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Nancy L. Lancaster, Editor

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SPECIAL NOTICES

GOVERNOR'S EXECUTIVE ORDER: DECLARING A STATE OF EMERGENCY BECAUSE OF FIRE DANGER

Whereas, the danger from wildland fires is extremely high throughout the State of Utah; and

Whereas, numerous wildland fires are burning and continue to burn in various areas statewide and present a serious threat to public safety, property, natural resources and the environment; and

Whereas, some of the areas are extremely remote and inaccessible and the situation has the potential to greatly worsen if left unattended; and

Whereas, immediate action is required to suppress the fires and mitigate post-burn flash floods to protect public safety, property, natural resources and the environment; and

Whereas, these conditions do create a disaster emergency within the intent of the Disaster Response and Recovery Act of 1981; and

Now, Therefore, I, Michael O. Leavitt, Governor of the State of Utah, by virtue of the power vested in me by the constitution and the laws of the State of Utah;

Do Hereby Order That: It is found, determined and declared that a "State of Emergency" exists statewide due to the threat to public safety, property, natural resources and the environment for thirty days, effective as of July 30, 2002, requiring aid, assistance and relief available pursuant to the provisions of state statutes, and the State Emergency Operations Plan, which is hereby activated.

In Testimony, Whereof, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah, this 30th day of July, 2002.

(State Seal)

Michael O. Leavitt
Governor

Attest:

Olene S. Walker
Lieutenant Governor

HEALTH
ADMINISTRATION

MEDICAID NURSING FACILITY RATE CHANGE: NOTICE OF RATES FOR JULY 1, 2002 THROUGH DECEMBER 31, 2002

On June 14, 2002, the Utah Department of Health (Department) published a request for public comment on modifications to the existing payment methodology for reimbursing nursing facilities enrolled in the Medicaid program. Three methods were detailed as possibilities, noting that the final method adopted might include a combination or modification of the methods described.

Method 1: Increase all existing rates by 12%.
Comments Received: Several comments received urged the Department to adopt this methodology. This method was seen as the simplest method. Other comments in support of this method suggested that the State should move away from cost reimbursement. Other comments suggested that with the commitment of the Department to adopt an acuity based reimbursement methodology using a resource utilization group system (RUGS) by January 1, 2003, that the other methods would create wider ranges of reimbursement and make the adjustment to RUGS more difficult for providers. Finally several comments said that since this rate change would only be in effect for six months that adopting a new system of reimbursement is unnecessary.
Response to Comments: Utah Medicaid's reimbursement methodology for nursing homes has been a blended flat rate for many years that includes components for nursing, property and other costs reported annually on the mandated facility cost profile. It has been some time since the Legislature has appropriated a significant increase to nursing home rates, so this 12% increase provides an important opportunity to respond to inequities that have developed in the current reimbursement system. Within the last three years, the nursing cost component was adjusted to more accurately reflect the reported cost in each facility. The RUGS system will be developed based on the reported nursing cost for each facility with possible adjustments for property, insurance, quality, etc. The complexity of determining the rate for each facility under either of the other two methods is not significantly different from this method; therefore the Department does not feel constrained to adopt this method due to simplicity.

Method 2: Increase all existing rates by 6% and utilize another 6% to provide for a cost rebasing or recognition.
Comments Received: The Utah Health Care Association supported this option in its comments.
Response to Comments: The Department has chosen to adopt this method as more fully described below. The property component will be adjusted to bring the maximum amount to the 75th percentile of reported costs. This component of the rate was chosen due to the long period of time that has passed since the last adjustment to property, unlike the nursing component that was recently adjusted.

Method 3: Rebase all rates according to actual cost incurred in providing care to Medicaid patients.
Comments Received: Several comments supported this method as the only method that complies with federal law.
Response to Comments: With the repeal of the Boren Amendment by Congress the federal law cited is no longer binding. Given the wide variations in reported costs and the impact that total cost rebasing would have on the range of rates to providers, the Department chooses not to adopt this method. The Department believes that adopting this method would complicate transition to RUGS on January 1, 2003.

Rates Effective July 1, 2002, through December 31, 2002
(Note: subject to adjustment to stay within available appropriations as set by the Legislature, a spreadsheet may be viewed at this website, http://www.health.state.ut.us/medicaid/st_plan/NF2003Rates.xls, that describes the rate for each facility. The information on the spreadsheet is for illustration and shall not be considered binding if it varies from the description below.)

1. The rate for each facility in effect as of June 30, 2002, will be increased by 6%.
2. From the additional 6%:

a. Each facility's rate will be increased by an additional 1%.

b. With the FY 2003 7% increase the property component of the rate will be $11.19 per patient day. Facilities that reported property costs on the 2001 facility cost profile (FCP) in excess of $11.19 will receive an adjustment up to the actual reported property cost with a cap of $20 per patient day. Facilities qualifying for the additional property differential will have that amount added to the $11.19 per patient day amount before adjusting their rate to the $20 cap. This will bring the property component of the rate to approximately the 75th percentile.

c. The Department will hold the remaining available funds in reserve. Facilities that can document an undue hardship due to circumstances beyond their control that leads to higher costs and the inability to continue to operate under the revised rate, despite undertaking all reasonable efforts to achieve cost-cutting through efficiencies may petition the Department for a facility specific grant. Grants to recognize costs for the July 1, 2002, through September 30, 2002, period are due no later than August 20, 2002. A facility applying for this grant shall document costs as per the 2001 FCP, shall provide appropriate proof that costs have not changed significantly since that reporting period and document efforts to reduce costs. A similar set of grant proposals will be accepted by the Department no later than October 20, 2002, for the October 1, 2002, through December 31, 2002, period.

For more information or for questions, contact: Doug Springmeyer by phone at: 801-538-6971, by FAX at: 801-538-6306, or by e-mail at: dspringm@utah.gov.

NOTICES OF
PROPOSED RULES

A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between July 16, 2002, 12:00 a.m., and August 1, 2002, 11:59 p.m. are included in this, the August 15, 2002, issue of the *Utah State Bulletin*.

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

Following the RULE ANALYSIS, the text of the PROPOSED RULE is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., [~~example~~]). Rules being repealed are completely struck out. A row of dots in the text (· · · · · ·) indicates that unaffected text was removed to conserve space. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of each rule that is too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least September 16, 2002. The agency may accept comment beyond this date and will list the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency to hold a hearing on a specific PROPOSED RULE. Section 63-46a-5 (1987) requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through December 13, 2002, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than 31 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

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

PROPOSED RULES are governed by *Utah Code* Section 63-46a-4 (2001); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page.

Administrative Services, Fleet Operations
R27-6
Fuel Dispensing Program

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25118
FILED: 07/18/2002, 14:39

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: There were problems discovered in the wording of this rule.

SUMMARY OF THE RULE OR CHANGE: In Section R27-6-3, the word "except" is being changed to "including." The word except has made the rule in conflict with Utah Code. In Section R27-6-5, a sentence is being added that will require participants in the fuel network to pay a replacement fee in the event a fueling card is lost, stolen, or destroyed. In Section R27-6-7, word "run" is being replaced with the word "managed." It was felt that managed was a more appropriate term. The clause "Except as provided in paragraph 3 of this section" is being removed from the same section, because this exception will no longer be allowed due to a change in vehicle maintenance and repair tracking procedures. In Section R27-6-11, "remediation, mitigation, and engineering" were added to the rule to better define the services required when removing an underground fuel storage tank.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 63A-9-401(1)(c)(vi), 63A-9-401(1)(e), and 63A-2-201.1(a)

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: There are no anticipated costs or savings to the state budget associated with the changes to this rule. Wording problems and changes in policy prompted the changes.
❖ LOCAL GOVERNMENTS: There are no anticipated costs or savings to local governments associated with the changes to this rule. Wording problems and changes in policy prompted the changes.
❖ OTHER PERSONS: There may be a fee involved in requesting a replacement fuel card. The fee will be minimal.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There may be a fee involved in requesting a replacement fuel card. The fee will be minimal.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule will have no fiscal impact on businesses due the fact that the rule covers the standards for the state, counties, municipalities, school districts, special districts, and federal agencies that subscribe to the state fuel dispensing network.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ADMINISTRATIVE SERVICES
FLEET OPERATIONS
Room 4120 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Alison Taylor at the above address, by phone at 801-538-3306, by FAX at 801-538-1773, or by Internet E-mail at alisontaylor@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/17/2002

AUTHORIZED BY: Steve Saltzgiver, Director

R27. Administrative Services, Fleet Operations.
R27-6. Fuel Dispensing Program.
R27-6-1. Authority.

This rule is established pursuant to subsections 63A-9-401(1)(c)(vi), 63A-9-401(1)(e), and 63A-2-201.1(a) which require the Department of Administrative Services, Division of Fleet Operations (DFO) to make rules establishing requirements for fuel management programs, and to create and administer a fuel dispensing services program.

R27-6-2. Participation.

(1) Pursuant to Subsection 63A-9-401(2)(a)(1), each state agency and each institution of higher education shall subscribe to the fuel dispensing services provided by the division.

(2) Pursuant to Subsection 63A-9-401(2)(a)(ii), state agencies may not provide or subscribe to any other fuel dispensing services, systems, or products other than those provided by DFO.

(3) Counties, municipalities, school districts, special districts, and federal agencies may subscribe to fuel dispensing services provided by DFO.

R27-6-3. State Fuel Network.

(1) The state fuel network consists of all fuel sites owned, leased or under the control of the DFO; all agencies [~~except~~]including institutions of higher education; all counties, municipalities, school districts, and special districts that subscribe to the services provided by DFO; and all privately owned fuel sites that participate in the Utah Fuel Card program.

R27-6-4. Cost Recovery.

(1) DFO shall establish, for each fiscal year, fuel rates designed to recover the costs associated with the purchase of fuels and overhead costs associated with running the state fuel-dispensing network.

R27-6-5. Authority to Issue a State of Utah Fuel Card.

(1) Except when delegated pursuant to the provisions of R27-6-6, the authority to issue State of Utah Fuel Cards (fuel card) and assign Personal Identification Numbers (PIN) resides exclusively with DFO.

(2) In the event that a fuel card is either lost or stolen, the operator shall, immediately report the loss or theft of the fuel card to DFO.

(3) DFO may assess the agency an administrative fee to replace lost or stolen fuel cards.

R27-6-6. Delegation of Authority to Issue Fuel Cards and Assign PIN[~~S~~]s.

(1) The director of the Division of Fleet Operations, with the approval of the Executive Director of the Department of Administrative Services, may delegate the authority to issue fuel cards and assign PINs to other state agencies and institutions by contract or other means authorized by law, if,

(a) the state agency or institution has requested the authority; and

(b) in the judgment of the director, the state agency or institution has the necessary resources and skills to perform the delegated responsibilities.

(2) The delegation shall contain the following:

(a) a precise definition of each function to be delegated;

(b) a clear description of the standards to be met in performing each function delegated, including but not limited to,

(i) a provision that the vehicles for which the fuel cards are being issued, and to which the PINs are being assigned, are or will be capital only lease vehicles; and

(ii) a provision that the vehicle for which the fuel card is being issued, and to which the PIN is being assigned, is allocated or assigned to the agency issuing both the fuel card and the PIN; and

(iii) a provision that the vehicles for which the fuel cards are being issued, and to which the PINs are being assigned, are in DFO's fleet information system.

(c) a provision for periodic administrative audits by either DFO or the Department of Administrative Services; and

(d) a date on which the agreement shall terminate if the agreement has not been previously terminated or renewed.

(3) An agency given the authority to issue fuel cards and assign PINs shall not issue fuel cards for vehicles not in DFO's fleet information system.

(4) An agreement to delegate functions to a state agency or institution may be terminated by DFO if the results of administrative audits conducted by either DFO or the Department of Administrative Services reveal a lack of compliance with the terms of the agreement by the state agency or institution.

(5) In the event that a fuel card, issued by an agency other than DFO is either lost or stolen, the operator shall immediately report the loss or theft of the fuel card to the issuing agency.

R27-6-7. Authorized Use of a State of Utah Fuel Card.

(1) The following procedures shall be followed when purchasing fuel from either a state [~~run~~]managed or a participating commercial public fueling site:

(a) Verify that the vendor is a participant in the State Fuel Network Program; and

(b) Follow the procedures that apply to the particular site and enter the correct information when prompted in order to purchase fuel.

(2) [~~Except as provided in paragraph 3 of this section, t~~]The fuel card shall only be used to purchase:

(a) Fuel; and

(b) Fluids, car washes and minor miscellaneous items for state vehicles whose value, taken together, shall not exceed the monthly monetary limits determined by DFO.

(c) Miscellaneous repair preventive maintenance, and routine maintenance services approved and authorized by DFO and at the request of fuel network user agencies.

(3) Counties, municipalities, school districts, special districts and federal agency and other preauthorized vehicles are only allowed to access the State fuel network's services.

