribution.

EXECUTIVE ORDER 2021-10

Requiring Water Conservation Due to Drought Conditions

WHEREAS, the state of Utah experienced a record dry and near record hot calendar year in 2020;

WHEREAS, the statewide snowpack reached approximately 81% of normal and peaked 10 days early;

WHEREAS, soil moisture reached exceptionally low levels not previously seen since soil moisture monitoring began in 2006;

WHEREAS, low soil moisture has already adversely affected the spring runoff;

WHEREAS, the state's reservoir storage has decreased 14% over the past year;

WHEREAS, all forecasts for spring runoff for the state are below 76% of the state seasonal average;

WHEREAS, the United States Department of Agriculture currently has listed 28 primary and one contiguous county in Utah under the Secretarial Disaster Designation for drought;

WHEREAS, these extreme drought conditions have adversely and significantly impacted agribusiness and livestock production, as well as wildlife and natural habitats;

WHEREAS, increased recreation in dry vegetative conditions has contributed to an increased and prolonged threat of wildfire across the state;

WHEREAS, drought conditions that require mitigation are expected to persist;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, hereby order the following:

1. As used in this Order:
 - a. "State facility" means a building or structure that is owned or controlled by the state or a state governmental entity.
 - b. "State facility" does not mean a building or structure that is owned or controlled exclusively by:
 - i. the legislative branch of the state;
 - ii. the judicial branch of the state;
 - iii. the Attorney General's Office;
 - iv. the State Auditor's Office;
 - v. the State Treasurer's Office;
 - vi. the State Board of Education; or
 - vii. an independent entity as defined in Utah Code § 63E-1-102.

EXECUTIVE DOCUMENTS

- c. "State governmental entity" means any department, board, commission, institution, agency, or institution of higher education.
- 2. A state governmental entity may not water landscapes at a state facility between 10:00 a.m. and 6:00 p.m.
- 3. A state governmental entity shall do the following at all state facilities:
 - a. follow the conservewater.utah.gov weekly lawn watering guide;
 - b. evaluate opportunities to update irrigation technology with devices that are WaterSense certified and include rain and wind shutoff functions and soil moisture sensors;
 - c. manually shut off systems during rain and wind events in areas without rain and wind sensors;
 - d. audit and repair all landscape irrigation systems so they are operating at maximum acceptable efficiency;
 - e. evaluate opportunities to limit turf areas surrounding facilities and replace turf with waterwise plants;
 - f. evaluate opportunities to replace inefficient plumbing fixtures with WaterSense certified low-flow fixtures;
 - g. evaluate opportunities to update facility-management technology to include metering for water-consuming processes related to irrigation, domestic, and mechanical systems;
 - h. implement leak-detection and repair programs for both indoor and outdoor water use;
 - i. conduct periodic checks of state facility restrooms, boiler rooms, etc., to ensure appliances are working at maximum efficiency;
 - j. use the Utah Division of Water Resources as a resource to implement water efficient methods, technologies, and practices.

I further make the following recommendations:

- 1. Water suppliers and irrigation companies should:
 - a. where possible, delay the start of the irrigation season or end irrigation early;
 - b. encourage efficient landscape watering; and
 - c. as needed, contact the Division of Water Resources for assistance with developing a drought response plan.
- 2. Cities and counties should consider developing and implementing water restriction plans for the upcoming irrigation season. Also, consider implementing the same practices that are recommended for state facilities at city and county buildings.
- 3. Residential water users should consider the following conservation practices:
 - a. delay outdoor irrigation or end irrigation early;
 - b. follow the weekly lawn watering guide at <https://conservewater.utah.gov/guide.html>;
 - c. fix irrigation inefficiencies;
 - d. purchase and install a smartcontroller or low-flow toilet (rebates are offered at utahwatersavers.com);
 - e. reduce indoor water use by taking shorter showers, turning off water when not in use, and replacing appliances with water-efficient models;
 - f. follow the directions of local water providers;
 - g. convert turf areas to waterwise landscapes;
 - h. be an advocate of water efficiency by setting an example and help educate friends and neighbors on the importance of water conservation; and
 - i. reduce indoor water waste.

This Order is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 3rd day of May, 2021.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2021/10/EO

**EXECUTIVE ORDER
2021-11**

Updating the COVID-19 Vaccination Plan

WHEREAS, COVID-19 is a worldwide pandemic caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), a virus that spreads easily from person to person and can cause serious illness or death;

WHEREAS, as of May 6, 2021, 399,374 Utah residents have been infected with COVID-19; 16,303 Utah residents have been hospitalized due to COVID-19; and 2,219 Utah residents have died as a result of COVID-19;

WHEREAS, COVID-19 will continue to cause serious illness and death until a sufficient number of Utah residents are vaccinated or have immunity after recovering from this infection;

WHEREAS, the United States Food and Drug Administration has authorized the use of multiple COVID-19 vaccinations;

WHEREAS, Utah is making significant progress in providing vaccines to all adults who want to be vaccinated and as of May 6, 2021, 1,332,783 people in Utah have received at least one dose of a COVID-19 vaccine;

WHEREAS, Utah is receiving regular distributions of vaccines and has sufficient vaccines to provide them to any adult who wants to be vaccinated;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the laws of the State of Utah, do hereby order that:

1. **Definitions.** As used in this Order:
 - a. "COVID-19" means Novel Coronavirus Disease 2019 caused by Severe Acute Respiratory Syndrome Coronavirus 2, also known as SARS-CoV-2.
 - b. "COVID-19 vaccine" means a COVID-19 vaccine and adjuvant (if applicable) provided to a vaccine provider as part of the CDC COVID-19 Vaccination Program.
 - c. "Vaccine provider" means any person, including a CDC COVID-19 Vaccination Program Provider, that administers a COVID-19 vaccine in the state of Utah.
2. **Vaccine eligibility.** The Utah Department of Health shall, in consultation with the Governor's Office, establish vaccine eligibility criteria and publish the eligibility criteria on coronavirus.utah.gov.
3. **Vaccine provider requirements.** A vaccine provider shall each day by 6:59 a.m.:
 - a. report to the Utah Statewide Immunization Information System COVID-19 vaccines administered during the previous calendar day by the vaccine provider; and
 - b. report to VaccineFinder the number of COVID-19 vaccines on-hand by the vaccine provider.
4. **Reduced distribution for noncompliance.** A vaccine provider that does not comply with this Order may be subject to a reduced COVID-19 vaccine distribution or no distribution for future distribution periods.
5. **Access by underserved communities.** The Utah Department of Health shall coordinate with local health departments and community stakeholders to establish procedures to offer the COVID-19 vaccine to eligible individuals in traditionally underserved communities.

This Order is effective immediately, and shall remain in effect until modified, amended, rescinded, or superseded. This Order supersedes Executive Order 2021-9.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 6th day of May, 2021.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2021/11/EO

**EXECUTIVE ORDER
2021-12**

Establishing Effective Oversight Over State Agency Rulemaking

WHEREAS, the Legislature often mandates new administrative rules or changes to existing administrative rules;

WHEREAS, administrative rules have the effect of law;

WHEREAS, the public is best served by clear, cohesive, and concise administrative rules;

WHEREAS, rule writing standards will assist agencies in writing clear, cohesive, and concise administrative rules; and

WHEREAS, agencies' continual review of existing rules coupled with a process of careful consideration and assessment for new rules will improve state agencies' responsiveness to the public;

NOW, THEREFORE, I, Spencer J. Cox, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the laws of the state of Utah, do hereby order that each department shall implement the following procedures for promulgating administrative rules in accordance with and in addition to Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

1. **Definitions.** As used in this Order:

a. "Agency" means any of the following entities that have rulemaking authority:

i. a department; or

ii. a division, office, board, commission, or other entity, within a department.

b. "Department" means a department of the Executive Branch and includes the State Tax Commission, National Guard, Board of Pardons and Parole, the Utah Board of Higher Education, and any public institution of higher education. "Department" does not include the Attorney General's Office, State Auditor's Office, State Treasurer's Office, the State Board of Education; or an independent entity as defined in Section 63E-1-102.

c. "Office" means the Office of Administrative Rules.

2. **Office of Administrative Rules – duties.** The Office shall:

a. develop and provide training to each administrative rules coordinator within 30 days of designation as administrative rules coordinator and at least annually thereafter;

b. develop and provide annual training to each agency employee who writes administrative rules; and

c. review each rule submitted for publication to ensure the drafting and formatting is consistent with the current edition of the Office of Administrative Rules' Rulewriting Manual for Utah.

3. **Administrative rules coordinator – designation and training – duties.**

a. Each agency head shall:

i. designate one or more administrative rules coordinators and report those individuals' names to the Office as staff changes necessitate; and

ii. ensure that an administrative rules coordinator receives training from the Office within 30 days of designation as administrative rules coordinator and at least annually thereafter.

b. Each administrative rules coordinator shall:

i. examine each administrative rulemaking action prepared by an agency within the administrative rules coordinator's scope of responsibility prior to the action's submission to the Office to determine that:

1. the administrative rule has been drafted using logical, understandable, and concise language to facilitate compliance and enforcement;

2. interested parties have been given opportunity to participate in the development of the administrative rule pursuant to Subsection 63G-3-301(3);

3. standards reflect consistent and sound public regulatory policies; and

4. the rule is consistent with the current edition of the Office of Administrative Rules' Rule Writing Manual for Utah;

ii. assess enacted legislation by June 1 of each year to ensure that new regulatory obligations are discovered and met in a timely manner by appropriate rulemaking action;

iii. provide training to each person within the administrative rules coordinator's scope of responsibility who writes administrative rules; and

iv. notify the Office staffing changes in agencies within the coordinator's scope of authority that affect who may file or authorize rules, and who the Office Administrative Rules and the Governor's Office may contact with questions.

4. **Governor's Office – duties.** To ensure rules are consistent with statute and policy, the Governor's Office shall:

a. review administrative rules for legal authority and policy;

b. assist state entities in their role of defining public regulatory policy;

c. act as a liaison with members of the legislature on administrative rulemaking issues, and assist with the resolution of issues identified;

d. coordinate strategies to resolve regulatory questions and provide consistency among agencies; and

e. receive and review the rule analysis required by law.