(a) Fuel cards should not be issued to or used to fuel privately owned vehicles; Mileage reimbursement programs are available for this purpose.

R27-6-8. Reimbursements.

(1) Reimbursements for the use of the operator's personal funds in order to purchase fuel and/or other services shall be granted:

(a) when the operator has verified that the vendor is a participant in the State Fuel Network Program and at the time when fuel was being purchased, there was a problem with either the PIN or card reader that could not be repaired prior to purchase; or

(b) when the operator purchases from a vendor that is not a participant in the State Fuel Network and there is no participating vendor in the immediate vicinity of the non-participating vendor.

(c) at the discretion of the fuel network manager when circumstances indicate that the use of personal funds was necessary.

R27-6-9. Fuel Purchases.

(1) For all fuel sites for which DFO purchases fuel:

(a) The authority to purchase bulk fuel resides exclusively with DFO.

(b) All fuel stored at, or contained in, fuel sites for which DFO purchases fuel shall be the property of the State of Utah, DFO.

R27-6-10. Fuel Site Maintenance.

(1) All fuel sites in the state fuel network for which DFO purchases fuel shall be managed by the DFO. All fuel sites for which DFO does not purchase fuel shall be managed by the agency, subscribing county, municipality, school district, or special district that has ownership, possession, or control of the site.

(2) Except for privately owned, leased or controlled fuel sites, maintenance at all other fuel sites in the State Fuel Network, shall be performed only by personnel of the DFO and/or their authorized agents.

(3) Only DFO personnel and/or authorized agents shall be authorized to disconnect power or communication from any fueling equipment, including, but not limited to, tanks and monitoring equipment.

(4) Personnel of agencies, subscribing counties, municipalities, school districts, and special districts at fuel sites shall not perform, or give authorization to perform, any site maintenance.

([~~c~~]a) Personnel of agencies, subscribing counties, municipalities, school districts, and special districts at fuel sites shall report any maintenance concerns to the DFO.

([~~d~~]b) Personnel of agencies, subscribing counties, municipalities, school districts, and special districts at fuel sites shall provide DFO, its employees and/or authorized agents, 24-hour access to fuel sites for any maintenance or service needs.

([4]5) In the event that a fuel site operated by an agency, subscribing county, municipality, school district, or special district is not part of the Utah Fuel card system, it shall be the responsibility of the fuel site personnel to keep records of all following information for entry into the fleet information system:

(a) Correct odometer reading;

(b) Operators' PIN;

(c) Vehicle number or license plate number;

(d) Other information as required by DFO.

R27-6-11. Underground Fuel Storage Tanks.

(1) DFO shall be responsible for coordinating the installation of state owned underground storage tanks and the upgrading, retrofitting, repair, remediation, mitigation, engineering or removal of existing underground storage tanks located on or about property, easements or rights of way owned, leased or otherwise controlled by agencies.

(2) DFO shall be responsible for paying for all operations related to the engineering, installation, upgrading, retrofitting, repair, or removal of underground fuel storage tanks listed in its Underground Storage Tank Inventory.

(3) The costs associated with all operations related to the installation, repair or removal of Underground Fuel Storage Tanks that are not contained in DFO Underground Storage Tank Inventory shall be the responsibility of the agency having ownership, possession or control of the site in which the storage tank is found.

(4) All agency fuel site personnel shall provide DFO, its employees and/or authorized agents, 24-hour access to fuel sites for any storage tank maintenance or service needs.

R27-6-12. Abuse and Neglect of Fueling Equipment.

Damage to fuel equipment that results from the abuse or neglect of an operator shall be the responsibility of the agency employing the operator at the time of the incident.

R27-6-13. Delegation of Authority to Manage and Maintain Fuel Storage Tanks.

(1) The director of the Division of Fleet Operations, with the approval of the Executive Director of the Department of Administrative Services, may delegate the authority to manage and maintain fuel storage tanks holding fuel that is not for use in motor vehicles, to other agencies or institution, by contract or other means authorized by law, if:

(a) the state agency or institution has requested the authority; and

(b) in the judgment of the director, the state agency or institution has the necessary resources and skills to perform the delegated responsibilities.

(2) The delegation shall contain the following:

(a) a precise definition of each function to be delegated;

(b) a clear description of the standards to be met in performing each function delegated; and

(c) a provision for periodic administrative audits by either DFO or the Department of Administrative Services; and

(d) a date on which the agreement shall terminate if the agreement has not been previously terminated or renewed.

(3) An agreement to delegate functions to a state agency or institution may be terminated by DFO if the results of administrative audits conducted by either DFO or the Department of Administrative Services reveal a lack of compliance with the terms of the agreement by the state agency or institution.

KEY: fuel dispensing
[~~April 8,~~]2002
63A-9-401(1)(c)(vi)
63A-9-401(1)(e)
63A-2-201.1(a)

Commerce, Occupational and Professional Licensing

R156-31b

Nurse Practice Act Rules

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25120
FILED: 07/22/2002, 14:53

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: During the 2002 General Session, the Legislature amended Title 58, Chapter 31b, the Nurse Practice Act, to include the regulation of health care assistants (S.B. 51). As a result, this rule is being amended to include provisions relating to health care assistants. This rule is also being updated to reflect current dates and issues. (DAR NOTE: S.B. 51 is found at UT L 2002 Ch 290, and was effective May 6, 2002.)

SUMMARY OF THE RULE OR CHANGE: In Section R156-31b-102: added definitions for the following: "activities of daily living", added that a certified registered nurse anesthetist (CRNA) may also direct a licensed practical nurse, "personal assistance and care" and "psychiatric mental health nursing specialty", which clarifies that psychiatric mental health nursing specialty includes both clinical specialists and nurse practitioners. All remaining subsections have been renumbered. In Section R156-31b-201: updated Board of Nursing nurse members to five registered nurses. Added Section R156-31b-202 which creates a psychiatric mental health nursing peer committee to assist the board and division with applications and practice issues. In Section R156-31b-302a: deleted the International Consultants of Delaware, Inc. as a company that does foreign education evaluation reports. In Section R156-31b-302b: amendments were made to clarify the supervision requirements for advanced practice registered nurses (APRNs) supervising psychiatric mental health nurses. In Section R156-31b-302c: Added the Psychiatric and Mental Health Nurse Practitioner (Adult and Family) examination to the list of approved APRN examinations and clarified the oncology examination which is approved. Added Section R156-31b-302d regarding the standards used for determining if a misdemeanor crime of moral turpitude or any other misdemeanor crime bears a reasonable relationship to the safe practice as a health care assistant. Section R156-31b-304 was added to establish the guidelines for the issuance of temporary licenses. In Section R156-31b-306: amendments were made regarding the reactivation of inactive licenses for registered nurses (RN), licensed practical nurses (LPN), APRNs, and CRNAs. In Section R156-31b-401: added that

the section also applies to health care assistants. In Section R156-31b-402: added health care assistants to the administrative penalties section where appropriate. In Section R156-31b-502: added two additional unprofessional conduct definitions: one regarding the unauthorized disclosure of confidential information obtained as a result of practice as a health care assistant; and one providing that engaging in any regulated health care practice for which is the person is not registered, certified, or licensed is considered unprofessional conduct. In Sections R156-31b-601, R156-31b-602, and R156-31b-603: provides a July 1, 2003, date in which nursing education programs must be nationally accredited and adds supervised clinical experiences distributed throughout the curriculum as a standard for approval. In Section R156-31b-702: added that an APRN or CRNA licensed in Utah in good standing may practice as an RN in another Nurse Licensure Compact State.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-31b-101, and Subsections 58-1-106(1) and 58-1-202(1)(a)

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Adds Subsections R432-35-4(2) and (3) as effective August 22, 1999

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The Division will incur minimal costs, approximately $50, to print this rule once proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget. The costs of regulating health care assistants under the Nurse Practice Act were allocated by the Legislature by an increase of renewal fees by $3.

❖ LOCAL GOVERNMENTS: There should be no direct effect on local governments. However, the clarification regarding APRN supervision and delegation to another licensed mental health therapist may indirectly affect a local government's budget if that entity is utilizing an APRN psych intern and paying for contractual supervision.

❖ OTHER PERSONS: Clarifying the psych APRN intern supervision may help those individuals who have had a difficult time finding an appropriate supervisor. However, the Division is unable to determine any fiscal impact as a result of this proposed amendment. The establishment of temporary licensure will allow individuals faster access to the work environment thereby improving their personal financial outlook. It should be noted that a $50 temporary license fee will be charged for those individuals requesting the issuance of a temporary license. The recognition of a re-entry program for inactive nurses may provide an avenue by which individuals may re-enter the market. The cost of the re-entry program is unknown at this time. Health care assistants may now be fined for unlawful and unprofessional conduct which may create a negative fiscal impact on an individual if found guilty of the unlawful and/or unprofessional conduct.

COMPLIANCE COSTS FOR AFFECTED PERSONS: A $50 temporary license fee will be charged for those individuals requesting the issuance of a temporary license. Health care assistants may now be fined for unlawful and unprofessional conduct which may create a negative fiscal impact on an individual if found guilty of the unlawful and/or unprofessional conduct.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: During the 2002 General Session, the Legislature passed S.B. 51, which added the health care assistant registration requirements to the Nurse Practice Act, including the Division's authority to fine those engaged in unprofessional or unlawful conduct. Accordingly, this rule change includes appropriate provisions regarding health care assistants, and does not create any negative fiscal impact to businesses beyond those already created by S.B. 51. This rule change also establishes guidelines for temporary licensure and for reactivation of an inactive license, both of which should have a positive fiscal impact to the regulated professionals. The amount of savings is difficult to determine, however, and is dependent upon the number of licensees who seek a temporary license or seek to reactive a license. The remaining provisions of this rule change are for purposes of clarification and do not appear to create any additional fiscal impact to businesses. Ted Boyer, Executive Director

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Laura Poe at the above address, by phone at 801-530-6789, by FAX at 801-530-6511, or by Internet E-mail at lpoe@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 8/23/2002 at 2:00 PM, 160 East 300 South, Room 4A (Fourth Floor), Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 09/17/2002

AUTHORIZED BY: J. Craig Jackson, Director

R156. Commerce, Occupational and Professional Licensing.
R156-31b. Nurse Practice Act Rules.
R156-31b-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 31b, as defined or used in these rules:

(1) "Activities of daily living (ADLs)" means those personal activities in which individuals normally engage or are required for an individual's well-being whether performed by them alone, by them with the help of others, or for them by others, including eating, dressing, mobilizing, toileting, bathing, and other acts or practices to

which an individual is subjected while under care in a regulated facility or under the orders of a licensed health care practitioner in a private residence.

(2) "APRN" means an advanced practice registered nurse.

([~~2~~]3) "Approved continuing education" in Subsection R156-31b-303(3) means:

(a) continuing education that has been approved by a professional nationally recognized approver of health related continuing education;

(b) nursing education courses taken from an approved education program as defined in Section R156-31b-601; and

(c) health related course work taken from an educational institution accredited by a regional institutional accrediting body identified in the "Accredited Institutions of Postsecondary Education", 1997-98 edition, published for the Commission of Recognition of Postsecondary Accreditation of the American Council on Education.

([~~3~~]4) "Approved education program" as defined in Subsection 58-31b-102(3) is further defined to include any nursing education program published in the documents entitled "State-Approved Schools of Nursing RN", 1998, and "State-Approved Schools of Nursing LPN/LVN", 1998, published by the National League for Nursing Accrediting Commission, which are hereby adopted and incorporated by reference as a part of these rules.

([4]5) "CCNE" means the Commission on Collegiate Nursing Education.

([~~5~~]6) "Contact hour" means 50 minutes.

([~~6~~]7) "CGFNS" means the Commission on Graduates of Foreign Nursing Schools.

([~~7~~]8) "CRNA" means a certified registered nurse anesthetist.

([~~8~~]9) "Delegation" means transferring to an individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability for the delegation.

([~~9~~]10) "Direct supervision" is the supervision required in Subsection 58-31b-306(1)(a)(iii) and means:

(a) the person providing supervision shall be available on the premises at which the supervisee is engaged in practice; or

(b) if the supervisee is specializing in psychiatric mental health nursing, the supervisor may be remote from the supervisee if there is personal direct voice communication between the two prior to administering or prescribing a prescription drug.

([~~10~~]11) "Disruptive behavior", as used in these rules, means conduct, whether verbal or physical, that is demeaning, outrageous, or malicious and that places at risk patient care or the process of delivering quality patient care. Disruptive behavior does not include criticism that is offered in good faith with the aim of improving patient care.

([~~11~~]12) "Generally recognized scope and standards of advanced practice registered nursing" means the scope and standards of practice set forth in the "Scope and Standards of Advanced Practice Registered Nursing", 1996, published by the American Nurses Association, which is hereby adopted and incorporated by reference, or as established by the professional community.

([~~12~~]13) "Generally recognized scope of practice of licensed practical nurses" means the scope of practice set forth in the "Model Nursing Administrative Rules", 1994, published by the National Council of State Boards of Nursing, which is hereby adopted and incorporated by reference, or as established by the professional community.

([~~13~~]14) "Generally recognized scope of practice of registered nurses" means the scope of practice set forth in the "Standards of Clinical Nursing Practice", 2nd edition, 1998, published by the American Nurses Association, which is hereby adopted and incorporated by reference, or as established by the professional community.

([~~14~~]15) "Licensure by equivalency" as used in these rules means licensure as a licensed practical nurse after successful completion of course work in a registered nurse program which meets the criteria established in Section R156-31b-601.

([~~15~~]16) "LPN" means a licensed practical nurse.

([~~16~~]17) "NLNAC" means the National League for Nursing Accrediting Commission.

([~~17~~]18) "NCLEX" means the National Council Licensure Examination of the National Council of State Boards of Nursing.

([~~18~~]19) "Non-approved education program" means any foreign nurse education program.

([~~19~~]20) "Other specified health care professionals", as used in Subsection 58-31b-102(12), who may direct the licensed practical nurse means:

(a) advanced practice registered nurse;

(b) certified nurse midwife;

(c) chiropractic physician;

(d) dentist;

(e) osteopathic physician;

(f) physician assistant;

(g) podiatric physician;[~~and~~]

(h) optometrist;

(i) certified registered nurse anesthetist.

([~~20~~]21) "Patient surrogate", as used in Subsection R156-31b-502(4), means an individual who has legal authority to act on behalf of the patient when the patient is unable to act or decide for himself, including a parent, foster parent, legal guardian, or a person designated in a power of attorney.

(22) "Personal assistance and care", as used in Subsection 58-31b-102(11), means acts or practices by an individual to personally assist or aid another individual in activities of daily living. These activities do not include those services provided by physical therapy, occupational therapy, or recreational therapy aides.

(23) "Psychiatric mental health nursing specialty", as used in Subsection 58-31b-302(3)(g), includes psychiatric mental health nurse specialists and psychiatric mental health nurse practitioners.

([~~21~~]24) "RN" means a registered nurse.

([~~22~~]25) "Supervision" in Section R156-31b-701 means the provision of guidance or direction, evaluation and follow up by the licensed nurse for accomplishment of a task delegated to unlicensed assistive personnel or other licensed individuals.

([~~23~~]26) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 31b, is further defined in Section R156-31b-502.

R156-31b-201. Board of Nursing - Membership.

In accordance with Subsection 58-31b-201(3), the Board of Nursing shall be composed of the following nurse members:

(1) [~~four~~]five registered nurses, two of whom are actively involved in nursing education;

(2) one licensed practical nurse; and

(3) two advanced practice registered nurses or certified registered nurse anesthetists.

R156-31b-202. Advisory Peer Committee created - Membership - Duties.

(1) In accordance with Subsections 58-1-203(6) and 58-31b-202(2), there is created the Psychiatric Mental Health Nursing Peer

Committee whose duties and responsibilities include reviewing APRN applications, when appropriate, and advising the board and division regarding practice issues.

(2) The composition of the committee shall be:

(a) three APRNs specializing in psychiatric mental health nursing;

(b) at least one member shall be a faculty member actively teaching in a psychiatric mental health nursing program; and

(c) at least one member shall be actively participating in the supervision of an APRN intern.

R156-31b-302a. Qualifications for Licensure - Education Requirements.

In accordance with Sections 58-31b-302 and 58-31b-303, the education requirements for licensure are defined as follows:

(1) Applicants for licensure by equivalency shall submit written verification from an approved registered nurse education program, verifying the applicant is currently enrolled and has completed course work which is equivalent to the course work of an NLNAC accredited practical nurse program.

(2) Applicants from foreign education programs shall submit a credentials evaluation report from one of the following credentialing services which verifies that the program completed by the applicant is equivalent to an approved practical nurse or registered nurse education program.

(a) Commission on Graduates of Foreign Nursing Schools; or

(b) Foundation for International Services, Inc[~~; or~~

~~(c) International Consultants of Delaware, Inc~~].

R156-31b-302b. Qualifications for Licensure - Experience Requirements for APRNs Specializing [~~as~~]in Psychiatric Mental Health Nursing[~~Nurse Specialists~~].

(1) In accordance with Subsection 58-31b-302(3)(g), the supervised clinical practice in mental health therapy and psychiatric and mental health nursing shall[~~:~~

~~(1) be~~]consist of a minimum of 4,000 hours, including 1,000 hours of mental health therapy and one hour of face to face supervision for every 20 hours of mental health therapy services, provided[~~;~~]:

(a) 1,000 hours shall be credited for completion of clinical experience in an approved education program in psychiatric mental health nursing.

(b) The remaining 3,000 hours shall:

(i) be completed while an employee, unless otherwise approved by the board and division, under the supervision of an approved supervisor; and

(ii) be completed under a program of supervision by a supervisor who meets the requirements under Subsection (3).

(c) At least 2,000 hours must be under the supervision of an APRN specializing in[~~as a~~] psychiatric mental health [~~nurse specialist~~]nursing. An APRN working in collaboration with a licensed mental health therapist may delegate selected clinical experiences to be supervised by that mental health therapist with general supervision by the APRN.

(2) An applicant who has obtained all or part of the clinical practice hours outside of the state, may receive credit for that experience if it is demonstrated by the applicant that the training completed is equivalent to and in all respects meets the requirements under this section.

(3) An approved supervisor shall verify practice as a licensee engaged in the practice of mental health therapy for not less than 4,000 hours in a period of not less than two years.

(4) Duties and responsibilities of a supervisor include:

(a) being independent from control by the supervisee such that the ability of the supervisor to supervise and direct the practice of the supervisee is not compromised;

(b) supervising not more than three supervisees unless otherwise approved by the division in collaboration with the board; and

(c) submitting appropriate documentation to the division with respect to all work completed by the supervisee, including the supervisor's evaluation of the supervisee's competence to practice.

(5) An applicant for licensure by endorsement as an APRN specializing in[~~as a~~] psychiatric mental health [~~nurse specialist~~]nursing under the provisions of Section 58-1-302 shall demonstrate compliance with the clinical practice in psychiatric and mental health nursing requirement under Subsection 58-31b-302(3)(g) by demonstrating that the applicant has successfully engaged in active practice in[~~as a~~] psychiatric mental health [~~nurse specialist~~]nursing for not less than 4,000 hours in the three years immediately preceding the application for licensure.

R156-31b-302c. Qualifications for Licensure - Examination Requirements.

(1) In accordance with Section 58-31b-302, the examination requirements for graduates of approved nursing programs are as follows.

(a) An applicant for licensure as an LPN or RN shall pass the applicable NCLEX examination.

(b) An applicant for licensure as an APRN shall pass one of the following national certification examinations consistent with his educational specialty:

(i) one of the following examinations administered by the American Nurses Credentialing Center Certification:

(A) Adult Nurse Practitioner;

(B) Family Nurse Practitioner;

(C) School Nurse Practitioner;

(D) Pediatric Nurse Practitioner;

(E) Gerontological Nurse Practitioner;

(F) Acute Care Nurse Practitioner;

(G) Clinical Specialist in Medical-Surgical Nursing;

(H) Clinical Specialist in Gerontological Nursing;

(I) Clinical Specialist in Community Health Nursing;

(J) Clinical Specialist in Adult Psychiatric and Mental Health Nursing;

(K) Clinical Specialist in Child and Adolescent Psychiatric and Mental Health Nursing;

(L) Psychiatric and Mental Health Nurse Practitioner (Adult and Family);

(ii) National Certification Board of Pediatric Nurse Practitioners and Nurses;

(iii) American Academy of Nurse Practitioners;

(iv) The National Certification Corporation for the Obstetric, Gynecologic and Neonatal Nursing Specialties;

(v) The Oncology Nursing Certification Corporation Advanced Oncology Certified Nurse; or

(vi) The Advanced Practice Certification for the Clinical Nurse Specialist in Acute and Critical Care.

(c) An applicant for licensure as a CRNA shall pass the examination of the Council on Certification of [~~the American Association of~~]Nurse Anesthetists.

(2) In accordance with Section 58-31b-303, an applicant for licensure as an LPN or RN from a non-approved nursing program shall pass the applicable NCLEX examination.

R156-31b-302d. Qualifications for Registration.

In accordance with Subsections 58-1-401(2)(a) and 58-1-501(2)(c), the standards for determining if a misdemeanor crime of moral turpitude or any other misdemeanor crime bears a reasonable relationship to the safe practice as a health care assistant, shall be the same as for those individuals who function under Subsections R432-35-4(2) and (3), as effective August 22, 1999, which is incorporated by reference in this rule.

R156-31b-304. Temporary Licensure.

(1) In accordance with Subsection 58-1-303(1), the division may issue a temporary license to a person who meets all qualifications for licensure as either an LPN or RN, except for the passing of the required examination, if the applicant:

(a) is a graduate of a Utah-based, approved nursing education program within two months immediately preceding application for licensure;

(b) has never before taken the specific licensure examination;

(c) submits to the division evidence of having secured employment conditioned upon issuance of the temporary license, and the employment is under the direct, on-site supervision of a fully licensed registered nurse.

(2) The temporary license issued under Subsection (1) expires the earlier of:

(a) the date upon which the division receives notice from the examination agency that the individual failed the examination;

(b) four months from the date of issuance; or

(c) the date upon which the division issues the individual full licensure.

R156-31b-306. Inactive Licensure.

(1) A licensee may apply for inactive licensure status in accordance with Sections 58-1-305 and R156-1-305.

(2) To reactivate a license which has been inactive for five years or less, the licensee must document current compliance with the continuing competency requirements as established in Subsection R156-31b-303(3).

(3) To reactivate an RN or LPN license which has been inactive for more than five years but less than 10 years, the licensee must document active licensure in another state or jurisdiction, [~~or~~]pass the required examinations as defined in Section R156-31b-302c within six months prior to making application to reactivate a license, or successfully complete an approved re-entry program.

(4) To reactivate an RN or LPN license which has been inactive for 10 or more years, the licensee must document active licensure in another state or jurisdiction, or pass the required examinations as defined in Section R156-31b-302 within six months prior to making application to reactivate a license and successfully complete an approved re-entry program.

(5) To reactivate an APRN or CRNA license which has been inactive for more than five years, the licensee must document active licensure in another state or jurisdiction or pass the required examinations as defined in Section R156-31b-302c within six months prior to making application to reactivate a license.

R156-31b-401. Disciplinary Proceedings.

(1) An individual licensed as an LPN who is currently under disciplinary action and qualifies for licensure as an RN may be issued an RN license under the same restrictions as the LPN.

(2) A nurse or health care assistant whose license or registration is suspended under Subsection 58-31b-401(2)(d) may petition the division at any time that he can demonstrate that he can resume [~~the~~]competent practice[~~ of nursing~~].

R156-31b-402. Administrative Penalties.

In accordance with Subsections 58-31b-102(1) and 58-31b-402(1), unless otherwise ordered by the presiding officer, the following fine schedule shall apply.