5. Departments and agencies – assistance from other offices – cooperation with other offices – administrative rule review timeline.

a. Each agency may obtain assistance as provided in statute and from:

i. the Governor's Office of Planning and Budget for assistance in applying methods and tools to determine and calculate fiscal and non-fiscal, direct and indirect impacts; and

ii. the Governor's Office for assistance with coordinating rule content and policy.

b. Each agency director and department head shall cooperate with:

i. the Governor's Office as it conducts an executive review of rules; and

ii. the Office as it implements filing, publication, and hearing procedures pursuant to Title 63G, Chapter 3.

c. Each agency head or designee shall review each administrative rule in their agency by January 1, 2022. During the review, the agency head or designee shall:

i. repeal rules that are no longer necessary;

ii. amend rules that create unnecessary burdens or regulations for any individual or entity; and

iii. amend rules that are inconsistent with the current edition of the Office of Administrative Rules' Rulewriting Manual for

Utah.

6. Effect on other laws. This Order supersedes Executive Order 2017-1.

This order is effective immediately and shall remain in effect until otherwise modified, amended, rescinded, or superseded.

IN WITNESS, WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 6th day of May, 2021.

(State Seal)

Spencer J. Cox
Governor

ATTEST:

Deidre M. Henderson
Lieutenant Governor

2021/12/EO

End of the Executive Documents Section

NOTICES OF PROPOSED RULES

A state agency may file a **PROPOSED RULE** when it determines the need for a substantive change to an existing rule. With a **NOTICE OF PROPOSED RULE**, an agency may create a new rule, amend an existing rule, repeal an existing rule, or repeal an existing rule and reenact a new rule. Filings received between April 16, 2021, 12:00 a.m., and April 30, 2021, 11:59 p.m. are included in this, the May 15, 2021, issue of the *Utah State Digest*.

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.

The law requires that an agency accept public comment on **PROPOSED RULES** published in this issue of the *Utah State Digest* until at least June 14, 2021. 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 September 12, 2021, 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 Digest*. 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** or a **CHANGE IN PROPOSED RULE**, the **PROPOSED RULE** lapses.

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

PROPOSED RULES are governed by Section 63G-3-301, Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5a, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New		
Utah Admin. Code Ref (R no.):	R13-4	Filing No. 53466

Agency Information

1. Department:	Government Operations	
Agency:	Administration	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W FL 3	
City, state:	Taylorsville, UT	
Mailing address:	PO Box 141002	
City, state, zip:	Salt Lake City, UT 84114-1002	
Contact person(s):		
Name:	Phone:	Email:
Kenneth A. Hansen	801-957-7173	khansen@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R13-4. In-State Work Location Rule
3. Purpose of the new rule or reason for the change:
This rule establishes the conditions under which employees may work outside of the state, provides that employees' tax withholdings be paid to the state, and provides for the security of state information technology systems. The following positive outcomes will accrue from the rule: 1) it will provide employment opportunities to citizens of the state; 2) it will keep state income tax paid by state employees in the state; and 3) it will minimize costs borne by the state to provide workers' compensation and liability coverage for out-of-state workers.
4. Summary of the new rule or change:
This rule sets the fundamental condition that work performed for the state be performed in the state. It also establishes conditions under which agencies and employees may allow for work to be performed outside of the state.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There will be no cost to the state budget. Existing processes in the Divisions of Finance and Risk Management, and Departments of Human Resource Management and Technology Services can accommodate these requirements using existing resources. Some

financial benefit will accrue to the state; estimating the benefit is predicated on knowing how many employees who would have worked outside the state do not do so. This is currently impossible to estimate.

B) Local governments:

There will be no cost or savings to local governments. The rule affects only employees of the state's executive branch.

C) Small businesses ("small business" means a business employing 1-49 persons):

There will be no cost or savings to small businesses. The rule affects only employees of the state's executive branch.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There will be no cost or savings to non-small businesses. The rule affects only employees of the state's executive branch.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

There will be no cost or savings to other persons. The rule affects only employees of the state's executive branch.

F) Compliance costs for affected persons:

Compliance costs for this rule are primarily opportunity costs. Individuals wishing to work for the state's executive branch will need to consider the general rule that work for the state must occur in the state.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Administrative Services, Jenney Rees, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

I have no comments beyond the fiscal analysis above.

B) Name and title of department head commenting on the fiscal impacts:

Jenney Rees, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-1-105.5		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on:	07/01/2021
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Jenney Rees, Executive Director	Date:	04/30/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R70-910	Filing No. 53433

Agency Information

1. Department:	Agriculture and Food	
Agency:	Regulatory Services	
Street address:	350 N Redwood Road	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	801-982-2204	ambermbrown@utah.gov
Travis Waller	801-982-2250	twaller@utah.gov
Kelly Pehrson	801-982-2202	kwpehrson@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R70-910. Registration of Servicepersons for Commercial Weighing and Measuring Devices
3. Purpose of the new rule or reason for the change:
Changes are needed to correct citations in this rule, make the language clearer, and make the text more consistent with the requirements of the Utah Rulewriting Manual.

4. Summary of the new rule or change:
 The rule is updated to add a definition of "the department" and reference it correctly, ensure genders are addressed consistently, and clarify and simplify the language so it can be understood, and make other edits required by the Utah Rulewriting Manual.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These changes clarify the rule language and do not carry any anticipated cost or savings to the state budget. They do not affect the administration of the Weights and Measures program.

B) Local governments:

There are no anticipated costs or savings to local governments because they do not participate in the Weights and Measures Program.

C) Small businesses ("small business" means a business employing 1-49 persons):

There are no anticipated costs or savings to small businesses because the changes merely clarify the language of this rule and do not affect the administration of the Weights and Measures Program.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There are no anticipated costs or savings to non-small businesses because the changes merely clarify the language of this rule and do not affect the administration of the Weights and Measures Program.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There are no anticipated costs or savings to other persons because the changes merely clarify the language of this rule and do not affect the administration of the Weights and Measures Program.

F) Compliance costs for affected persons:

Compliance costs for affected persons will not change because the changes merely clarify the rule language. Fees charged by the Department of Agriculture and Food under the Weights and Measures Program remain the same.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Department of Agriculture and Food, Craig W. Buttars, has reviewed and approved the regulatory impact analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

These rule changes clarify the language of this rule and will not have a fiscal impact on businesses in Utah.

B) Name and title of department head commenting on the fiscal impacts:

Craig W. Buttars, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 4-9-103		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	06/21/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Craig W. Buttars, Commissioner	Date:	04/23/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R357-24	Filing No. 53468
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Agency Information

1. Department:	Governor	
Agency:	Economic Development	
Building:	World Trade Center	
Street address:	60 E South Temple	
City, state:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Dane Ishihara	801-538-8864	dishihara@utah.gov

Please address questions regarding information on this notice to the agency.
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General Information

2. Rule or section catchline:
R357-24. Utah Works Program Rule

3. Purpose of the new rule or reason for the change:
The purpose of this rule filing is to update definitions, eligibility criteria, and the proposal and submission process. H.B. 348 passed during the 2021 General Session and changed the Talent Ready Utah Board to the Talent, Education, and Industry Alignment Subcommittee.

4. Summary of the new rule or change:
This rule filing updates the definition of post-secondary institution, the minimum time standard for training programs, and the allowable expense associated with the program. H.B. 348 (2021) changed the Talent Ready Utah Board to the Talent, Education, and Industry Alignment Subcommittee.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no aggregate anticipated cost or savings to the state budget. This rule is merely updating program criteria and making technical changes.

B) Local governments:
There is no aggregate anticipated cost or savings to local governments because local governments are not required to comply with or enforce this rule.

C) Small businesses ("small business" means a business employing 1-49 persons):
There is no aggregate anticipated cost or savings to small businesses because this proposed amendment does not create new obligations for small businesses, nor does it increase the costs associated with any existing obligation. Participation in the program is optional.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed amendment does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed amendment does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.

F) Compliance costs for affected persons:

There are no compliance costs for affected persons because participation in the program is optional.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Governor's Office of Economic Development, Dan Hemmert, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

The purpose of this rule filing is to clarify the standards for participation in the program and make technical changes. This rule will have no impact on businesses.

B) Name and title of department head commenting on the fiscal impacts:

Dan Hemmert, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63N-12-505		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 06/21/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Dan Hemmert, Executive Director	Date:	04/30/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R414-401-3	Filing No. 53442

Agency Information

1. Department:	Health	
Agency:	Health Care Financing, Coverage and Reimbursement Policy	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
Mailing address:	PO Box 143102	
City, state, zip:	Salt Lake City, UT 84114-3102	
Contact person(s):		
Name:	Phone:	Email:
Craig Devashrayee	801-538-6641	cdevashrayee@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R414-401-3. Assessment
3. Purpose of the new rule or reason for the change:
The purpose of this change is to update the annual assessment amounts for nursing care facilities and intermediate care facilities for individuals with intellectual disabilities (ICFs/IID) for State Fiscal Year (SFY) 2022.
4. Summary of the new rule or change:
Every nursing facility is assessed at the uniform rate of \$28.15 per patient day, which is an increase from the previous \$27.56 per patient day assessment based upon projected days. Additionally, ICFs/IID are assessed at the uniform rate of \$9.51 per patient day, which is an increase from the previous \$8.28 per patient day assessment based upon projected days. These updates are based on estimates of patient days for SFY 2022 and the appropriation amounts.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
The update to the assessment rates is anticipated to be budget neutral as it does not impact the General Fund.
B) Local governments:
About 21 local governments that own nursing care facilities or have swing-bed facilities would see an

increase in the assessment cost but would also see increased revenues as a result of the higher rates that will be paid. Therefore, it is estimated that local governments will realize an additional cost of \$1,665,400, but also realize additional revenues of \$5,046,700.

C) Small businesses ("small business" means a business employing 1-49 persons):

About 20 small businesses that own nursing care facilities would see an increase in the assessment cost, but also see increased revenues as a result of the higher rates that will be paid. These businesses, therefore, will realize an additional cost of \$482,700, but also realize additional revenues of \$1,462,800.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

About 85 businesses that own nursing care facilities or have swing-bed facilities would see an increase in the assessment cost, but also see increased revenues as a result of the higher rates that will be paid. These businesses, therefore, will realize an additional cost of \$603,400, but also realize additional revenues of \$1,828,500.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

About 58 private and public health providers would see an increase in the assessment cost but would also realize increased revenues as a result of the higher rates that will be paid. Therefore, it is estimated that these other providers will receive a share of the amounts noted previously.