(1) Using a protected title:
initial offense: $100 - $300
subsequent offense(s): $250 - $500

(2) Using any title that would cause a reasonable person to believe the user is licensed or registered under this chapter:
initial offense: $50 - $250
subsequent offense(s): $200 - $500

(3) Conducting a nursing education program in the state for the purpose of qualifying individuals for licensure without board approval:
initial offense: $1,000 - $3,000
subsequent offense(s): $5,000 - $10,000

(4) Practicing or attempting to practice nursing or health care assisting without a license or registration or with a restricted license or registration:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000

(5) Impersonating a licensee or registrant, or practicing under a false name:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000

(6) Knowingly employing an unlicensed person:
initial offense: $500 - $1,000
subsequent offense(s): $1,000 - $5,000

(7) Knowingly permitting the use of a license or registration by another person:
initial offense: $500 - $1,000
subsequent offense(s): $1,000 - $5,000

(8) Obtaining a passing score, applying for or obtaining a license or registration, or otherwise dealing with the division or board through the use of fraud, forgery, intentional deception, misrepresentation, misstatement, or omission:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000

(9) violating or aiding or abetting any other person to violate any statute, rule, or order regulating nursing or health care assisting:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000

(10) violating, or aiding or abetting any other person to violate any generally accepted professional or ethical standard:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000

(11) Engaging in conduct that results in convictions of, or a plea of nolo contendere, or a plea of guilty or nolo contendere held in abeyance to a crime of moral turpitude or other crime:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000

(12) Engaging in conduct that results in disciplinary action by any other jurisdiction or regulatory authority:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(13) Engaging in conduct, including the use of intoxicants, drugs to the extent that the conduct does or may impair the ability to safely engage in practice as a nurse or a health care assistant:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(14) Practicing or attempting to practice as a nurse or health care assistant when physically or mentally unfit to do so:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(15) Practicing or attempting to practice as a nurse or health care assistant through gross incompetence, gross negligence, or a pattern of incompetency or negligence:
initial offense: $500 - $2,000
subsequent offense(s): $2,000 - $10,000
(16) Practicing or attempting to practice as a nurse or health care assistant by any form of action or communication which is false, misleading, deceptive, or fraudulent:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(17) Practicing or attempting to practice as a nurse or health care assistant beyond the individual's scope of competency, abilities, or education:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(18) Practicing or attempting to practice as a nurse or health care assistant beyond the scope of licensure:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(19) Verbally, physically, mentally, or sexually abusing or exploiting any person through conduct connected with the licensee's or registrant's practice:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(20) Failure to safeguard a patient's right to privacy:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(21) Failure to provide nursing service in a manner that demonstrates respect for the patient's human dignity:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(22) Engaging in sexual relations with a patient:
initial offense: $5,000 - $10,000
subsequent offense(s): $10,000
(23) Unlawfully obtaining, possessing, or using any prescription drug or illicit drug:
initial offense: $200 - $1,000
subsequent offense(s): $500 - $2,000
(24) Unauthorized taking or personal use of nursing supplies from an employer:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(25) Unauthorized taking or personal use of a patient's personal property:
initial offense: $200 - $1,000
subsequent offense(s): $500 - $2,000
(26) Knowingly entering false or misleading information into a medical record or altering a medical record:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(27) Unlawful or inappropriate delegation of nursing care:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(28) Failure to exercise appropriate supervision:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(29) Employing or aiding and abetting the employment of unqualified or unlicensed person to practice:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(30) Failure to file or impeding the filing of required reports:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(31) Breach of confidentiality:
initial offense: $200 - $1,000
subsequent offense(s): $500 - $2,000
(32) Failure to pay a penalty:
Double the original penalty amount up to $10,000
(33) Prescribing a schedule II-III controlled substance without a consulting physician or outside of a consultation and referral plan:
initial offense: $500 - $1,000
subsequent offense(s): $500 - $2,000
(34) Failure to confine practice within the limits of competency:
initial offense: $500 - $1,000
subsequent offense(s): $500 - $2,000
(35) Any other conduct which constitutes unprofessional or unlawful conduct:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000
(36) Engaging in a sexual relationship with a patient surrogate:
initial offense: $1,000 - $5,000
subsequent offense(s): $5,000 - $10,000
(37) Engaging in practice in a disruptive manner:
initial offense: $100 - $500
subsequent offense(s): $200 - $1,000.

R156-31b-502. Unprofessional Conduct.

"Unprofessional conduct" includes:

(1) failing to destroy a license which has expired due to the issuance and receipt of an increased scope of practice license;

(2) an RN issuing a prescription for a prescription drug to a patient except in accordance with the provisions of Section 58-17a-620, or as may be otherwise provided by law;

(3) failing as the nurse accountable for directing nursing practice of an agency to verify any of the following:

(a) that standards of nursing practice are established and carried out so that safe and effective nursing care is provided to patients;

(b) that guidelines exist for the organizational management and management of human resources needed for safe and effective nursing care to be provided to patients;

(c) nurses' knowledge, skills and ability and determine current competence to carry out the requirements of their jobs;

(4) engaging in sexual contact with a patient surrogate concurrent with the nurse/patient relationship unless the nurse affirmatively shows by clear and convincing evidence that the contact:

(a) did not result in any form of abuse or exploitation of the surrogate or patient; and

(b) did not adversely alter or affect in any way:

(i) the nurse's professional judgment in treating the patient;

(ii) the nature of the nurse's relationship with the surrogate; or

(iii) the nurse/patient relationship;[~~ and~~]

(5) engaging in disruptive behavior in the practice of nursing;

(6) unauthorized disclosure of confidential information obtained as a result of practice as a health care assistant; and

(7) engaging in any regulated health care practice for which the person is not registered, certified, or licensed.

R156-31b-601. Nursing Education Program Standards.

In accordance with Subsection 58-31b-601(2), the minimum standards that a nursing education program must meet to qualify graduates for licensure under this chapter, which are hereby adopted and incorporated by reference, are respectively:

(1) the "Standards of Accreditation of Baccalaureate and Graduate Nursing Education Programs", August 1998, published by the CCNE; or

(2) the standards found in the "Accreditation Manual and Interpretative Guidelines by Program Type for Post Secondary, Baccalaureate, and Higher Degree Programs in Nursing", 2001 Revised, published by the NLNAC; and

(3) by July 1, 2003, have qualified faculty supervised clinical experiences distributed throughout the curriculum.

R156-31b-602. Nursing Education Program Full Approval.

(1) Full approval of a nursing program shall be granted when it becomes accredited by the NLNAC or the CCNE.

(2) Programs which have been granted full approval as of the effective date of these rules and are not accredited, must become accredited [~~within five years~~]by July 1, 2003, or be placed on probationary status.

R156-31b-603. Nursing Education Program Provisional Approval.

(1) The division may grant provisional approval to a nursing education program for a period not to exceed three years after the date of the first graduating class, provided the program:

(a) is located or available within the state;

(b) is newly organized;

(c) meets all standards for approval except accreditation; and

(d) is progressing in a reasonable manner to qualify for full approval by obtaining accreditation.

(2) A nursing education program that receives approval from the Utah Board of Regents shall be granted provisional approval status by the Division in collaboration with the Board. Provisional approval granted under this subsection shall not exceed a time period of three years after the date of the first graduating class.

(3) Programs which have been granted provisional approval status shall submit an annual report to the Division on the form prescribed by the Division.

(4) Programs which have been granted provisional approval prior to [~~as of~~]the effective date of these rules and are not accredited, must become accredited by July 1, 2003[~~within five years~~].

R156-31b-702. Scope of Practice.

(1) The lawful scope of practice for an RN employed by a department of health shall include implementation of standing orders and protocols, and completion and providing to a patient of prescriptions which have been prepared and signed by a physician in accordance with the provisions of Section 58-17a-620.

(2) An APRN who chooses to change or expand from a primary focus of practice must be able to document competency within that expanded practice based on education, experience and certification. The burden to demonstrate competency rests upon the licensee.

(3) An individual licensed as either an APRN or a CRNA may practice within the scope of practice of a RN under his APRN or CRNA license.

(4) An individual licensed in good standing in Utah as either an APRN or a CRNA and residing in this state, may practice as an RN in any Compact state.

KEY: licensing, nurses
[~~September 4, 2001~~]2002
58-31b-101
58-1-106(1)
58-1-202(1)(a)

Commerce, Occupational and Professional Licensing

R156-62

Health Care Assistant Registration Act Rules

NOTICE OF PROPOSED RULE

(Repeal)

DAR FILE NO.: 25125

FILED: 07/30/2002, 07:39

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: During the 2002 General Session, the Legislature passed S.B. 51 which repealed Title 58, Chapter 62, regarding the regulation of health care assistants. The regulation of health care assistants was moved to Title 58, Chapter 31b, the Nurse Practice Act. Therefore, the Division needs to repeal this rule in its entirety as provisions regarding health care assistants have been added to the Nurse Practice Act Rules (Rule R156-31b). (DAR NOTE: S.B. 51 is found at UT L 2002 Ch 290, and was effective May 6, 2002; the amendment to Rule R156-31b is found under DAR No. 25120 in this Bulletin.)

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

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-62-101, and Subsections 58-1-106(1) and 58-1-202(1)

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Deletes reference to Subsections R432-35-4(2) and (3), as effective August 28, 1998.

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: The Division anticipates no costs or savings associated with this rule fling since the rule provisions affecting health care assistants have been moved to Rule R156-31b.
❖ LOCAL GOVERNMENTS: Proposed repeal of rule does not apply to local governments.
❖ OTHER PERSONS: The Division has determined that there will be no costs or savings associated with this rule filing since the rule provisions affecting health care assistants have been moved to Rule R156-31b.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The Division has determined that there will be no costs or savings associated with this rule filing as identified above.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change does not create any negative fiscal impact to businesses beyond those already created by S.B. 51 and the rule being moved to Rule R156-31b. Ted Boyer, Executive Director

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
COMMERCE
OCCUPATIONAL AND PROFESSIONAL LICENSING
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY UT 84111-2316, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Laura Poe at the above address, by phone at 801-530-6789, by FAX at 801-530-6511, or by Internet E-mail at lpoe@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/17/2002

AUTHORIZED BY: J. Craig Jackson, Director

R156. Commerce, Occupational and Professional Licensing.
[~~**R156-62. Health Care Assistant Registration Act Rules.**~~
~~**R156-62-101. Title.**~~
~~These rules are known as the "Health Care Assistant Registration Act Rules."~~

~~**R156-62-102. Definitions.**~~
~~In addition to the definitions in Title 58, Chapters 1 and 62, as used in Title 58, Chapters 1 and 62 or these rules:~~
~~(1) "Activities of daily living" means those personal activities in which individuals normally engage or are required for an individual's well-being whether performed by them alone, by them with the help of others, or for them by others, including eating, dressing, mobilizing, toileting, bathing, and other acts or practices to which an individual is subjected while under care in a regulated facility or under the orders of a licensed health care practitioner in a private residence.~~
~~(2) "Personal assistance and care," as used in Subsection 58-62-102(3), means acts or practices by an individual to personally assist or aid another individual in activities of daily living.~~
~~(3) "Unprofessional conduct," as defined in Title 58 Chapters 1 and 62, is further defined, in accordance with Subsection 58-1-203(5), in Section R156-62-502.~~

~~**R156-62-103. Authority - Purpose.**~~
~~These rules are adopted by the division under the authority of Subsection 58-1-106(1) to enable the division to administer Title 58, Chapter 62.~~

~~**R156-62-104. Organization - Relationship to Rule R156-1.**~~
~~The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.~~

~~**R156-62-302. Qualifications for Registration.**~~
~~In accordance with Subsections 58-1-401(2)(a) and 58-1-501(2)(c), the standards for determining if a crime of moral turpitude, or any crime which bears a reasonable relationship to the safe practice as a health care assistant has been committed, shall be the same as for those individuals who function under Subsections R432-35-4(2) and (3), as effective August 28, 1998, which are incorporated by reference in this rule.~~

~~**R156-62-303. Renewal Cycle - Procedures.**~~
~~(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 62 is established by rule in Section R156-1-308.~~
~~(2) Renewal procedures shall be in accordance with Section R156-1-308.~~

~~**R156-62-502. Unprofessional Conduct.**~~
~~"Unprofessional conduct" includes:~~
~~(1) gross immorality or conduct unbecoming a person registered under this chapter, which is a threat or potential threat to the public health, safety, and welfare;~~
~~(2) unauthorized disclosure of confidential information obtained as a result of practice as a health care assistant;~~
~~(3) theft, misappropriation, or conversion of an individual's property;~~
~~(4) engaging in any regulated health care practice for which the person is not registered, certified, or licensed;~~
~~(5) any conduct or practice contrary to the recognized standards or ethics of practice of those engaged in providing health care to the ill, injured, or infirm;~~
~~(6) physical, verbal, sexual, or emotional abuse of any individual; and~~
~~(7) gross negligence or a pattern of negligence in the care of an individual which does or could reasonably be expected to harm the individual physically, mentally, emotionally, or economically.~~

~~**KEY: licensing, health care assistant***~~
~~**April 15, 1999**~~
~~**Notice of Continuation August 26, 1999**~~
~~**58-1-106(1)**~~
~~**58-1-202(1)**~~
~~**58-62-101**~~]

Environmental Quality, Environmental Response and Remediation
R311-401-2
Hazardous Substances Priority List

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25116
FILED: 07/18/2002, 10:06

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The amendment is to add National Priority List (NPL) sites and proposed NPL sites to the Hazardous Substances Priority List.

SUMMARY OF THE RULE OR CHANGE: The amendment adds the Intermountain Waste Oil Refinery, International Smelting and Refining, and Bountiful/Woods Cross 5th South PCE Plume NPL sites and the Richardson Flat Tailings, Murray Smelter, Davenport and Flagstaff Smelters, and Eureka Mills Proposed NPL sites to the Hazardous Substances Priority List.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 19-6-311

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: None--The purpose of the amendment is to give notice of NPL and proposed NPL sites as required by Utah Code Section 19-6-311, which does not result in the expenditure or savings of funds.
❖ LOCAL GOVERNMENTS: None--The purpose of the amendment is to give notice of NPL and proposed NPL sites as required by Utah Code Section 19-6-311, which does not result in the expenditure or savings of funds.
❖ OTHER PERSONS: None--The purpose of the amendment is to give notice of NPL and proposed NPL sites as required by Utah Code Section 19-6-311, which does not result in the expenditure or savings of funds.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--The purpose of the amendment is to give notice of NPL and proposed NPL sites as required by Utah Code Section 19-6-311, which does not result in the expenditure or savings of funds.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendment will have no impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
ENVIRONMENTAL RESPONSE AND REMEDIATION
168 N 1950 W
SALT LAKE CITY UT 84116-3085, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Alan Fletcher at the above address, by phone at 801-536-4118, by FAX at 801-359-8853, or by Internet E-mail at afletcher@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/30/2002

AUTHORIZED BY: Dianne R. Nielson, Executive Director

R311. Environmental Quality, Environmental Response and Remediation.
R311-401. Utah Hazardous Substances Priority List.
R311-401-2. Hazardous Substances Priority List.

Pursuant to Section 19-6-311 of the Utah Hazardous Substances Mitigation Fund Act the hazardous substances priority list is hereby established as presented below. The listed sites are eligible to be addressed under the authority of Section 19-6-311 et seq. U.C.A. 1953 as amended.

(a) National Priority List Sites. The Federal Register publication dates are indicated below.

TABLE

SITE NUMBER	SITE NAME	FEDERAL REGISTER PUBLICATION DATE
1	Hill Air Force Base	July 22, 1987
2	Monticello Vicinity Properties	June 10, 1986
3	Ogden Defense Depot	July 22, 1987
4	Portland Cement Sites 2 and 3	June 10, 1986
5	Rose Park Sludge Pit	September 8, 1983
6	Utah Power and Light, American Barrel	October 4, 1989
7	Sharon Steel	August 30, 1990
8	Tooele Army Depot, North	August 30, 1990
9	Monticello Mill Site	November 21, 1989
10	Midvale Slag	February 11, 1991
11	Wasatch Chemical, Lot 6	February 11, 1991
12	Petrochem Recycling Corp./ Ekotek Plant	October 14, 1992
13	Jacobs Smelter	February 4, 2000
14	Intermountain Waste Oil Refinery	May 11,2000
15	International Smelting and Refining	July 27, 2000
16	Bountiful/Woods Cross 5th South PCE Plume	September 13, 2001

(b) Proposed National Priority List Sites. The Federal Register publication dates are indicated below.

TABLE

SITE NUMBER	SITE NAME	FEDERAL REGISTER PUBLICATION DATE
1	Richardson Flat Tailings	February 7, 1992
2	Murray Smelter	January 18, 1994
3	Davenport and Flagstaff Smelters	December 1, 2000
4	Eureka Mills	February 7, 2001

(c) Scored Sites
Reserved.

KEY: hazardous substances, hazardous substances priority list[~~*~~]
August 25, 2000
Notice of Continuation September 29, 1997
19-6-311

Health, Community and Family Health Services, Health Education Services

R402-5

(Changed to R398-5)

Birth Defects Reporting

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25119
FILED: 07/22/2002, 11:55

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Move the only rule from Title R402 of the Utah Administrative Code to Title R398.

SUMMARY OF THE RULE OR CHANGE: There is no change in the substance of the rule. The only change is to the title number (code reference).

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 26-1-30(2)(c), (d), (e), (g), (p), (t), and 26-10-1(2); and Sections 26-10-2 and 26-25-1

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: Title R402 in the Utah Administrative Code can be deleted so there may be a small benefit to the state.
❖ LOCAL GOVERNMENTS: This change to the title number will have no impact on local governments.
❖ OTHER PERSONS: This change to the title number will have no impact on other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This change to the title number will have no compliance cost for any person.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Consolidation of this rule into another rule title is appropriate. Rod L. Betit

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
HEALTH
COMMUNITY AND FAMILY HEALTH SERVICES,
HEALTH EDUCATION SERVICES
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Marcia Feldkamp at the above address, by phone at 801-538-6953, by FAX at 801-584-8488, or by Internet E-mail at mfeldkamp@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/17/2002

AUTHORIZED BY: Rod Betit, Executive Director

R[~~402~~]398. Health, Community and Family Health Services, [~~Health Education Services~~]Children with Special Health Care Needs.

R[~~402~~]398-5. Birth Defects Reporting.

R[~~402~~]398-5-1. Purpose and Authority.

This rule establishes reporting requirements for birth defects for births in Utah and for birth-defect related test results. Sections 26-1-30(2)(c), (d), (e), (g), (p), (t), 26-10-1(2), and 26-10-2 authorize this rule.

R[~~402~~]398-5-2. Definitions.

As used in this rule:

(1) "Birthing center" means a birthing center licensed under Title 26, Chapter 21.

(2) "Birth defect" means a congenital anomaly listed in the ICD-9-CM (International Classification of Diseases, 9th Revision, Clinical Modification, established by the United States Center for Health Statistics) with a diagnostic code from 740.0 to 759.9 or in the ICD-10 (International Classification of Diseases, 10th Revision, established by the World Health Organization) with a diagnostic code from Q00-Q99.

(3) "Hospital" means general acute hospital, children's special[~~i~~]ty hospital, remote-rural hospital licensed under Title 26, Chapter 21.

R[~~402~~]398-5-3. Reporting by Hospitals and Birthing Centers.

Each hospital or birth center that admits a patient and detects a birth defect as a result of any outcome of pregnancy, or admits a child under 24 months of age with a birth defect shall report or cause to report to the department within 40 days of discharge the following:

(1) child's name;
(2) child's date of birth;
(3) mother's name;
(4) mother's date of birth;
(5) delivery hospital;
(6) birth defects diagnoses;
(7) mother's state of residency at delivery;
(8) child's sex; and
(9) mother's zip code.

R[~~402~~]398-5-4. Reporting by Laboratories.

Each laboratory operating in the state that identifies a human chromosomal or genetic abnormality or other evidence of a birth defect shall report the following on a calendar quarterly basis to the

department within 40 days of the end of the preceding calendar quarter:

(1) if live born, child's name and date of birth;
(2) mother's name;
(3) mother's date of birth;
(4) date the sample is accepted by the laboratory;
(5) test conducted;
(6) test result; and
(7) mother's state of residency at delivery.

R[~~402~~]398-5-5. Record Abstraction.

Hospitals and birthing centers required to report pursuant to this rule as well as community health care providers who participate voluntarily shall allow personnel from the department or its contractors to abstract information from the mother's and child's files on their demographic characteristics, family history of birth defects, prenatal information and outcomes of that and other pregnancies by that mother.

R[~~402~~]398-5-6. Liability.

As provided in Title 26, Chapter 25, persons who report, either voluntarily or as required by this rule, information covered by this rule may not be held liable for reporting the information to the Department of Health.

R[~~402~~]398-5-7. Penalties.

Pursuant to Section 26-23-6, any person that willfully violates any provision of this rule may be assessed an administrative civil money penalty not to exceed $1,000 upon an administrative finding of a first violation and up to $3,000 for a subsequent similar violation within two years. A person may also be subject to penalties imposed by a civil or criminal court, which may not exceed $5,000 or a class B misdemeanor for the first violation and a class A misdemeanor for any subsequent similar violation within two years.

KEY: birth defects, birth defect reporting
2002
26-1-30(2)(c), (d), (e), (g), (p), (t)
26-10-1(2)
26-10-2
26-25-1

▼ ▼

Insurance, Administration
R590-76
Health Maintenance Organization

NOTICE OF PROPOSED RULE
(Repeal and Reenact)
DAR FILE NO.: 25131
FILED: 08/01/2002, 12:32

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule implements Chapter 8 of Title 31A entitled, Health Maintenance Organizations and Limited Health Plans. The rule assures the availability, accessibility, and quality of services provided by Health Maintenance Organizations (HMOs) and to provide reasonable standards for terms and provisions contained in HMO contracts and evidence of coverage. This rule is being repealed and reenacted because of the numerous changes that have been made to Chapter 8 as a result of changes to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 which resulted in the passage of legislation in 2001 in the form of S.B. 100, Insurance Law Amendments; and the passage of S.B. 122, Insurance Law Amendments, in the 2002 legislative session. In addition, we have tried to follow the National Association of Insurance Commissioner's Model HMO regulation. (DAR NOTE: S.B. 100 is found at UT L 2001 Ch 116, and was effective April 30, 2001; and S.B. 122 is found at UT L 2002 Ch 308, and was effective May 6, 2002.)

SUMMARY OF THE RULE OR CHANGE: Substantive provisions in old rule (repealed): Most provisions have not been repealed, just significantly changed. For example, definitions that significantly changed are emergency care services, medical necessity, and service area. Provisions significantly changed include termination of coverage, grievance procedure, and grace period. Provisions or definitions removed are: pre-existing conditions (eliminated in rule but added to the insurance code in 2002 under S.B. 122), and definition of "organization." Substantive new provisions in the new (reenacted) rule: Added definitions for: deductible, directors, evidence of coverage, extension of benefits, grievance, group contract holder, HMO, non-basic health care services, participating provider, physician, replacement coverage, skilled nursing facility, and subscriber. New provisions include: extension of benefits for total disability, right to examine contract, out of area services, and benefits.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-2-201

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The additional policy form filings required to be filed with the department by our seven HMOs will be assimilated into the everyday workload. No additional people will be required to do the work. There is a $20 filing fee for each form filing that HMOs are required to pay. However, because the change is not due until January 2003, HMOs making changes to their forms for the new year will just include these changes for no additional charge.

❖ LOCAL GOVERNMENTS: The rule changes will not affect local government since the rule applies only to licensees of the department.

❖ OTHER PERSONS: HMO insurers, of which there are seven in Utah, will need to prepare, publish, and file with the department new policy forms. They will also need to provide an extension of benefits for total disability for which they will bill a premium to the insured. The amount will vary from HMO to HMO. The other changes in the rule are based on code changes that HMOs are already required to comply with. The rule just reflects those code changes. Also, as a result of the requirement for health insurers to provide extension of benefits for total disability the HMO will probably tack on to the health policy a small increase in premium.

COMPLIANCE COSTS FOR AFFECTED PERSONS: HMO insurers, of which there are seven in Utah, will need to prepare, publish,

and file with the department new policy forms. They will also need to provide an extension of benefits for total disability for which they will bill a premium to the insured. The amount will vary from HMO to HMO. The other changes in the rule are based on code changes that HMOs are already required to comply with. The rule just reflects those code changes. Also, as a result of the requirement for health insurers to provide extension of benefits for total disability the HMO will probably tack on to the health policy a small increase in premium.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The fiscal impact on businesses will be centered on Utah HMOs that will have costs that will probably be handled in-house by employees already on staff to update, publish, and file policy forms to comply with the new provision.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/19/2002

INTERESTED PERSONS MAY ATTEND A PUBLIC HEARING REGARDING THIS RULE: 9/12/2002 at 9:00 AM, State Office Building (behind the Capitol), Room 1112, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 09/20/2002

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.
[~~R590-76. Health Maintenance Organizations.~~
~~R590-76-1. Authority.~~

~~This Rule is issued pursuant to the authority set forth in Chapter 8 of Title 31A, and 31A-2-201(3), Utah Insurance Code.~~

~~R590-76-2. Purpose.~~

~~The purpose of this Rule is to implement Chapter 8 of Title 31A, Utah Insurance Code; to assure the availability, accessibility, and quality of services provided by health maintenance organizations; to provide standards for terms and provisions contained in health maintenance organization contracts and certificates; to provide standards for determining financial condition; and to provide other standards deemed necessary to protect the interests of the citizens of Utah.~~

~~R590-76-3. Applicability and Scope.~~

~~This Rule applies on or after the effective date to all health maintenance organizations required to obtain a certificate of authority in this state under Chapter 8 of Title 31A, Utah Insurance Code. If any provision of this Rule conflicts with provisions of any other Rule issued by the Commissioner, the provisions of this Rule shall be controlling for health maintenance organizations.~~

~~R590-76-4. Definitions.~~

~~A. Basic Health Care Services means emergency care, inpatient hospital care, physician care, outpatient medical services, and out-of-area coverage. It includes the following.~~

~~1. Emergency care services are health care services required to treat an acute health condition which requires immediate medical attention in order to preserve the enrollee's life or to prevent an imminent deterioration of the enrollee's health.~~

~~(a) Within the service area. Emergency care services within the service area include services from non-affiliated providers if a delay in receiving care from an affiliated provider could reasonably be expected to jeopardize the enrollee's life or health.~~

~~(b) Outside of the service area. Emergency care services outside of the service area include services from nonaffiliated providers.~~

~~(2) Medically necessary inpatient hospital services, meaning hospital services including but not limited to room and board; general nursing care; special diets; use of operating room and related facilities; use of intensive care units and services; x-ray, lab and other diagnostic tests; drugs, medications, biologicals, anesthesia and oxygen services; physical therapy, radiation therapy and inhalation therapy; administration of whole blood and blood plasma, and short term rehabilitation services.~~

~~(3) Inpatient physician care services, meaning medically necessary health care services performed, prescribed, or supervised by physicians or other health professionals including diagnostic, therapeutic, medical, surgical, preventive, referral, and consultative services.~~

~~(4) Outpatient medical services, meaning preventive and medically necessary health care services provided in a physician's office, a non-hospital based facility or at a hospital. Outpatient medical services may include but are not limited to diagnostic services, treatment services, laboratory services, x-ray services, referral services, and physical therapy, radiation therapy and inhalation therapy. Outpatient services also include preventive health services, services for infertility, physical examinations, well child care from birth, screening to determine the need for vision and hearing correction, and pediatric and adult immunizations in accordance with accepted medical practice.~~

~~B. Copayment means the amount paid in addition to premiums by an enrollee for service(s).~~

~~C. Eligible dependent means any member of an enrollee's family who meets the eligibility requirements set forth in the contract.~~

~~D. Enrollee is an insured person and includes subscriber, members, and covered dependents enrolled in an Organization.~~

~~E. Group contract means a contract for health care services which by its terms limits eligibility to enrollees of a specified group.~~

~~F. Hospital means a facility duly licensed and operating within the scope of its licensure as such.~~

~~G. Individual Contract or Nongroup Contract means a contract for health care services issued to and covering an individual or a family.~~

H. Medical Necessity or medically necessary mean required for and consistent with the diagnosis, care, and treatment of a condition, disease, ailment, or injury which is covered under the group or nongroup contract and which service is not provided solely for the convenience of the enrollee or a provider. Medical necessity shall be determined by both the enrollee's primary care physician and, if requested by the Organization, by other competent medical authority designated by the Organization and at its expense. Medical necessity shall be determined according to generally accepted principles of good medical practice in the community.