F) Compliance costs for affected persons:

Compliance costs include an increased collection of \$0.59 per non-Medicare patient day from each nursing facility, and an increase of \$1.23 per non-Medicare patient day for an ICF/IID.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$1,665,400	\$0	\$0
Small Businesses	\$482,700	\$0	\$0

NOTICES OF PROPOSED RULES

Non-Small Businesses	\$603,400	\$0	\$0
Other Persons	\$	\$0	\$0
Total Fiscal Cost	\$2,751,500	\$0	\$0
Fiscal Benefits			
State Government	\$	\$0	\$0
Local Governments	\$5,046,700	\$0	\$0
Small Businesses	\$1,462,800	\$0	\$0
Non-Small Businesses	\$1,828,500	\$0	\$0
Other Persons	\$	\$0	\$0
Total Fiscal Benefits	\$8,338,000	\$0	\$0
Net Fiscal Benefits	\$5,586,500	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Health, Richard G. Saunders, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
Businesses will see initial assessment costs but will also see a higher increase in additional revenues.			
B) Name and title of department head commenting on the fiscal impacts:			
Richard G. Saunders, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 26-1-5	Section 26-18-3	Title 26, Chapter 36a

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency

not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2021

10. This rule change MAY become effective on:	07/01/2021
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	Richard G. Saunders, Executive Director	Date:	04/26/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R426-8	Filing No. 53436

Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Emergency Medical Services	
Room no.:	404	
Building:	Cannon Health Building	
Street address:	288 N 1460 West	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 142002	
City, state, zip:	Salt Lake City, UT 84114-2002	
Contact person(s):		
Name:	Phone:	Email:
Guy Dansie	801-560-1544	gdansie@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R426-8. Emergency Medical Services Ground Ambulance Rates and Charges

<p>3. Purpose of the new rule or reason for the change:</p> <p>Section 26-8a-403 mandates the Department of Health (Department) set ground ambulance rates. This is performed annually and made effective on the first day of the new fiscal year.</p>
<p>4. Summary of the new rule or change:</p> <p>The rule amendments increase the ground ambulance rates by 5%. This includes the mileage rate for patient transportation. Rates are determined based on analysis of fiscal data collected from all ground ambulance providers.</p>

Fiscal Information

<p>5. Aggregate anticipated cost or savings to:</p>
<p>A) State budget:</p> <p>No anticipated costs or saving to the state budget. The amendments do not affect costs or revenues since the state does not provide ground ambulance services.</p>
<p>B) Local governments:</p> <p>Eighty local governments including counties, cities, towns, and special service districts provide ground ambulance services based licensed issued by the Department.</p> <p>Anticipated revenues for local governments that provide ground ambulance services will have a net increase of 1.6% based on a gross rate increase of 5%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections. Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans, non-payments, negotiated payments, and private insurance payments. Mileage rates are included as part of the 5% increase to compensate increased market vehicle costs. Financial data is obtained directly from all ground ambulance providers. Local government operated ground ambulance patient transports total is estimated at 86,382 based on the previous reported calendar year.</p> <p>Increased rates will require additional costs for local governments to the State EMS Medicaid fund of an additional estimate of \$2 per transport. 86,382 (total estimated transports) X \$2 (EMS Medicaid assessment rate increase) = \$172,764 (estimated local government costs).</p> <p>Gross revenues for local governments are estimated from past annual fiscal reports and billing data. Gross revenue estimate from patient transports for 2020 is \$133,632,950. \$133,632,950 X 1.6% (net effect of 5% raise in rate) = \$2,138,127 increase benefits estimate.</p>

<p>Net revenues for local governments are calculated as follows: \$2,138,127 (gross revenue increase estimate) - \$172,764 (Medicaid assessment increase) = \$1,965,363 (net revenue or benefit for local governments).</p>
<p>C) Small businesses ("small business" means a business employing 1-49 persons):</p> <p>One small business operates an ambulance service in Utah based on licenses issued by the Department.</p> <p>Anticipated revenues for small businesses that provide ground ambulance services will have a net increase of 1.6% based on a gross rate increase of 5%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections. Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans, non-payments, negotiated payments, and private insurance payments. Mileage rates are included as part of the 5% increase to compensate increased market vehicle costs. Financial data is obtained directly from all ground ambulance providers. Small business operated ground ambulance patient transports total is estimated at 373 based on the previous reported calendar year.</p> <p>Increased rates will require additional costs for small businesses to the State EMS Medicaid fund of an additional estimate of \$2 per transport. 373 (total estimated transports) X \$2 (EMS Medicaid assessment rate increase) = \$746 (estimated small business costs).</p> <p>Gross revenues for small businesses are estimated from past annual fiscal reports and billing data. Gross revenue estimate from patient transports for 2020 is \$652,750. \$652,750 X 1.6% (net effect of 5% raise in rate) = \$10,444 increase benefit estimate.</p> <p>Net revenues for small businesses are calculated as follows: \$10,444 (gross revenue increase estimate) - \$746 (Medicaid assessment increase) = \$9,698 (net revenue or benefit for small businesses).</p>
<p>D) Non-small businesses ("non-small business" means a business employing 50 or more persons):</p> <p>Eight non-small businesses including one for profit and seven non-profit provide ground ambulance services based licensed issued by the Department.</p> <p>Anticipated revenues for non-small businesses that provide ground ambulance services will have a net increase of 1.6% based on a gross rate increase of 5%. The net revenue increase is based on a statewide estimate of allowable billing charges compared to actual revenue collections. Factors that reduce billable charges to collected revenues include fixed payer amounts for Medicare, Medicaid, and Veterans, non-payments, negotiated payments, and private insurance payments. Mileage rates are included as part of the 5% increase to compensate increased market vehicle costs. Financial</p>

data is obtained directly from all ground ambulance providers. Non-small business operated ground ambulance patient transports total is estimated at 53,084 based on the previous reported calendar year.

Increased rates will require additional costs for non-small businesses to the State EMS Medicaid fund of an additional estimate of \$2 per transport. 53,084 (total estimated transports) X \$2 (EMS Medicaid assessment rate increase) = \$106,168 (estimated non-small business costs).

Gross revenues for non-small businesses are estimated from past annual fiscal reports and billing data. Gross revenue estimate from patient transports for 2020 is \$82,120,948. \$82,120,948 X 1.6% (net effect of 5% raise in rate) = \$1,313,935 increase benefit estimate.

Net revenues for non-small businesses are calculated as follows: \$1,313,935 (gross revenue increase estimate) - \$106,168 (Medicaid assessment increase) = \$1,207,761 (net revenue or benefit for non-small businesses).

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There will be costs due to increasing federal Medicaid funding for ground ambulance EMT base rates. Federal payments to ground ambulance providers totaled \$19,671,072 for January 1, 2020, to December 31, 2020. A 5% increase would be an estimated cost of \$983,554.

F) Compliance costs for affected persons:

Compliance costs remain unchanged.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2022	FY2023	FY2024
State Government	\$0	\$0	\$0
Local Governments	\$172,764	\$172,764	\$172,764
Small Businesses	\$746	\$746	\$746
Non-Small Businesses	\$106,168	\$106,168	\$106,168
Other Persons	\$983,554	\$983,554	\$983,554
Total Fiscal Cost	\$1,263,232	\$1,263,232	\$1,263,232

Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$2,138,127	\$2,138,127	\$2,138,127
Small Businesses	\$10,444	\$10,444	\$10,444
Non-Small Businesses	\$1,313,935	\$1,313,935	\$1,313,935
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$3,462,506	\$3,462,506	\$3,462,506
Net Fiscal Benefits	\$2,199,274	\$2,199,274	\$2,199,274

H) Department head approval of regulatory impact analysis:

The Executive Director of the Utah Department of Health, Richard G. Saunders, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

Businesses will see a net increase in revenue based on the increased rates increase.

B) Name and title of department head commenting on the fiscal impacts:

Richard G. Saunders, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 26-8a-403	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 06/21/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Rich Saunders, Executive Director	Date:	04/23/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R432-725-4	Filing No.	53420
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Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Licensing	
Room no.:	4th Floor	
Building:	Cannon	
Street address:	288 N 1460 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 144103	
City, state, zip:	Salt Lake City, UT 84114-4103	
Contact person(s):		
Name:	Phone:	Email:
Kristi Grimes	385-214-9187	kristigrimes@utah.gov
Joel Hoffman	801-273-2804	jhoffman@utah.gov

Please address questions regarding information on this notice to the agency.

General Information**2. Rule or section catchline:**

R432-725-4. Definitions

3. Purpose of the new rule or reason for the change:

The purpose of this amendment is to modify the definition of "personal care services". The amendment is needed due to a statutory change from the 2020 General Session, H.B. 274. The Division of Occupational and Professional Licensing (DOPL) oversees the Nurse Practice Act, which resulted in amendments from the same legislation. The Nurse Practice Act now has a list of tasks that do not need to be delegated. This amendment will comply with the statute and rule changes for DOPL.

4. Summary of the new rule or change:

This amendment modifies the definition of "personal care services". The previous definition listed specific tasks which could be performed under the Personal Care Agency rule. The amended definition allows any services provided to assist an individual with activities of daily living which do not require the delegation or direct supervision of a licensed health care professional. The Health Facility Committee reviewed and approved this rule amendment on 02/10/2021.

Fiscal Information**5. Aggregate anticipated cost or savings to:****A) State budget:**

State government personal care agency survey process was thoroughly reviewed. This change will not impact the current process for licensure and re-licensure surveys. No change to the state budget is expected.

B) Local governments:

Local government city business licensing requirements were considered. This proposed rule amendment should not impact local governments' revenues or expenditures. Personal care agencies are regulated by the state health department and not local governments. There will be no change in local business licensing or any other item(s) with which local governments are involved.

C) Small businesses ("small business" means a business employing 1-49 persons):

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for small businesses Licensed Personal Care Agencies. The services provided remain the same, only the definition would be changed. There are 94 personal care agencies, as determined by the Department of Health's licensing data system. (North American Industry Classification System (NAICS) codes used – Home Health Care Services 621610, reports 373 small businesses).

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

After conducting a thorough analysis, it was determined that this rule amendment should not impact costs for non-small business. There are no Personal Care Agencies that are non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to other persons because this amendment modifies the definition of "personal care services" and therefore, would not add cost for persons, businesses, or local government entities.

F) Compliance costs for affected persons:

After conducting a thorough analysis, it was determined that this rule amendment will not result in a fiscal impact to affected persons because this amendment modifies the definition of "personal care services" and therefore, would not add cost for affected persons.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Health, Richard G. Saunders, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this amendment will not result in fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Richard G. Saunders, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Title 26, Chapter 21		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 06/21/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and

will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Richard G. Saunders, Executive Director	Date:	04/14/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R434-40	Filing No. 53446

Agency Information

1. Department:	Health	
Agency:	Family Health and Preparedness, Primary Care and Rural Health	
Room no.:	4163	
Building:	Cannon Health Building	
Street address:	288 N 1460 W	
City, state:	Salt Lake City, UT 84116	
Mailing address:	PO Box 142005	
City, state, zip:	Salt Lake City, UT 84114-2005	
Contact person(s):		
Name:	Phone:	Email:
Ashley Moretz	801-350-1546	amoretz@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R434-40. Utah Health Care Workforce Financial Assistance Program Rules

3. Purpose of the new rule or reason for the change:
 During the 2020 General Session, the Utah Legislature, in H.B. 87, amended Section 26-46-102 governing the Utah Health Care Workforce Financial Assistance Program. Section 26-46-102 requires eligible professionals to submit a written commitment from the health care facility employing the eligible professional that the facility will provide education loan repayment assistance to the eligible professional in an amount equal to 20% of the total award amount provided to the eligible professional.