I. Organization - as used in this rule means health maintenance organization.

J. "Out-of-area services" means the health care services that a health maintenance organization covers when its enrollees are outside of the service area.

K. Primary Care Physician means a physician who supervises, coordinates, and provides initial and basic care to enrollees; initiates their referral for specialist care; and maintains continuity of patient care.

L. Provider means a facility or person licensed to provide health care services in Utah, with services limited to the scope of the license.

M. Service Area means the geographical area within a forty 40 mile radius of the Organization's nearest health care services facility.

N. Supplemental Health Care Services - means any health services other than the Basic Health Services.

R590-76-5. Requirements for Contracts and Certificates.

Each enrollee is entitled to a contract or certificate that has been filed with the commissioner. A contract or certificate shall be mailed by the Organization to the enrollee as soon as practicable after coverage is effective.

A. Benefits and Services in the Service Area. The contract and certificate shall contain a specific description of benefits and services available within the service area.

B. Cancellation or Termination. The contract and evidence of coverage shall contain the condition upon which cancellation or termination may be effected by the Organization or the enrollee.

C. Claims. The contract and certificate shall contain procedures for filing claims that include:

(1) Any required notice to the Organization;

(2) If any claim forms are required, how, when and where to obtain and submit them;

(3) Any requirements for filing proper proofs of loss;

(4) Any time limit of payment of claims;

(5) Notice of any requirement for resolving disputed claims including arbitration; and

(6) A statement of restrictions, if any, on assignment of sums payable to the enrollee by the Organization.

D. Complaint System and Arbitration. The contract and certificate shall contain a description of the Organization's method for resolving enrollee complaints, incorporating procedures to be followed by the enrollee in the event any dispute arises under the contract, including any requirements for arbitration.

E. Conversion Privilege. The contract and certificate shall contain a conversion provision which provides each enrollee the right to convert and/or extend coverage to a contract as set forth in Chapter 22 of Title 31A, Part VII. To obtain the conversion contract, an enrollee may submit a written application and applicable premium payment to the Organization within 30 days after the date the enrollee's eligibility for coverage terminates.

F. Coordination of Benefits. If the contract contains a coordination of benefit clause then the contract and certificate shall contain the rules for coordination of benefits.

G. Copayment, Limitations, and Exclusions. The contract and certificate shall contain a description of any copayments, limitations or exclusions on the services or benefits to be provided, including any copayments, limitations or exclusions due to preexisting conditions, waiting periods or an enrollee's refusal of treatment.

H. Eligibility Requirements for Enrollees. The contract and certificate shall contain eligibility requirements indicating the conditions that must be met to enroll and continue to remain enrolled as an enrollee or eligible dependent, the limiting age for enrollees and eligible dependents.

I. Emergency Care Services. The contract and certificate shall contain a specific description of benefits and services available for emergencies 24 hours a day, seven days a week, including disclosure of any restrictions on emergency care services. No contract or certificate may limit the coverage of emergency services in the service area to affiliated providers only.

J. Entire Contract. The contract shall contain a statement that the contract, all applications, and any amendments thereto shall constitute the entire agreement between the parties. No portion of the charter, bylaws or other document of the Organization shall be part of such contract unless set forth in full in the contract or attached thereto.

K. Grace Period. The contract and certificate shall provide for a grace period of not less than 30 days for the payment of premium during which the coverage shall remain in effect. During the grace period, the Organization shall remain liable for providing the services and benefits contracted for, the contract holder shall remain liable for the payment of the premium for the time coverage was in effect during the grace period, and the enrollee shall remain liable for any copayments owed.

L. Information sources. The contract and certificate shall contain the name, address and telephone number of the Organization, and where and in what manner information is available as to how services may be obtained. A toll free phone number within the service area for calls, without charge to enrollees, to the Organization's administrative office shall be made available and disseminated to enrollees to adequately provide telephone access for enrollee's problems or questions.

M. Limited Coverage. Any Organization that proposes to issue a policy that does not provide all of the basic health care services shall state prominently in the policy and certificate that the coverage is limited.

N. Out-of-Area Benefits and Services. The contract and certificate shall contain a specific description of benefits and services available out of service area.

O. Referral Services. The contract and certificate shall specify procedures for referring enrollees to licensed providers outside the Organization.

P. Reinstatement. The contract and certificate shall contain the conditions for, and any restrictions upon, the enrollee's right to reinstatement if applicable.

Q. Renewal. The contract and certificate shall contain the conditions for, and any restrictions upon, the enrollee's right to renewal.

R. Term of Coverage. The contract and certificate shall contain the time and date or occurrence upon which coverage takes effect, including any applicable waiting periods, or describe how the

time and date or occurrence upon which coverage takes effect is determined.

The contract and certificate shall contain the time or occurrence upon which coverage will terminate.

In general, the term of coverage will be for a period of one year or until the next enrollment period, whichever is less.

R590-76-6. Prohibited Practices.

A. Preexisting Conditions

1. An Organization may include in its contract a provision setting forth reasonable exclusions or limitations of services for preexisting conditions at time of enrollment. However, no such exclusions or limitations may be for a period greater than one year.

2. No Organization may exclude or limit services for a preexisting condition when the enrollee transfers coverage from one Health Maintenance Organization contract to another or when the enrollee converts coverage under his conversion option, except to the extent of a preexisting condition limitation or exclusion remaining unexpired under the prior contract. Any required probationary or waiting period shall be deemed to have commenced on the effective date of coverage under the prior Health Maintenance Organization contract. The Organization contract shall disclose any preexisting condition limitations or exclusions that are applicable when an enrollee transfers from a prior HMO contract.

3. A preexisting condition may not be defined more restrictively than the following:

(a). Existence of symptoms which would cause an ordinarily prudent person to seek diagnosis, care, or treatment in a one year period before the effective date of coverage under the health care plan; or

(b). A condition for which medical advice or treatment was recommended by a physician or received from a physician in a two year period before the effective date of coverage under the health care plan.

B. Termination of Coverage

1. No Organization may cancel or terminate coverage of services provided an enrollee under an Organization contract except for one or more of the following reasons:

(a) failure of the enrollee and the health care provider to establish a satisfactory patient-provider relationship if (i) it is shown that the Organization has, in good faith, provided the enrollee the opportunity to select an alternate provider, or (ii) the enrollee has repeatedly refused to follow the plan of treatment ordered by the physician or provider;

(b) fraud or material misrepresentation in enrollment or in use of services or facilities;

(c) failure to meet continued eligibility requirements under a group contract, provided a conversion option is offered; and

(d) the enrollee no longer resides in the service area.

(e) failure of the enrollee to pay any deductible or copayment charges.

2. A group contract may be terminated for these reasons:

(a) nonpayment of premium;

(b) The Organization has provided the group with at least 30 days written notice of its intention not to renew on the anniversary date;

(c) The group has given notice to the organization in accordance with contract provisions;

(d) material fraud or misrepresentation on the part of either the Organization or the group;

3. Coverage may not be canceled or terminated on the basis of the status of the enrollee's health nor on the fact the enrollee has exercised his or her rights under the Organization's complaint system by registering a complaint against the Organization.

4. No Organization shall cancel an Organization contract or terminate an enrollee's coverage for services provided under an Organization contract without giving the enrollee written notice of termination. In the event that termination is effected under R590-76-6(B)(1)(a)(c)(d) or (e) the Organization shall provide at least 30 days advance notice of termination. In the event that termination is effected under R590-76-6(B)(1)(b) or R590-76-6(B)(2)(d) the termination may be effective three (3) days after the mailing of notice to the enrollee at the enrollee's address recorded in the enrollment records of the Organization. In the event that termination is effected because of nonpayment of premium, written notice shall be given the enrollee at least 10 days prior to the expiration of the grace period.

5. No Organization shall provide in their contracts or certificates anything that does not comply with Section 31A-22-611.

C. Unfair Discrimination

No Organization shall unfairly discriminate against any enrollee or applicant for enrollment on the basis of age, sex, race, color, creed, national origin, ancestry, religion, material status, or lawful occupation of an enrollee, or because of the frequency of utilization of services by an enrollee. However, nothing shall prohibit an Organization from setting rates or establishing a schedule of charges in accordance with relevant actuarial data.

No Organization may expel an individual enrollee of a group solely on the basis of the health status or health care needs of the individual enrollee.

D. Solicitation.

No Organization may solicit enrollees who live and work outside the service area.

R590-76-7. Services.

A. Access to Care

(1) An Organization shall establish and maintain adequate arrangements to provide the health services contracted for by its enrollees including:

(a) reasonable proximity to the business or personal residences of the enrollees as specified in R590-76-4(M) of this Rule;

(b) reasonable hours of operation and after-hours services;

(c) emergency care services available and accessible within the service area 24-hours a day, seven days a week; and

(d) sufficient providers and personnel, including administrators and support staff, to assure all services contracted for will be accessible to enrollees on an appropriate basis without delays detrimental to the health of the enrollees.

(2) An Organization shall assure that care which is covered under a group or individual contract is reasonably and continuously available to enrollees in the service area during the term of the contract.

B. Basic Health Care Services

An Organization shall be able to provide or arrange for the provision of, as a minimum, basic health care services, as defined in R590-76-4(B).

C. Out of Area Services and Benefits

The out of area services and benefits shall be as provided for and restricted by the enrollee's contract and/or certificate.

D. Supplemental Health Care Services. In addition to the basic health care services in R590-76-7(B) of this section, an Organization

may offer to its enrollees any supplemental health care services it chooses to provide. Limitations as to the extent of coverage and copayments may vary from those applicable to basic health care services.

E. Referred Care. An Organization is responsible to the enrollee for the costs of services provided by a non-contracted provider when the enrollee was referred to that provider by a contracted provider without the preauthorization of the HMO. The amount of the costs of services shall be limited to the amount the HMO would have paid under its contract to a preauthorized non-contracted provider. The Organization is not responsible for these costs if it can prove that the enrollee and/or the contracted provider knowingly and willfully violated the preauthorization policies of the Organization. It is recommended that Organizations establish written referral forms that contain the preauthorization instructions.

R590-76-8. Grievance Procedure.

A. The Organization shall have a written grievance procedure which shall be sent to each enrollee at the time of enrollment and each time the methods and procedures are substantially changed. The Organization shall designate to whom the grievance should be directed, with alternate persons available if the grievance involves the designated person.

B. The Organization's Medical Director or a physician designee must review all grievances of a medical nature.

C. Each grievance shall be answered in writing within 30 days of submittal, with the reply directed to the enrollee who initiated the grievance.

D. All grievance files shall be retained by the Organization for a period of not less than five years and be available for examination by the commissioner and the director.

E. If a grievance cannot be resolved to the enrollee's satisfaction, the Organization must notify the enrollee of his options, i.e., litigation, arbitration, etc.

R590-76-9. Provider Contracts.

All provider contracts must be on file and available for review by the commissioner and the director.

R590-76-10. Quality Assurance.

Each Organization shall develop a quality assurance plan which is subject to the approval of the director. The plan shall be designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems. The director shall use the following approval criteria to assess the quality assurance plan.

A. Qualifications of Personnel

Health care services specified in the contract and certificate may be delivered through providers who have signed contracts with the Organization as outlined in R590-76-9 of this Rule.