The existing rule is being amended to reflect both the requirement for the employing health care facilities to pay the 20% award match and the requirement for providers to submit written documentation of the commitment from their employer as part of the application process. In the 2021 General Session, the Utah Legislature made an

ongoing appropriation of \$300,000 for the program, of which \$270,000 will be used for the benefit of participating health care professionals (after subtracting 10% of the appropriation for UDOH's administration of the program).

Separately, the penalty clauses have been updated for simplicity and consistency with Rule R434-20, which covers the Behavioral Health Workforce Reinvestment Initiative.

4. Summary of the new rule or change:

Health care facilities employing eligible professionals must now provide education loan repayment assistance to the eligible professional in an amount equal to 20% of the total award amount provided to the eligible professional through the program. Eligible professionals must submit a written document confirming the "site match" before award approval. Participation in the program is voluntary for health care facilities; however, if the employing health care facility does not commit to providing the 20% match, the professional will not be able to participate in the loan repayment program.

Penalties for a recipient who fails to complete the service obligation shall be made in accordance with the grant agreement. Previously, this rule spelled out a range of actions that applied to recipients.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
 None--State government will not receive or be required to expend any funds as a result of the amendment. The 20% site match provided by employing health care facility will be paid by the health care facility to the participating health care professional.

B) Local governments:
 None--Local governments will not receive or expend any additional funding as a result of the required match. The 20% site match provided by employing health care facility will be paid by the health care facility to the participating health care professional.

C) Small businesses ("small business" means a business employing 1-49 persons):
 None--Small businesses will not receive or be required to expend any funds as a result of the amendment. The 20% site match provided by employing health care facility will be paid to the participating health care professional.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 None--Non-small businesses will not receive or be required to expend any funds as a result of the amendment. The 20% site match provided by employing

health care facility will be paid to the participating health care professional.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

Health care facilities that employ eligible professionals must provide education loan repayment assistance to the eligible professional in an amount equal to 20% of the total award amount provided to the eligible professional. The total projected cost to health care facilities that employ eligible professionals is \$54,000, based on total available funding for awards of \$270,000.

F) Compliance costs for affected persons:

None--Participation in the program is voluntary for health care facilities; however, if the employing health care facility does not commit to providing the 20% match, the professional will not be able to participate in the loan repayment program.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$54,000	\$54,000
Total Fiscal Cost	\$0	\$54,000	\$54,000
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$270,000	\$270,000

Total Fiscal Benefits	\$0	\$270,000	\$270,000
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Net Fiscal Benefits	\$0	\$216,000	\$216,000
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H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Health, Richard G. Saunders, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

There is no fiscal impact to business because businesses will not receive or be required to expend any funds as a result of the amendment.

B) Name and title of department head commenting on the fiscal impacts:

Richard Saunders, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 26-46-101	Section 26-46-102	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	06/21/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Richard Saunders, Executive Director	Date:	04/27/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-1	Filing No. 53447

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-1. Definitions
3. Purpose of the new rule or reason for the change:
The agency found that some information in this rule was outdated and updates needed to occur to account for legislative actions.
4. Summary of the new rule or change:
This amendment removes outdated information, updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
F) Compliance costs for affected persons:			
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.			
G) Regulatory Impact Summary Table (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 will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management (DHRM), John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by DHRM have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This Act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106	Section 63A-17-301	Section 63A-17-306
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency

not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-2	Filing No.	53448
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Agency Information

1. Department:	Human Resource Management		
Agency:	Administration		
Room no.:	2100		
Building:	Taylorsville State Office Building		
Street address:	4315 S 2700 W		
City, state:	Salt Lake City, UT 84129		
Contact person(s):			
Name:	Phone:	Email:	
Bryan Embley	801-618-6720	bkembley@utah.gov	

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-2. Administration

3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.

4. Summary of the new rule or change:
 This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
 These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:
 These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):
 These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
 These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:
 There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 52-3-1	Title 63G, Chapter 2	Section 63G-5-201
Title 63G, Chapter 7	Section 63A-17-106	Section 63A-17-306
Section 63A-17-307		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2021

10. This rule change MAY become effective on:	07/01/2021
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-3	Filing No. 53449

Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2100
Building:	Taylorsville State Office Building

Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-3. Classification
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106	Section 63A-17-307	Section 63A-17-602
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-4	Filing No. 53450

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-4. Filling Positions
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106	Section 67-20-8	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	07/01/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-5	Filing No.	53451
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:	R477-5. Employee Status and Probation
3. Purpose of the new rule or reason for the change:	The agency revised text to active voice, revised conditions of extending a probationary period, and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:	This amendment updates citations, corrects formatting, revises probationary period extension terms, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
F) Compliance costs for affected persons:			
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.			
G) Regulatory Impact Summary Table (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 will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106	Subsection 63A-17-305(5)(b)	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-6	Filing No. 53452

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-6. Compensation
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0

NOTICES OF PROPOSED RULES

Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 63A-16-105	Section 63A-17-106	Subsection 63A-17-302(4)
Section 63A-17-307	Section 63A-17-803	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	07/01/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R477-7	Filing No.	53453

Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2100
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state:	Salt Lake City, UT 84129

Contact person(s):

Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-7. Leave

3. Purpose of the new rule or reason for the change:
Our agency needs to implement rules pursuant to S.B. 207 passed in the 2020 General Session and make adjustments for clarification and corrections to formatting.
4. Summary of the new rule or change:
This amendment removes outdated information, updates citations, corrects formatting, implements new legislation regarding postpartum recovery leave, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets. While implementing the postpartum recovery leave will cost money, the legislature appropriated \$512,300 for agencies to use for the program.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.
F) Compliance costs for affected persons:
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management (DHRM), John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses. Rules published by DHRM have no direct effect on businesses or any entity outside state government. DHRM has authority to write rules only to the extent allowed by the "Utah Personnel Management Act," Title 67, Chapter 19. This Act limits the provisions of career service and this rule to employees of the executive branch of state government.

B) Name and title of department head commenting on the fiscal impacts:
John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 34-43-103	Section 39-3-1	Section 63G-1-301
Section 63A-17-106	Section 63A-17-504	Section 63A-17-505

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2021

10. This rule change MAY become effective on:	07/01/2021
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-8	Filing No. 53454

Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2100

Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-8. Working Conditions
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation,

association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 34A-2-114	Section 63A-17-106	Section 63A-17-602
Section 20A-3-103		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R477-9	Filing No.	53455
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Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-9. Employee Conduct
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63G-7-2	Section 63A-17-106	Section 63A-17-904
5 U.S.C. 1502(a)(3)		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative

Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-10	Filing No. 53456

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-10. Employee Development
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
F) Compliance costs for affected persons:			
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.			
G) Regulatory Impact Summary Table (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 will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106		
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-11	Filing No. 53457

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-11. Discipline
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:

These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):

These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0

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Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 63A-17-106	Section 63A-17-306	Section 63G-2-3

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also
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request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2021

10. This rule change MAY become effective on:	07/01/2021
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-12	Filing No. 53458

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-12. Separations

3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.
F) Compliance costs for affected persons:
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106	Section 63A-17-306	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	07/01/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-13	Filing No. 53459

Agency Information

1. Department:	Human Resource Management
Agency:	Administration
Room no.:	2100
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state:	Salt Lake City, UT 84129

Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-13. Volunteer Programs
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63A-17-106	Section 67-20-3	Section 67-20-4
Section 67-20-8		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-14	Filing No. 53460

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-14. Substance Abuse and Drug-Free Workplace
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:

There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 63G-2-3	Section 63A-17-106	Section 63A-17-306
Sections 63A-17-1001 through 63A-17-1006		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	07/01/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-15	Filing No. 53461

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-15. Workplace Harassment Prevention
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:			
A) State budget:			
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.			
B) Local governments:			
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.			
C) Small businesses ("small business" means a business employing 1-49 persons):			
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.			
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):			
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.			
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):			
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.			
F) Compliance costs for affected persons:			
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.			
G) Regulatory Impact Summary Table (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 will be included in narratives above.)			
Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 63A-17-106	Section 63A-17-306	Section 63G-2-305

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members.)

Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 07/01/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title: John Barrand, Executive Director
Date: 04/28/2021

NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-16	Filing No. 53462

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R477-16. Abusive Conduct Prevention
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.

4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:
 These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.

B) Local governments:
 These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.

C) Small businesses ("small business" means a business employing 1-49 persons):
 These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
 These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):
 These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.

F) Compliance costs for affected persons:
 There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023

NOTICES OF PROPOSED RULES

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
John Barrand, Executive Director			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 63A-17-106	Section 67-26-101	

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	07/01/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R477-101	Filing No. 53463

Agency Information

1. Department:	Human Resource Management	
Agency:	Administration	
Room no.:	2100	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Salt Lake City, UT 84129	
Contact person(s):		
Name:	Phone:	Email:
Bryan Embley	801-618-6720	bkembley@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R477-101. Administrative Law Judge Conduct Committee
3. Purpose of the new rule or reason for the change:
The agency revised text to active voice and updated language to account for S.B. 181 passed in the 2021 General Session.
4. Summary of the new rule or change:
This amendment updates citations, corrects formatting, and makes text revisions for clarity and rules styling.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
These amendments are not expected to have any fiscal impact on state government revenues or expenditures because these changes are administrative in nature and do not impact budgets.
B) Local governments:
These amendments are not expected to have any fiscal impact on local governments because this rule only applies to the executive branch of state government.
C) Small businesses ("small business" means a business employing 1-49 persons):
These amendments are not expected to have any fiscal impact on small businesses because this rule only applies to the executive branch of state government.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
These amendments are not expected to have any fiscal impact on non-small businesses because this rule only applies to the executive branch of state government.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):
These amendments are not expected to have any fiscal impact on other individuals because this rule only applies to the executive branch of state government.
F) Compliance costs for affected persons:
There are no direct compliance costs for these amendments. This rule only affects the executive branch of state government and will have no impact on other persons. This rule has no financial impact on state employees.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Human Resource Management, John Barrand, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that these proposed rule changes will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

John Barrand, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 63A-17-701 through 63A-17-710		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)	
A) Comments will be accepted until:	06/14/2021

10. This rule change MAY become effective on:	07/01/2021
NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.	

Agency Authorization Information

Agency head or designee, and title:	John Barrand, Executive Director	Date:	04/28/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-200-5	Filing No. 53469

Agency Information

1. Department:	Insurance
Agency:	Administration
Room no.:	Suite 2300
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state:	Taylorville, UT 84129

Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R590-200-5. Minimum Standards and General Provisions
3. Purpose of the new rule or reason for the change:
H.B. 207, passed during the 2020 General Session, requires the Insurance Department (Department) to disclose the price of insulin and set the annual calculation that will be used to adjust the caps on the cost of insulin in a health benefit plan. This amendment enacts that requirement.
4. Summary of the new rule or change:
The change adds a new section that provides information about how the Department will publish the price of insulin, and the calculation used to determine the annual inflationary adjustment to the caps of the average wholesale price of insulin sold in Utah.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The cost to publish the price of insulin and the annual calculation used to adjust the caps on the cost of insulin on the Department's website will be negligible and will be assumed into the affected employee's normal duties.
B) Local governments:
There is no anticipated cost or savings to local governments. The amendment merely sets the location and format for the Department's publication of the price of insulin and annual calculation used to adjust the caps on the cost of insulin.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The amendment merely sets the location and format for the Department's publication of the price of insulin and annual calculation used to adjust the caps on the cost of insulin.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There is no anticipated cost or savings to non-small businesses. The amendment merely sets the location and format for the Department's publication of the price of insulin and annual calculation used to adjust the caps on the cost of insulin.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

There is no anticipated cost or savings to any other persons. The amendment merely sets the location and format for the Department's publication of the price of insulin and annual calculation used to adjust the caps on the cost of insulin.

F) Compliance costs for affected persons:

There are no compliance costs for any affected persons. The amendment merely sets the location and format for the Department's publication of the price of insulin and annual calculation used to adjust the caps on the cost of insulin.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table

Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0

Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Jonathan T. Pike, Commissioner

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 31A-2-201	Section 31A-22-626	
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 06/21/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and

will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	04/30/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R590-254	Filing No. 53467

Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R590-254. Annual Financial Reporting Rule
3. Purpose of the new rule or reason for the change:
This rule is being amended to add an internal audit requirement for Utah insurance companies with more than \$500,000,000 in annual premiums. This will help ensure that large insurance companies doing business in Utah appropriately mitigate risk by having an independent internal audit function.
4. Summary of the new rule or change:
The change adds a section requiring internal audits for large Utah insurance companies. It also makes several changes to bring this rule in alignment with current rulewriting standards and updates the severability language.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
There is no anticipated cost or savings to the state budget. The amendment affects only insurance companies, most of which already have internal audit functions or are exempt because they do not meet the premium threshold described in this rule.
B) Local governments:
There is no anticipated cost or savings to local governments. The amendment affects only insurance companies.
C) Small businesses ("small business" means a business employing 1-49 persons):
There is no anticipated cost or savings to small businesses. The affected insurance companies are all non-small companies with more than 50 employees.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There is no anticipated cost or savings to non-small businesses. For an insurance company to comply with this rule, they would only need to form an internal audit committee of existing employees, which would not result in an added cost.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
There is no anticipated cost or savings to any other persons. The amendment affects only insurance companies.
F) Compliance costs for affected persons:
There are no expected compliance costs for any affected persons. The majority of insurance companies active in Utah are either exempt from this amendment because they don't meet the premium threshold, or they already have an independent internal audit function. A company that does not meet either of those exceptions would need to form an internal audit committee, which could be comprised of the existing board of directors or current employees, and would not result in an added cost.
G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0
H) Department head approval of regulatory impact analysis:			
The Commissioner of the Insurance Department, Jonathan T. Pike, has reviewed and approved this fiscal analysis.			
6. A) Comments by the department head on the fiscal impact this rule may have on businesses:			
After conducting a thorough analysis, it was determined that this proposed rule amendment will not result in a fiscal impact to businesses.			
B) Name and title of department head commenting on the fiscal impacts:			
Jonathan T. Pike, Commissioner			

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section 31A-2-201	Subsection 31A-2-203(6)(b)(ii)	Subsection 31A-5-412(2)(f)

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until:	06/14/2021
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10. This rule change MAY become effective on:	06/21/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	04/30/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment			
Utah Admin. Code Ref (R no.):	R746-8-301	Filing No.	53438

Agency Information

1. Department:	Public Service Commission
Agency:	Administration
Building:	Heber M. Wells Building

Street address:	160 E 300 S, 4th Floor	
City, state:	Salt Lake City, UT 84111	
Mailing address:	PO Box 4558	
City, state, zip:	Salt Lake City, UT 84114-4558	
Contact person(s):		
Name:	Phone:	Email:
Yvonne Hogle	801-530-6709	yhogle@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R746-8-301. Calculation and Application of UUSF Surcharge
3. Purpose of the new rule or reason for the change:
The purpose of this rule amendment is to decrease the monthly Utah Universal Public Telecommunications Service Support Fund (UUSF) remittal amount from \$0.54 to \$0.36 per access line to ensure the UUSF remains at a manageable level to meet the fund's statutory obligations and does not accrue unreasonable balances beyond those obligations. The Public Service Commission (PSC) expresses appreciation to the Division of Public Utilities in the Department of Commerce for providing the analysis necessary to consider and implement this rule amendment.
4. Summary of the new rule or change:
This amendment decreases the monthly UUSF surcharge from \$0.54 to \$0.36 per access line. The amendment makes three textual edits, revising the rule's three references to the \$0.54 surcharge to reflect the new \$0.36 surcharge. As explained in the purpose box above, the decrease in the surcharge is necessary to ensure the UUSF can meet statutory obligations while remaining within policy norms. The amendment also makes two nonsubstantive corrections to a subheading and to an internal cross-reference. Unless public comment convinces the PSC to alter its plans, the PSC anticipates making this rule amendment effective on July 1, 2021.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This surcharge change will reduce the balance accruing in the UUSF, helping maintain the performance objective set by the Utah Legislature to maintain at least three months' worth of fund distributions without accruing an unreasonable balance above that amount. The only other impact on the state budget is the impact on state offices that are telecommunications customers. Because the

surcharge is passed on by providers to customers, every telecommunications customer will experience a reduction of \$0.18 in their monthly bill.
B) Local governments:
The only impact on local governments will be in their capacity as telecommunications customers. Because the surcharge is passed on by providers to customers, every telecommunications customer will experience a reduction of \$0.18 in their monthly bill.
C) Small businesses ("small business" means a business employing 1-49 persons):
The only impact on small businesses will be in their capacity as telecommunications customers. Because the surcharge is passed on by providers to customers, every telecommunications customer will experience a reduction of \$0.18 in their monthly bill.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
The only impact on non-small businesses will be in their capacity as telecommunications customers. Because the surcharge is passed on by providers to customers, every telecommunications customer will experience a reduction of \$0.18 in their monthly bill.
E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an <i>agency</i>):
Affected--All customers who are billed for an access line presently pay \$0.54 per month per access line for the UUSF surcharge. Under the new \$0.36 rate, all such customers will pay \$0.18 less per month per access line. Presently, an average of 3,404,736.67 access lines are assessed the surcharge every month. At the current rate, this results in approximately \$1,838,557.80 being collected from such customers to fund the UUSF on a monthly basis. Under the new rate, these customers will cumulatively pay approximately \$1,225,705.20 per month, generating approximately \$14,708,462.40 per year and \$1,225,705.20 per month as compared to the current rate to fund the UUSF. While the proposed reduction in the rate will result in a reduction of \$612,852.60 per month, or \$7,354,231.21 per year, in the balance of the UUSF, as compared to the current rate to fund the UUSF, this has no fiscal impact on any group. No group will experience a fiscal "benefit" or "savings" because the funds collected, or funds saved, are specifically earmarked for UUSF spending. The PSC presently does not have access to the commercially sensitive information that would be necessary to determine what portion of the access lines paying the surcharge are small businesses, larger businesses, or individuals. However, this decrease should affect all customers and customer classes equally on a per access line basis.

F) Compliance costs for affected persons:

All telecommunications customers currently paying this surcharge will experience a reduction of \$0.18 in their monthly bill.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$7,354,231.21	\$0	\$0
Total Fiscal Benefits	\$7,354,231.21	\$0	\$0
Net Fiscal Benefits	\$0 (see Box 5E: Other Persons above)	\$0	\$0

H) Department head approval of regulatory impact analysis:

PSC Chair Thad LeVar has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

All telecommunications customers in Utah will experience a reduction of \$0.18 in their monthly telecommunications bill. This will better align the Utah Universal Service Fund with the performance goal of maintaining a sufficient

balance in the fund to pay three months' worth of disbursements, without accruing an unnecessary balance above that threshold. I appreciate the detailed analysis done by the Division of Public Utilities in the Department of Commerce that provided the PSC the necessary information to consider and implement this surcharge reduction.

B) Name and title of department head commenting on the fiscal impacts:

Thad LeVar, Chair

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 54-3-1	Section 54-4-1	Section 54-8b-10
Section 54-8b-15		

Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 06/21/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Thad LeVar, PSC Chair	Date:	04/28/2021
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NOTICE OF PROPOSED RULE

TYPE OF RULE: Amendment

Utah Admin. Code Ref (R no.):	R986-700	Filing No.	53464
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Agency Information

1. Department:	Workforce Services	
Agency:	Employment Development	
Building:	Olene Walker Building	
Street address:	140 E Broadway (300 S)	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 45244	
City, state, zip:	Salt Lake City, UT 84145-0244	
Contact person(s):		
Name:	Phone:	Email:
Amanda McPeck	801-517-4709	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R986-700. Child Care Assistance
3. Purpose of the new rule or reason for the change:
The purpose of this rule change is to implement changes to Child Care assistance eligibility in accordance with H.B. 277 passed in the 2021 General Session and other Department of Workforce Services (DWS) policy changes made to the Child Care assistance program.
4. Summary of the new rule or change:
During the 2021 General Session, the Legislature passed H.B. 277, Child Care Eligibility Amendments, which directed DWS, Office of Child Care (OCC) to make rule changes to temporarily pay Child Care assistance based on enrollment and waive copayment fees. Additionally, income in-kind is no longer counted as income to the household.
The following OCC policy changes are also being implemented:
1) Allow foster care families to be eligible for Child Care assistance based on income and work requirements.
2) Exempt the work requirements for parents enrolled in a formal course of study to obtain a High School diploma or GED.
3) Extend the Homeless Child Care assistance program to 12 months to align with federal Child Care and Development Fund (CCDF) regulations regarding the minimum length of time an approved household is eligible for subsidy payments.
This rule change also makes technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah.