B. Certification of Quality Assurance Plan

(1) Each Organization shall arrange and pay for a review and certification of its quality assurance plan no later than 18 months from the effective date of this Rule and at least every three years thereafter. Each new Organization shall arrange and pay for a review and certification of its quality assurance plan no later than 18 months after receiving a Certificate of Authority and commencing operation, and every three years thereafter.

(2) The review shall be conducted by a professionally recognized expert or entity in the area of quality assurance programs for Organizations. Reviews conducted for the federal government shall satisfy the requirements of this subsection if the requirements of subsections (2), (3), and (4) are also met.

(3) Each Organization shall arrange for the Director to receive a copy of the review findings, recommendations, and certification (or notice of nonapproval) of the quality assurance plan. This material shall be sent directly from the certifying entity to the Director. Certification status and review materials will be treated confidentially by the Director.

(4) Each Organization shall be prepared to implement the substantive clinical and procedural recommendations made by the certifying entity within reasonable time after the findings are received by the Organization and the Director.

(5) The Organization shall comply with reasonable requests for information required for the external review, including, if available on site at the Organization, an original or copy of patient medical records which would be reviewed only by the Director or external review agency, and information necessary to:

(a) measure health care outcomes according to established medical standards;

(b) evaluate the process of providing or arranging for the provision of patient care;

(c) evaluate the system the Organization uses to conduct concurrent reviews and preauthorized medical care;

(d) evaluate the system the Organization uses to conduct retrospective reviews of medical care.

(e) evaluate the accessibility and availability of medical care provided or arranged for by the Organization.

C. Internal Peer Review

The Organization shall show written evidence of continuing internal peer reviews of medical care given. The program must provide for review by physicians and other health professionals; have direct accountability to senior management; and have resources specifically budgeted for quality assessment, monitoring, and remediation.

R590-76-11. Reporting Requirements and Fee Payments.

Section 31A-4-113 and 31A-3-103 apply to HMOs and Limited Health Plans. Both types of entities shall submit their annual reports on the National Association of Insurance Commissioner's blanks that have been adopted for Health Maintenance Organizations. In addition, all HMOs shall submit the information asked for in the annual statistical report required by the Department of Health. The annual statement blank will be filed with the Insurance Department and the Utah Health Department by March 1st of each year.

R590-76-12. Financial Condition.

A. Allowable Assets. In determining the financial condition of any Organization, only the following may be allowed as assets:

(1) Cash in the possession of the Organization or in transit under its control, and the balance of any deposit of the Organization in a solvent financial institution or trust company;

(2) Investments, securities, properties, and loans acquired or held in accordance with this regulation and income due or accrued thereon;

(3) Premiums in the course of collection, not more than 90 days past due, less commissions payable thereon (the foregoing limitation may not apply to amounts payable directly or indirectly by governmental or municipal agencies or any of their instrumentalities);

~~(4) Notes and like written obligations not past due, taken for premiums on contracts permitted to be issued on such basis, to the extent of the unearned premium reserves carried thereon;~~

~~(5) Medical, surgical, dental, and other equipment, fixtures, and furniture used in the provision or administration of health care;~~

~~(6) Prepaid charges on contracts with other organizations hospitals, or other person approved by the commissioner;~~

~~(7) Pharmaceutical and medical supply inventories;~~

~~(8) Accounts receivable for health care provided, not including notes receivable, less adequate reserves for bad debts;~~

~~(9) Land and buildings owned or leased and occupied by the Organization which are used in the administration or provision of health care.~~

~~(10) Other assets, not inconsistent with the foregoing provisions, deemed by the commissioner available for the provision of health care, at values to be determined by him/her.~~

~~B. Unallowable Assets. The following may not be allowed as assets in determining the Organization's financial condition:~~

~~(1) Goodwill, trade names, and other like intangible assets;~~

~~(2) Advances to officers, whether secured or not, and advances to employees or agents;~~

~~(3) Stock of such Organization, owed by it, or any equity therein or loans secured thereby, or any proportionate interest in such stock through the ownership by such Organization of an interest in another firm, corporation or business unit;~~

~~(4) The amount, if any, by which the aggregate book value of investments as carried in the ledger assets of the Organization exceeds the aggregate value thereof as determined by the values approved by the National Association of Insurance Commissioners;~~

~~(5) All assets not allowed and all other assets of doubtful value or character included in any statement by an Organization to the commissioner, or in any examiner's report to him, shall also be reported to the extent of the value disallowed, as deductions from the gross assets of the Organization.~~

~~C. Liabilities Chargeable Against Assets. In any determination of the financial condition of an Organization, liabilities to be charged against its assets shall include:~~

~~(1) The amount of its capital stock outstanding, if any;~~

~~(2) The amount estimated not inconsistent with the provisions of this regulation, necessary to pay all its unpaid benefits and claims incurred on or prior to the date of statement, whether reported or unreported, together with the expenses of adjustment or settlement, whether reported or unreported;~~

~~(3) The amount of reserves equal to the unearned portions of the gross premiums charged on contracts in force, computed in accordance with this rule;~~

~~(4) Its other liabilities, including but not limited to taxes, expenses, and other obligations due or accrued at the date of the statement.~~

~~D. Earned Premium Income. Earned premiums shall include premiums charged on all contracts written, including all determined excess and additional premiums, less return premiums, less premiums returned or credited to enrollees as dividends, and less premium on canceled contracts, and less unearned premiums on contracts in force as shown by the Organization's Annual Report. With reference to health care contracts, every Organization shall maintain an unearned premiums reserve on all contracts in force, which reserve shall be set up as a liability. Premiums prepaid beyond 31 days shall be deemed unearned.~~

~~E. Investments. The quality of investments of Organizations shall be the same as required of life insurance companies within the State of Utah. The investments shall be income producing or interest bearing. Organizations may not acquire investments which are in default. An Organization shall diversify its investments to the extent that the deterioration of any one investment or classification of investments will not threaten the solvency of the Organization. The diversification requirement shall not apply to Federal Government securities or investments insured by the Federal Government or one of its agencies.~~

~~No investment in an affiliated company may qualify as an allowable asset of an Organization without the approval of the commissioner.~~

~~F. Liability Insurance. Evidence of adequate insurance or a plan for general and professional liability self-insurance approved by the commissioner, must be maintained by the Organization. All providers of health services on contract or on staff to the Organization must be covered by this liability insurance or show evidence of adequate professional liability insurance coverage as groups or individuals.~~

~~**R590-76-13. Filing Forms and Rates.**~~

~~Organizations shall be subject to the same procedures and requirements for filing forms and rates as other disability insurers.~~

~~**R590-76-14. Separability.**~~

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

~~**KEY: insurance law**~~
~~**1989**~~
~~**Notice of Continuation October 13, 1999**~~
~~**31A-2-201**~~]

R590-76. Health Maintenance Organizations and Limited Health Plans.

R590-76-1. Authority.

This rule is issued pursuant to the authority set forth in Title 31A, Chapter 8, Health Maintenance Organizations (HMOs) and Limited Health Plans.

R590-76-2. Purpose.

The purpose of this rule is to implement Chapter 8 of Title 31A to assure the availability, accessibility and quality of services provided by HMOs and to provide reasonable standards for terms and provisions contained in HMO group and individual contracts and evidences of coverage.

R590-76-3. Applicability and Scope.

This rule applies to all organizations defined in 31A-8-101 that are required to obtain a certificate of authority in this state. In the event of conflict between the provisions of this regulation and the provisions of any other regulation issued by the commissioner, the provisions of this regulation shall be controlling. This rule also applies to all HMO contracts covering individuals and groups issued or renewed and effective on or after January 1, 2003.

R590-76-4. Definitions.

A group or individual contract and evidence of coverage delivered or issued for delivery to any person in this state by an HMO required to obtain a certificate of authority in this state shall contain definitions respecting the matters set forth below. The

definitions shall comply with the requirements of this section. Definitions other than those set forth in this regulation may be used as appropriate providing that they do not contradict these requirements. All definitions used in the group or individual contract and evidence of coverage shall be in alphabetical order. As used in this regulation and as used in the group or individual contract and evidence of coverage:

(1) "Basic health care services" means the following medically necessary services: preventive care, emergency care, inpatient and outpatient hospital and physician care, diagnostic laboratory and diagnostic and therapeutic radiological services. It does not include mental health services or services for alcohol or drug abuse, dental or vision services or long-term rehabilitation treatment.

(2) "Copayment" means the amount an enrollee must pay in order to receive a specific service that is not fully prepaid.

(3) "Deductible" means the amount an enrollee is responsible to pay out-of-pocket before the HMO begins to pay the costs or provide the services associated with treatment.

(4) "Directors" means the director of the Utah Department of Health (UDOH), and the director of the Health Division of the Utah Insurance Department.

(5) "Eligible dependent" means any member of an enrollee's family who meets the eligibility requirements set forth in the contract.

(6) "Emergency care services" means services for an emergency medical condition as defined in 31A-22-627(3).

(a) Within the service area, emergency care services shall include covered health care services from non-affiliated providers only when delay in receiving care from the HMO could reasonably be expected to cause severe jeopardy to the enrollee's condition.

(b) Outside the service area, emergence care services include medically necessary health care services that are immediately required because of unforeseen illness or injury while the enrollee is outside the geographical limits of the HMO's service area.

(7) "Enrollee" means an individual who is covered by an HMO.

(8) "Evidence of coverage" means a statement of the essential features and services of the HMO coverage that is given to the subscriber by the HMO or by the group contract holder.

(9) "Extension of benefits" means the continuation of coverage of a particular benefit provided under a group or individual contract following termination with respect to an enrollee who is totally disabled on the date of termination.

(10) "Grievance" means a written complaint submitted in accordance with the HMO's formal grievance procedure by or on behalf of the enrollee regarding any aspect of the HMO relative to the enrollee.

(11) "Group contract" means a contract for health care services by which its terms limit eligibility to enrollees of a specified group.

(12) "Group contract holder" means the person to which a group contract has been issued.

(13) "Health maintenance organization" or "HMO" means a person that undertakes to provide or arrange for the delivery of basic health care services to enrollees on a prepaid basis, except for enrollee responsibility for copayments and deductibles.

(14) "Hospital" means a duly licensed facility and that operates within the scope of its license. The term "hospital" shall not include a convalescent facility, nursing home, or an institution or part of an institution that is used principally as a convalescent facility, rest facility, nursing facility or facility for the aged.

(15) "Individual contract" means a contract for health care services issued to and covering an individual. The individual contract may include coverage for dependents of the subscriber.

(16) "Medical necessity" or "medically necessary" has the same meaning as Rule R590-203.

(17) "Non-basic health care services" means health care services, other than basic health care services, that may be provided in the absence of basic health care services.

(18) "Out-of-area services" means the health care services that an HMO covers when its enrollees are outside of the service area.

(19) "Participating provider" means a provider as defined in Subsection R590-76-5(22), who, under an express or implied contract with the HMO or with its contractor or subcontractor, has agreed to provide health care services to enrollees with an expectation of receiving payment, other than copayment or deductible, directly or indirectly from the HMO.

(20) "Physician" means a licensed doctor of medicine or osteopathy practicing within the scope of the license.

(21) "Primary care physician" means a physician who supervises, coordinates, and provides initial and basic care to enrollees, and who initiates their referral for specialist care and maintains continuity of patient care.

(22) "Provider" means a physician, hospital or other person licensed or otherwise authorized to furnish health care services.

(23) "Replacement coverage" means the benefits provided by a succeeding carrier.

(24) "Service area" means the geographical area within a 40 mile radius of the HMO's health care facility nearest where the insured lives, resides or works.

(25) "Skilled nursing facility" means a facility that is licensed and operating within the scope of its license.

(26) "Subscriber" means an individual whose employment or other status, except family dependency, is the basis for eligibility for enrollment in the HMO, or in the case of an individual contract, the person in whose name the contract is issued.

(27) "Supplemental health care services" means any health care services that are provided in addition to basic health care services.

R590-76-5. Requirements for HMO Contracts and Evidence of Coverage.

(1) Each subscriber shall be entitled to receive an individual contract and evidence of coverage in a form that has been filed with the commissioner. Each group contract holder shall be entitled to receive a group contract that has been filed with the commissioner. Group contracts, individual contracts and evidences of coverage shall be delivered or issued for delivery to subscribers or group contract holders within a reasonable time after enrollment, but not more than 15 days from the later of the effective date of coverage or the date on which the HMO is notified of enrollment.

(2) Health Maintenance Organization Information. The group or individual contract and evidence of coverage shall contain the name, address and telephone number of the HMO, and where and in what manner information is available as to how services may be obtained. A telephone number within the service area for calls, without charge to members, to the HMO's administrative office shall be made available and disseminated to enrollees to adequately provide telephone access for enrollee services, problems or questions. An HMO shall provide a method by which the enrollee may contact the HMO, at no cost to the enrollee. This may be done through the use of toll-free or collect telephone calls, etc. The

enrollee shall be informed of the method by notice in the handbook, newsletter or flyer. The group or individual contract and evidence of coverage may indicate the manner in which the number will be disseminated rather than list the number itself.