Fiscal Information

5. Aggregate anticipated cost or savings to:
A) State budget:
This proposed rule change is not expected to have any fiscal impact on state government revenues or expenditures because any costs will be paid with funds granted to the state through the federal CCDF. This rule change is not expected to have any fiscal impact on state budget revenues or expenditures that were not already accounted for by H.B. 277 (2021).
B) Local governments:
This proposed rule change is not expected to have any fiscal impact on local governments' revenues or expenditures because the program is federally-funded and does not rely on local governments for funding, administration, or enforcement.
C) Small businesses ("small business" means a business employing 1-49 persons):
There are potentially 1,646 small businesses providing child care services (North American Industry Classification System (NAICS) 624410) that could accept subsidy payments in Utah. Subsidy benefits are paid directly to providers for the cost of child care. It is expected that this rule change will result in additional families being eligible for subsidy, which could result in an increase in the enrollment of families in child care. The changes related to H.B. 277 (2021) will stabilize the subsidy payments issued to child care providers without regard to attendance changes on a month-to-month basis, as well as a larger issuance amount that includes CCDF covering the cost of the copayment. The changes related to H.B. 277 (2021) will allow providers to receive up to \$12,000,000 annually in copayments without collecting from households directly. It is estimated that subsidy recipients will receive an additional \$5,450,000 annually for the policy changes made in addition to those required by H.B. 277 (2021).
Providers include both small businesses and non-small businesses. These businesses will receive a portion of the additional annual subsidy payments, which will result in increased revenues each year. There are too many variables to precisely separate the benefits between small and non-small businesses. In the chart below, the benefits have been listed as benefits to small businesses, since the majority of subsidy payments are made to small-business providers. However, some benefit will go to non-small businesses.
D) Non-small businesses ("non-small business" means a business employing 50 or more persons):
There are four non-small businesses providing child care services (NAICS 624410) that could accept subsidy payments in Utah. Subsidy benefits are paid directly to providers for the cost of child care. It is expected that the policy changes will result in additional families being eligible for subsidy, which could result in an increase in the

enrollment of families in child care. The changes related to H.B. 277 (2021) will stabilize the subsidy payments issued to child care providers without regard to attendance changes on a month-to-month basis, as well as a larger issuance amount that includes CCDF covering the cost of the copayment. The changes related to H.B. 277 (2021) will allow providers to receive up to \$12,000,000 annually in copayments without collecting from households directly. It is estimated that subsidy recipients will receive an additional \$5,450,000 annually for the policy changes made in addition to those required by H.B. 277 (2021).

Providers include both small businesses and non-small businesses. These businesses will receive a portion of the additional annual subsidy payments, which will result in increased revenues each year. There are too many variables to precisely separate the benefits between small and non-small businesses. In the chart below, the benefits have been listed as benefits to small businesses, since the majority of subsidy payments are made to small-business providers. However, some benefit will go to non-small businesses.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

It is expected that the rule change will result in additional families being eligible for child care subsidy benefits. In the chart below, the benefits have been listed as benefits to small businesses, since payments are made directly to providers, rather than directly to households. However, households will receive the benefit of the child care services paid for by the subsidy payments.

F) Compliance costs for affected persons:

The proposed rule change is not expected to cause any compliance costs for affected persons including those on or those newly eligible for subsidy payments.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0

Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$17,450,000	\$17,450,000
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$17,450,000	\$17,450,000
Net Fiscal Benefits	\$0	\$17,450,000	\$17,450,000

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Workforce Services, Casey Cameron, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After a thorough analysis, it was determined that these proposed rule changes will result in a fiscal benefit to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Casey Cameron, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 35A-3-203	Section 35A-3-310	Section 53F-5-210
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

NOTICES OF PROPOSED RULES

A) Comments will be accepted until:	6/14/2021
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10. This rule change MAY become effective on:	7/1/2021
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NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Casey Cameron, Executive Director	Date:	04/29/2021
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NOTICE OF PROPOSED RULE		
TYPE OF RULE: Amendment		
Utah Admin. Code Ref (R no.):	R990-8	Filing No. 53437

Agency Information

1. Department:	Workforce Services	
Agency:	Housing and Community Development	
Building:	Olene Walker Building	
Street address:	140 E Broadway (300 S)	
City, state:	Salt Lake City, UT	
Mailing address:	PO Box 45244	
City, state, zip:	Salt Lake City, UT 84145-0244	
Contact person(s):		
Name:	Phone:	Email:
Amanda McPeck	801-517-4709	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R990-8. Permanent Community Impact Fund Board Review and Approval of Applications for Funding Assistance
3. Purpose of the new rule or reason for the change:
The proposed rule change implements 2020 Legislative Audit recommendations for the Permanent Community Impact Fund Board (Board) and subsequent policy changes outlining procedures for Community Impact Fund Board Application Lists. This change will increase

operational efficiency and enhance payment security and timeliness. This rule change also makes technical, conforming, and stylistic changes in accordance with the Rulewriting Manual for Utah.

4. Summary of the new rule or change:

The proposed rule amendment changes the names of the CIB Capital Improvement List to CIB Application List and the Rural Planning Group to Community Development Office. It clarifies the CIB Application List procedures. The proposed amendment also updates several statutory references and explains that the Permanent Community Impact Fund Board may conduct electronic meetings without an anchor location pursuant to Section 52-4-207.

Fiscal Information

5. Aggregate anticipated cost or savings to:

A) State budget:

This rule change is not expected to have any significant fiscal impact on state government revenues or expenditures, as it makes minor modifications to an existing program.

B) Local governments:

This rule change is not expected to have any significant fiscal impact on local governments' revenues or expenditures as it involves only minor, technical changes to the application process for local governments.

C) Small businesses ("small business" means a business employing 1-49 persons):

There will be no fiscal impact from the proposed amendment on small businesses. Small businesses are ineligible for financial assistance from the Board.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

There will be no fiscal impact from the proposed amendment on non-small businesses. Non-small businesses are ineligible for financial assistance from the Board.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency):**

There will be no fiscal impact from the proposed amendment on other persons. Such persons are ineligible for financial assistance from the Board.

F) Compliance costs for affected persons:

This rule change is not expected to cause compliance costs for affected persons because it makes minor

modifications to an existing program and merely clarifies the application process. Existing contracts will not be affected by the rule change. The Board has additionally taken steps to educate applicants about and assist applicants with the application process, including by providing tutorials and posting directions on the Board's website.

G) Regulatory Impact Summary Table (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 will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2021	FY2022	FY2023
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits			
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head approval of regulatory impact analysis:

The Executive Director of the Department of Workforce Services, Casey R. Cameron, has reviewed and approved this fiscal analysis.

6. A) Comments by the department head on the fiscal impact this rule may have on businesses:

After a thorough analysis, it was determined that this proposed rule change will not result in a measurable fiscal impact to businesses.

B) Name and title of department head commenting on the fiscal impacts:

Casey R. Cameron, Executive Director

Citation Information

7. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Section 35A-8-305	Section 35A-8-306	Section 35A-8-307
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Public Notice Information

9. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. The agency is required to hold a hearing if it receives requests from ten interested persons or from an association having not fewer than ten members. Additionally, the request must be received by the agency not more than 15 days after the publication of this rule in the Utah State Bulletin. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 06/14/2021

10. This rule change MAY become effective on: 06/22/2021

NOTE: The date above is the date on which this rule MAY become effective. It is NOT the effective date. After the date designated in Box 10, the agency must submit a Notice of Effective Date to the Office of Administrative Rules to make this rule effective. Failure to submit a Notice of Effective Date will result in this rule lapsing and will require the agency to start the rulemaking process over.

Agency Authorization Information

Agency head or designee, and title:	Casey R. Cameron, Executive Director	Date:	4/26/2021
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End of the Notices of Proposed Rules Section

NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a **120-DAY (EMERGENCY) RULE** when it finds that regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (Subsection 63G-3-304(1)).

As with a **PROPOSED RULE**, a **120-DAY RULE** is preceded by a **RULE ANALYSIS**. This analysis provides summary information about the **120-DAY RULE** including the name of a contact person, justification for filing a **120-DAY RULE**, anticipated cost impact of the rule, and legal cross-references.

A **120-DAY RULE** is effective when filed with the Office of Administrative Rules, or on a later date designated by the agency. A **120-DAY RULE** is effective for 120 days or until it is superseded by a permanent rule. Because of its temporary nature, a **120-DAY RULE** is not codified as part of the *Utah Administrative Code*.

The law does not require a public comment period for **120-DAY RULES**. However, when an agency files a **120-DAY RULE**, it may file a **PROPOSED RULE** at the same time, to make the requirements permanent.

Emergency or **120-DAY RULES** are governed by Section 63G-3-304, and Section R15-4-8.

NOTICE OF EMERGENCY (120-DAY) RULE		
Utah Admin. Code Ref (R no.):	R68-29	Filing No. 53465

Agency Information

1. Department:	Agriculture and Food	
Agency:	Plant Industry	
Street address:	350 N Redwood Road	
City, state, zip:	Salt Lake City, UT 84116	
Mailing address:	PO Box 146500	
City, state, zip:	Salt Lake City, UT 84114-6500	
Contact person(s):		
Name:	Phone:	Email:
Amber Brown	385-245-5222	Ambermbrown@utah.gov
Cody James	801-982-2376	codyjames@utah.gov
Kelly Pehrson	801-982-2202	Kwpehrson@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R68-29. Quality Assurance Testing on Cannabis

3. Effective Date:
04/29/2021

4. Purpose of the new rule or reason for the change:
A clarification is needed in this rule to ensure that a cannabis testing laboratory is not required to test for all of the microbial contaminants listed in Table 2. Due to laboratory equipment shortages testing for some of the specific microbials listed in Table 2 is not currently possible.

5. Summary of the new rule or change:
Language has been added to Section R68-29-8, Microbial Standards, to clarify that specific microbial testing requirements will be at the discretion of the Department of Agriculture and Food (Department). The requirement for microbial testing generally and the limitations in Table 2 will remain in place.

6. Regular rulemaking would:
<input checked="" type="checkbox"/> cause an imminent peril to the public health, safety, or welfare;
<input type="checkbox"/> cause an imminent budget reduction because of budget restraints or federal requirements; or
<input type="checkbox"/> place the agency in violation of federal or state law.

Specific reason and justification:
If this rule is not clarified, the Department may not be able to allow cannabis products to be sold because all required testing cannot be performed. This could cause imminent financial harm to the cannabis industry and limit their ability to sell the products they have produced. It could also

threaten the health and welfare of the public because patients will have less access to the medically prescribed cannabis products they need.

Fiscal Information

7. Aggregate anticipated cost or savings to:

A) State budget:

There would be an anticipated savings to the state budget due to less required testing. The Department estimates that this would amount to a savings of \$50 per sample and a reduction in the cost of testing 900 samples per year, for a total of \$45,000. There would also be a reduction in fee revenue collected at an estimated \$50 per sample and 900 samples per year, or \$45,000. This reduced fee revenue would be due to the department charging \$70 per sample rather than \$120 due to reduced testing requirements given this change.

B) Local governments:

There is no anticipated cost or savings to local governments because they do not operate as cannabis licensees or laboratories.

C) Small businesses ("small business" means a business employing 1-49 persons):

There would be a savings to small businesses due to the reduced cost of testing in the Department cannabis laboratory, from \$120 per sample to \$70 per sample. The Department estimates that 75% of the samples tested per year are tested for small businesses, for a total savings of \$33,750 (675 samples at a savings of \$50 per sample).

D) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

There would be a savings to non-small businesses due to the reduced cost of testing in the Department cannabis laboratory, from \$120 per sample to \$70 per sample. The Department estimates that 25% of the samples tested per year are tested for non-small businesses, for a total savings of \$11,250 (225 samples at a savings of \$50 per sample).

8. Compliance costs for affected persons:

Compliance costs for affected persons would be reduced due to the reduced cost of testing a cannabis sample. Cost would go from \$120 per sample to \$70 sample for a reduction of \$50 per sample.

9. A) Comments by the department head on the fiscal impact this rule may have on businesses:

This rule change should positively impact businesses in the short term by reducing the amount they spend on cannabis testing.

B) Name and title of department head commenting on the fiscal impacts:

Craig W. Butters, Commissioner

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):

Subsection
4-41a-701(3)

Agency Authorization Information

Agency head or designee, and title:	Craig W. Butters, Commissioner	Date:	04/29/2021
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NOTICE OF EMERGENCY (120-DAY) RULE

Utah Admin. Code Ref (R no.):	R357-38	Filing No. 53421
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Agency Information

1. Department:	Governor	
Agency:	Economic Development	
Building:	World Trade Center	
Street address:	60 E South Temple	
City, state, zip:	Salt Lake City, UT 84111	
Contact person(s):		
Name:	Phone:	Email:
Dane Ishihara	801-538-8664	dishihara@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:

R357-38. Impacted Small Business Catalyst Grant Program Rule

3. Effective Date:

04/19/2021

4. Purpose of the new rule or reason for the change:	
The purpose of this rule filing is to create the Impacted Small Business Catalyst Grant Program to support small businesses and nonprofits that were highly impacted by the COVID-19 pandemic.	
5. Summary of the new rule or change:	
This rule will codify the administration of the Small Business Catalyst Grant Program by establishing definitions, authority, program, and documentation requirements. The program will provide assistance to small businesses and nonprofits that have been highly impacted by the COVID-19 pandemic.	
6. Regular rulemaking would:	
X	cause an imminent peril to the public health, safety, or welfare;
	cause an imminent budget reduction because of budget restraints or federal requirements; or
	place the agency in violation of federal or state law.
Specific reason and justification:	
The Governor's Office of Economic Development (Office) is responsible for economic development in the state and is tasked with, among other things, administering grant programs to enhance the economic health and vitality of the state and its business community. During the 2021 General, the office was provided a supplemental appropriation with the intent to provide assistance to small businesses that experienced a high level of revenue loss. This emergency rule is required so that the funds can be expeditiously awarded to businesses that were highly impacted by the COVID-19 pandemic and are still in need.	

Fiscal Information

7. Aggregate anticipated cost or savings to:	
A) State budget:	
There is no aggregate anticipated cost or savings to the state budget. This rule establishes the requirements for participation in the Impacted Small Business Catalyst Grant Program.	
B) Local governments:	
There is no aggregate anticipated cost or savings to local governments because local governments are not required to comply with or enforce this rule.	

C) Small businesses ("small business" means a business employing 1-49 persons):	
Fifteen million dollars in funds were allocated towards the program. The Office anticipates a large portion will be awarded to small businesses in the state. The Office has administered multiple COVID-19 programs similar to the Impacted Small Business Catalyst Grant Program Rule. Historically, 94% of the awards have been to entities with fewer than 50 employees.	
D) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an agency):	
There is no aggregate anticipated cost or savings to persons other than small businesses, businesses, or local government entities because this proposed rule does not create new obligations for persons other than small businesses, businesses, or local government entities, nor does it increase the costs associated with any existing obligation.	
8. Compliance costs for affected persons:	
There are no compliance costs for affected persons because participation in the program is optional.	
9. A) Comments by the department head on the fiscal impact this rule may have on businesses:	
I have reviewed this fiscal analysis and agree with the described fiscal impacts associated with this rule. The Office hopes this program will help make an impact on small businesses, nonprofits, and organizations who are in need during this time.	
B) Name and title of department head commenting on the fiscal impacts:	
Dan Hemmert, Executive Director	

Citation Information

10. This rule change is authorized or mandated by state law, and implements or interprets the following state and federal laws. State code or constitution citations (required):		
Section		
63G-3-201(2)(d)		

Agency Authorization Information

Agency head or designee, and title:	Dan Hemmert, Executive Director	Date:	04/19/2021
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End of the Notices of 120-Day (Emergency) Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the agency is required to review the rule. This review is intended to help the agency determine, and to notify the public, that the administrative rule in force is still authorized by statute and necessary. Upon reviewing a rule, an agency may: repeal the rule by filing a **PROPOSED RULE**; continue the rule as it is by filing a **FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (REVIEW)**; or amend the rule by filing a **PROPOSED RULE** and by filing a **REVIEW**. By filing a **REVIEW**, the agency indicates that the rule is still necessary.

A **REVIEW** is not followed by the rule text. The rule text that is being continued may be found in the online edition of the *Utah Administrative Code* available at <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.

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R162-2g	Filing No. 53227

Agency Information

1. Department:	Commerce	
Agency:	Real Estate	
Room no.:	2nd Floor	
Building:	Heber M. Wells	
Street address:	160 E 300 S	
City, state, zip:	Salt Lake City, UT 84114	
Mailing address:	PO Box 146711	
City, state, zip:	Salt Lake City, UT 84114-6711	
Contact person(s):		
Name:	Phone:	Email:
Justin Barney	801-530-6603	justinbarney@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R162-2g. Real Estate Appraiser Licensing and Certification Rules
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule was adopted under the statutory provisions of Title 21, Chapter 2g, the Real Estate Appraiser Licensing and Certification Act (Act). Section 61-2g-201 provides that the Utah Real Estate Division (Division) shall adopt, with

the concurrence of the Utah Real Estate Licensing and Certification Board (Board), rules for the administration of Title 21, Chapter 2g, that are not inconsistent with the chapter or the constitution and laws of the or of the United States. Other sections of Title 21, Chapter 2g, which authorize the rulemaking process are Sections 102, 205, 302, 304.5, 306, 311, 313, 403, and 502. Changes and updates to this rule have been made since its adoption. This rule provides direction to Division staff regarding the administration and enforcement of the Act and helps guide registered, licensed, and certified appraisers such that they may comply with the statutory requirements of the Act.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

This rule has been amended several times since the last five-year review of this rule. Prior to adopting the amendments to this rule, proposed amendments were discussed during public meetings of the Board. Generally, these amendments were completed with no public comment in favor of, or against, the amendments.

The amendment which was effective June 30, 2019 received public comment prior to the amendment being made effective. The comment was received as a request from an appraisal management company (AMC) representative organization that the Board take time for further consideration of the possible consequences of the rule amendment, in particular the restrictions resulting from adding Subsection R162-2g-502a(8) to this rule relative to property inspections in conjunction with the appraisal of real property. The rule amendment was adopted.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

However, after additional comment from the AMC industry, the banking industry, and from appraisers, the Board reconsidered the matter and the rule was again amended, deleting Subsection R162-2g-502a(8) from this rule. Generally, appraisers and organizations representing appraisers favored leaving the property inspection restrictions in place, while the AMCs, organizations representing AMCs, and the banking industry warned of serious consequences if the restrictions in Subsection R162-2g-502a(8) were not removed.

The statutory requirement for this rule as presently constituted, remains in effect. A careful inspection of this rule determined that specific statutory authority for rulemaking does not at this time extend to regulating property inspections and this rule needed to be amended by deleting Subsection R162-2g-502a(8). After considering the various points of view expressed by all those who made public comment, this rule was amended, deleting Subsection R162-2g-502a(8).

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

The statutory requirement for this rule remains in effect. The Board and Division have carefully considered all public comments regarding this rule. The Board and Division have not determined the specific merits of the comments for and against Subsection R162-2g-502a(8) as they determined that there is no specific statutory authority at this time to regulate property inspections. All other sections and subsections are authorized by the Act. This rule, as amended, should be continued.

Agency Authorization Information

Agency head or designee, and title:	Jonathan Stewart, Director	Date:	05/03/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R277-603	Filing No. 52783
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Agency Information

1. Department:	Education
Agency:	Administration
Building:	Board of Education
Street address:	250 E 500 S
City, state, zip:	Salt Lake City, UT 84111
Mailing address:	PO Box 144200
City, state, zip:	Salt Lake City, UT 84114-4200

Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-603. Autism Awareness Restricted Account Distribution

3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:

This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board); Section 53F-9-401 which authorizes the Superintendent to distribute autism awareness funds appropriated by the Legislature; and Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

There were no written comments received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule continues to be necessary because it provide procedures, timelines, and accountability for distribution of funds received in the Autism Awareness Restricted Account and subsequently appropriated by the Legislature to eligible organizations. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/21/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R277-604	Filing No. 52638
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-604. Private School, Home School, and Bureau of Indian Education (BIE) Student Participation in Public School Achievement Tests
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board); Section 53E-3-401 which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and Section 53E-4-302 which directs the Board to require local education agencies (LEAs) to administer statewide assessments to uniformly measure student performance.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no written comments received.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule continues to be necessary because it provides opportunities for Utah private school students and home school students who are Utah residents, and Utah students attending Bureau of Indian Education or "BIE" schools to participate in statewide assessments; to maintain the integrity and security of statewide assessments and Utah's accountability system; to provide an orderly and manageable administrative process for public schools to include Utah private school students and home school students who are Utah residents, and Utah students attending BIE schools to participate in statewide assessments if they so desire; and to protect the public investment in statewide assessments and Utah's

accountability system by making assessments available to students who are not funded by the public education system through fair, reasonable, and consistent practices. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/21/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R277-712	Filing No. 52743
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-712. Competency-based Grant Programs
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution, Article X, Section 3, which vests general control and supervision over public education in the Utah State Board of Education (Board); Section 53F-5-502 which requires the Board to define outcome-based measures for each type of grant awarded to local education agencies (LEA's); establish a grant application process; establish a review committee; adopt metrics to analyze the quality of a grant application; and Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

There were no written comments received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule continues to be necessary because it defines outcome-based measures for each type of grant awarded to LEA's; establishes a grant application process; establishes a review committee; and adopts metrics to analyze the quality of a grant application. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/21/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R277-924	Filing No. 52865
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Agency Information

1. Department:	Education	
Agency:	Administration	
Building:	Board of Education	
Street address:	250 E 500 S	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 144200	
City, state, zip:	Salt Lake City, UT 84114-4200	
Contact person(s):		
Name:	Phone:	Email:
Angie Stallings	801-538-7830	angie.stallings@schools.utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R277-924. Partnerships for Student Success Grant Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized by the Utah Constitution Article X, Section 3, which vests general control and supervision

over public education in the Utah State Board of Education (Board); Section 53F-5-406 which requires the Board to make rules to administer the Partnerships for Student Success Grant Program; and Subsection 53E-3-401(4) which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:

There were no written comments received.

5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:

This rule continues to be necessary because it provides criteria for evaluating grant applications; and procedures for an eligible partnership to apply to the Board to receive grant money and the evaluation of an eligible partnership's use of grant money. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Angie Stallings, Deputy Superintendent of Policy	Date:	04/21/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Utah Admin. Code Ref (R no.):	R590-208	Filing No. 51399
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Agency Information

1. Department:	Insurance	
Agency:	Administration	
Room no.:	Suite 2300	
Building:	Taylorsville State Office Building	
Street address:	4315 S 2700 W	
City, state, zip:	Taylorsville, UT 84129	
Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R590-208. Uniform Application for Certificates of Authority
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 31A-2-201 authorizes the Insurance Commissioner to write rules to implement Title 31A, Insurance Code. Subsection 31A-2-202(2)(c) authorizes the Insurance Commissioner to require financial reporting on forms provided by the National Association of Insurance Commissioners (NAIC). The purpose of this rule is to ensure that the Insurance Commissioner's requirement that insurers obtain a certificate of authority in Utah is consistent with requirements of other states by using forms provided by the NAIC.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
It is important that the Department specify that insurers use the NAIC certificate of authority application to ensure uniform information from all insurers that apply. Using a uniform application makes it easier and less time consuming for insurers to apply for a certificate of authority from more than one state at a time. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	04/16/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R590-235	Filing No. 51424

Agency Information

1. Department:	Insurance
Agency:	Administration
Room no.:	Suite 2300
Building:	Taylorville State Office Building
Street address:	4315 S 2700 W
City, state, zip:	Taylorville, UT 84129

Mailing address:	PO Box 146901	
City, state, zip:	Salt Lake City, UT 84114-6901	
Contact person(s):		
Name:	Phone:	Email:
Steve Gooch	801-957-9322	sgooch@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule catchline:
R590-235. Medicare Prescription Drug Plan
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 31A-2-201(3) authorizes the Insurance Commissioner to make rules to implement the provisions of Title 31A, Insurance Code. The purpose of this rule is to establish licensing and regulatory requirements for a stand-alone prescription drug plan (PDP). These PDPs provide Medicare Part D benefit plans.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
The Department of Insurance (Department) has received no written comments regarding this rule during the past five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
This rule establishes standards and requirements that a PDP must meet before selling insurance. These standards are much the same for PDPs as they are for other insurers: they require the submission of quarterly and annual statements, compliance with capital and surplus limits that are set within the rule, and compliance with risk-based capital requirements that are set within the code. Linking these standards and requirements with the PDP allows the Department to assess their financial stability, giving greater assurance to consumers about the PDP's ability to provide benefits within a policy. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Steve Gooch, Public Information Officer	Date:	04/16/2021
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FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R994-302	Filing No. 53337

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION		
Utah Admin. Code Ref (R no.):	R994-308	Filing No. 52236

Agency Information

1. Department:	Workforce Services	
Agency:	Unemployment Insurance	
Building:	Olene Walker Building	
Street address:	140 E Broadway (300 S)	
City, state, zip:	Salt Lake City, UT 84111	
Mailing address:	PO Box 45244	
City, state, zip:	Salt Lake City, UT 84145-0244	
Contact person(s):		
Name:	Phone:	Email:
Amanda McPeck	801-517-4709	ampeck@utah.gov
Please address questions regarding information on this notice to the agency.		

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General Information

2. Rule catchline:
R994-302. Employer Contribution Payments
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 35A-4-302 authorizes the Department of Workforce Services (Department) to make rules to collect contributions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received in the last five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
In order to effectively and efficiently administer the Unemployment Insurance Fund, the Department must ensure each employer that is subject to the Employment Security Act follows the requirements under the Act for collections of unemployment insurance contributions. Therefore, this rule should be continued.

General Information

2. Rule catchline:
R994-308. Bond Requirement
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Section 35A-4-308 authorizes the Department of Workforce Services (Department) to require any employer, subject to the Employment Security Act, that fails to comply with the contribution requirements of the Act, to post a bond or security with the Department.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received in the last five years.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
To effectively and efficiently administer the Unemployment Insurance Fund, the Department must have a way to require compliance with the Employment Security Act and to collect unemployment contributions from any subject employer in non-compliance with the Act. Therefore, this rule should be continued.

Agency Authorization Information

Agency head or designee, and title:	Casey R. Cameron, Executive Director	Date:	04/26/2021
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Agency Authorization Information

Agency head or designee, and title:	Casey R. Cameron, Executive Director	Date:	04/26/2021
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End of the Five-Year Notices of Review and Statements of Continuation Section

NOTICES OF RULE EFFECTIVE DATES

State law provides for agencies to make their administrative rules effective and enforceable after publication in the *Utah State Bulletin*. In the case of **PROPOSED RULES** or **CHANGES IN PROPOSED RULES** with a designated comment period, the law permits an agency to make a rule effective no fewer than seven calendar days after the close of the public comment period, nor more than 120 days after the publication date. In the case of **CHANGES IN PROPOSED RULES** with no designated comment period, the law permits an agency to make a rule effective on any date including or after the thirtieth day after the rule's publication date, but not more than 120 days after the publication date. If an agency fails to file a **NOTICE OF EFFECTIVE DATE** within 120 days from the publication of a **PROPOSED RULE** or a related **CHANGE IN PROPOSED RULE** the rule lapses.

Agencies have notified the 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.

Agriculture and Food

Horse Racing Commission (Utah)
No. 53286 (Amendment) R52-7: Horse Racing
Published: 02/15/2021
Effective: 04/12/2021

Animal Industry

No. 53299 (Amendment) R58-11: Slaughter of Livestock and Poultry
Published: 02/15/2021
Effective: 04/12/2021

Plant Industry

No. 53328 (New Rule) R68-11: Quarantine Pertaining to the Emerald Ash Borer
Published: 03/15/2021
Effective: 04/23/2021

No. 53258 (Amendment) R68-24: Industrial Hemp License for Growers
Published: 01/15/2021
Effective: 04/12/2021

Commerce

Real Estate
No. 53227 (Amendment) R162-2g: Real Estate Appraiser Licensing and Certification Rules
Published: 03/01/2021
Effective: 4/28/2021

Environmental Quality

Air Quality
No. 53312 (Amendment) R307-101: Version of Code of Federal Regulations Incorporated by Reference
Published: 03/01/2021
Effective: 05/06/2021

No. 53313 (Amendment) R307-210: Standards of Performance for New Stationary Sources
Published: 03/01/2021
Effective: 05/06/2021

No. 53314 (Amendment) R307-214: National Emission Standards for Hazardous Air Pollutants
Published: 03/01/2021
Effective: 05/06/2021

Drinking Water

No. 53234 (Repeal and Reenact) R309-405: Compliance and Enforcement: Administrative Penalty
Published: 02/01/2021
Effective: 04/23/2021

Water Quality

No. 53240 (Amendment) R317-8: Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs)
Published: 01/01/2021
Effective: 04/15/2021

No. 53240 (Change in Proposed Rule) R317-8: Animal Feeding Operations (AFOs) and Concentrated Animal Feeding Operations (CAFOs)
Published: 03/15/2021
Effective: 04/15/2021

No. 53244 (Amendment) R317-8: Utah Pollutant Discharge Elimination System (UPDES)
Published: 01/01/2021
Effective: 04/15/2021

Governor

Economic Development
No. 53365 (Repeal) R357-2: Targeted Business Tax Credit
Published: 04/01/2021
Effective: 05/10/2021

NOTICES OF RULE EFFECTIVE DATES

No. 53364 (Amendment) R357-15a: Targeted Business Tax Credit Rule
Published: 04/01/2021
Effective: 05/10/2021

Health

Health Care Financing, Coverage and Reimbursement Policy
No. 53099 (New Rule) R414-12: Laboratory Services
Published: 10/15/2020
Effective: 05/01/2021

No. 53099 (Change in Proposed Rule) R414-12: Laboratory Services
Published: 03/15/2021
Effective: 05/01/2021

Natural Resources

Wildlife Resources

No. 53332 (Amendment) R657-62: Deployed Military
Published: 03/15/2021
Effective: 05/04/2021

Pardons (Board of)

Administration

No. 53263 (Amendment) R671-302: News Media and Public Access to Hearings
Published: 01/15/2021
Effective: 04/26/2021

Workforce Services

Employment Development

No. 53330 (Amendment) R986-700: Unearned Income, Pandemic
Published: 03/15/2021
Effective: 04/22/2021

Unemployment Insurance

No. 53336 (Amendment) R994-302-102: Due Dates for Contribution Payments
Published: 03/15/2021
Effective: 04/22/2021

No. 53337 (Amendment) R994-302-103: Employer Contribution Payments
Published: 03/15/2021
Effective: 04/22/2021

No. 53338 (Amendment) R994-302-104: Due Dates for Filing Contribution and Equivalent Reports
Published: 03/15/2021
Effective: 04/22/2021

End of the Notices of Rule Effective Dates Section