(3) Eligibility Requirements. The group or individual contract and evidence of coverage shall contain eligibility requirements indicating the conditions that shall be met to enroll. It shall include a clear statement regarding coverage of dependents and newborn children.

(4) Benefits and Services within the Service Area. The group or individual contract and evidence of coverage shall contain a specific description of benefits and services available within the service area.

(5) Emergency Care Benefits and Services. The group or individual contract and evidence of coverage shall contain a specific description of benefits and services available for emergencies 24 hours a day, 7 days a week, including disclosure of any restrictions on emergency care services. No group or individual contract and evidence of coverage shall limit the coverage of emergency services within the service area to affiliated providers only.

(6) Out of Area Benefits and Services. The group or individual contract and evidence of coverage shall contain a specific description of benefits and services available out of the service area.

(7) Copayments and Deductibles. The group or individual contract and evidence of coverage shall contain a description of any copayments or deductibles that must be paid by enrollees.

(8) Limitations and Exclusions. The group or individual contract and evidence of coverage shall contain a description of any limitations or exclusions on the services or benefits, including any limitations or exclusions due to preexisting conditions or waiting periods.

(9) Enrollee Termination.

(a) An HMO shall not cancel or terminate coverage of services provided an enrollee under an HMO group or individual contract except for one or more of the following reasons:

(i) failure to pay the amounts due under the group or individual contract;

(ii) fraud or material misrepresentation in enrollment or in the use of services or facilities;

(iii) failure to meet the eligibility requirements under a group contract; or

(iv) termination of the group contract under which the enrollee was covered.

(b) An HMO shall not cancel or terminate an enrollee's coverage for services provided under an HMO group or individual contract without giving the enrollee at least 15 days written notice of termination. Notice will be considered given on the date of mailing or, if not mailed, on the date of delivery. This notice shall include the reason for termination. If termination is due to nonpayment of premium, the grace period shall apply. Advance notice of termination shall not be required for termination due to non-payment of premium.

(10) Enrollee Reinstatement. If an HMO permits reinstatement of an enrollee's coverage, the group or individual contract and evidence of coverage shall include any terms and conditions concerning reinstatement. The contract and evidence of coverage may state that all reinstatements are at the option of the HMO and that the HMO is not obligated to reinstate any terminated coverage.

(11) Claims Procedures. The group or individual contract and evidence of coverage shall contain procedures for filing claims that include:

(a) any required notice to the HMO;

(b) any required claim forms, including how, when and where to obtain them;

(c) any requirements for filing proper proofs of loss;

(d) any time limit of payment of claims;

(e) notice of any provisions for resolving disputed claims, including arbitration; and

(f) a statement of restrictions, if any, on assignment of sums payable to the enrollee by the HMO.

(12) Enrollee Grievance Procedures and Arbitration. In compliance with Section R590-76-9, the group or individual contract and evidence of coverage shall contain a description of the HMO's method for resolving enrollee grievances, including procedures to be followed by the enrollee in the event any dispute arises under the contract, including any provisions for arbitration.

(13) Continuation of Coverage. A group contract and evidence of coverage shall contain a provision that an enrollee, who is an inpatient in a hospital or a skilled nursing facility on the date of discontinuance of the group contract, shall be covered in accordance with the terms of the group contract until discharged from the hospital or skilled nursing facility. The enrollee may be charged the appropriate premium for coverage that was in effect prior to discontinuance of the group contract.

(14) Extension and Conversion of Coverage. The contract, certificate and evidence of coverage shall contain a conversion provision which provides each enrollee the right to convert and/or extend coverage to a contract as set forth in Chapter 22 of Title 31A, Part VII.

(15) Extension of Benefits for Total Disability.

(a) Each group contract issued by an HMO shall contain a reasonable extension of benefits upon discontinuance of the group contract with respect to enrollees who become totally disabled while enrolled under the contract and who continue to be totally disabled at the date of discontinuance of the contract.

(b) Upon payment of premium at the current group rate, coverage shall remain in full force and effect until the first of the following to occur:

(i) the end of a period of 180 days starting with the date of termination of the group contract;

(ii) the date the enrollee is no longer totally disabled; or

(iii) the date a succeeding carrier provides replacement coverage to that enrollee without limitation as to the disabling condition.

(c) Upon termination of the extension of benefits, the enrollee shall have the right to convert coverage.

(16) Coordination of Benefits. The group or individual contract and evidence of coverage may contain a provision for coordination of benefits that shall be consistent with that applicable to other carriers in the jurisdiction. Any provisions or rules for coordination of benefits established by an HMO shall not relieve an HMO of its duty to provide or arrange for a covered health care service to an enrollee because the enrollee is entitled to coverage under any other contract, policy or plan, including coverage provided under government programs. The HMO shall be required to provide covered health care services first and then, at its option, seek coordination of benefits.

(17) Description of the Service Area. The group or individual contract and evidence of coverage shall contain a description of the service area.

(18) Entire Contract Provision. The group or individual contract shall contain a statement that the contract, all applications

and any amendments thereto shall constitute the entire agreement between the parties. No portion of the charter, bylaws or other document of the HMO shall be part of the contract unless set forth in full in the contract or attached to it. However, the evidence of coverage may be attached to and made a part of the group contract.

(19) Term of Coverage. The group or individual contract and evidence of coverage shall contain the time and date or occurrence upon which coverage takes effect, including any applicable waiting periods, or describe how the time and date or occurrence upon which coverage takes effect is determined. The contract and evidence of coverage shall also contain the time and date or occurrence upon which coverage will terminate.

(20) Cancellation or Termination. The group or individual contract shall contain the conditions upon which cancellation or termination may be effected by the HMO, the group contract holder or the subscriber.

(21) Renewal. The group or individual contract and evidence of coverage shall contain the conditions for, and any restrictions upon, the subscriber's right to renewal.

(22) Reinstatement of Group or Individual Contract Holder. If an HMO permits reinstatement of a group or individual, the contract and evidence of coverage shall include any terms and conditions concerning reinstatement. The contract and evidence of coverage may state that all reinstatements are at the option of the HMO and that the HMO is not obligated to reinstate any terminated contract.

(23) Grace Period.

(a) The group or individual contract shall provide for a grace period of not less than 30 days for the payment of any premium except the first, during which time the coverage shall remain in effect if payment is made during the grace period. The evidence of coverage shall include notice that a grace period exists under the group contract and that coverage continues in force during the grace period.

(b) During the grace period:

(i) the HMO shall remain liable for providing the services and benefits contracted for;

(ii) the contract holder shall remain liable for the payment of premium for coverage during the grace period; and

(iii) the subscriber shall remain liable for any copayments and deductibles.

(c) If the premium is not paid during the grace period, coverage is automatically terminated at the end of the grace period. Following the effective date of termination, the HMO shall deliver written notice of the termination to the contract holder.

(24) Conformity with State Law. A group or individual contract and evidence of coverage delivered or issued for delivery in this state shall include a provision that states that any provision not in conformity with Chapter 8 of Title 31A, this regulation or any other applicable law or regulation in this state shall not be rendered invalid but shall be construed and applied as if it were in full compliance with the applicable laws and regulations of this state.

(25) Right to Examine Contract. An individual contract shall contain a provision stating that a person who has entered into an individual contract with an HMO shall be permitted to return the contract within 10 days of receiving it and to receive a refund of the premium paid if the person is not satisfied with the contract for any reason. If the contract is returned to the HMO or to the agent through whom it was purchased, it is considered void from the beginning. However, if services are rendered or claims are paid for the person by the HMO during the ten-day examination period and the person returns the contract to receive a refund of the premium paid, the person shall be required to pay for these services.

R590-76-6. Unfair Discrimination.

An HMO shall not unfairly discriminate against an enrollee or applicant for enrollment on the basis of the age, sex, race, color, creed, national origin, ancestry, religion, marital status or lawful occupation of an enrollee, or because of the frequency of utilization of services by an enrollee. However, nothing shall prohibit an HMO from setting rates or establishing a schedule of charges in accordance with relevant actuarial data. An HMO shall not expel or refuse to re-enroll any enrollee nor refuse to enroll individual members of a group on the basis of an individual's or enrollee's health status or health care needs.

R590-76-7. HMO Services.

(1) Access to Care.

(a) An HMO shall establish and maintain adequate arrangements to provide health services for its enrollees, including:

(i) reasonable proximity to the business or personal residences of the enrollees so as not to result in unreasonable barriers to accessibility;

(ii) reasonable hours of operation and after-hours services;

(iii) emergency care services available and accessible within the service area 24 hours a day, 7 days a week; and

(iv) sufficient providers, personnel, administrators and support staff to assure that all services contracted for will be accessible to enrollees on an appropriate basis without delays detrimental to the health of enrollees.

(b) An HMO shall make available to each enrollee a primary care physician and provide accessibility to medically necessary specialists through staffing, contracting or referral. An HMO shall provide for continuity of care for enrollees referred to specialists.

(c) An HMO shall have written procedures governing the availability of services utilized by enrollees, including at least the following:

(i) well-patient examinations and immunizations;

(ii) emergency telephone consultation on a 24 hours per day, 7 days per week basis;

(iii) treatment of emergencies;

(iv) treatment of minor illness; and

(v) treatment of chronic illnesses.

(2) Basic Health Care Services. An HMO shall provide, or arrange for the provision of, as a minimum, basic health care services, which shall include the following:

(a) emergency care services;

(b) inpatient hospital services, meaning medically necessary hospital services including:

(i) room and board;

(ii) general nursing care;

(iii) special diets when medically necessary;

(iv) use of operating room and related facilities;

(v) use of intensive care units and services;

(vi) x-ray, laboratory and other diagnostic tests;

(vii) drugs, medications, biologicals;

(viii) anesthesia and oxygen services;

(ix) special nursing when medically necessary;

(x) physical therapy, radiation therapy and inhalation therapy;

(xi) administration of whole blood and blood plasma; and

(xii) short-term rehabilitation services;

(c) inpatient physician care services, meaning medically necessary health care services performed, prescribed, or supervised by physicians or other providers including diagnostic, therapeutic, medical, surgical, preventive, referral and consultative health care services;

(d) Outpatient medical services, meaning preventive and medically necessary health care services provided in a physician's office, a non-hospital-based health care facility or at a hospital. Outpatient medical services shall include:

(i) diagnostic services;

(ii) treatment services;

(iii) laboratory services;

(iv) x-ray services;

(v) referral services;

(vi) physical therapy, radiation therapy and inhalation therapy; and

(vii) preventive health services, which shall include at least a broad range of voluntary family planning services, services for infertility, well-child care from birth, periodic health evaluations for adults, screening to determine the need for vision and hearing correction, and pediatric and adult immunizations in accordance with accepted medical practice;

(e) Coverage of inborn metabolic errors as required by 31A-22-623 and Rule R590-194, Coverage of Dietary Products for Inborn Errors of Amino Acid or Urea Cycle Metabolism, and benefits for diabetes as required by 31A-22-626 and Rule R590-200, Diabetes Treatment and Management.

(3) Out-of-Area Services and Benefits.

(a) Out-of-area services shall be subject to the same copayment requirements set forth in Subsection R590-76-5(7).

(b) When an enrollee is traveling or temporarily residing out of an HMO's service area, an HMO shall provide benefits for reimbursement for emergency care services and transportation that is medically necessary and appropriate under the circumstances to return the enrollee to an HMO provider, subject to the following conditions:

(i) the condition could not reasonably have been foreseen;

(ii) the enrollee could not reasonably arrange to return to the service area to receive treatment from the HMO's provider;

(iii) the travel or temporary residence must be for some purpose other than the receipt of medical treatments; and

(iv) the HMO is notified by telephone within 24 hours of the commencement of such care unless it is shown that it was not reasonably possible to communicate with the HMO in those time limits.

(c) Services received by a enrollee outside of the HMO's service area will be covered only so long as it is unreasonable to return the enrollee to the service area.

(4) Supplemental Health Care Services. In addition to the basic health care services required to be provided in Subsection R590-76-7(2), an HMO may offer to its enrollees any supplemental health care services it chooses to provide. Limitations as to time and cost may vary from those applicable to basic health care services.

R590-76-8. Other HMO Requirements.

(1) Description of Providers.

(a) An HMO shall provide its subscribers with a list of the names and locations of all of its providers no later than the time of enrollment or the time the group or individual contract and evidence of coverage are issued and upon reenrollment. If a provider is no longer affiliated with an HMO, the HMO shall provide notice of the change to its affected subscribers within 30 days. Subject to the approval of the commissioner, an HMO may provide its subscribers with a list of providers or provider groups for a segment of the service area. However, a list of all providers shall be made available to subscribers upon request.

(b) A list of providers shall contain a notice regarding the availability of the listed primary care physicians. The notice shall be in not less than twelve-point type and be placed in a prominent place on the list of providers. The notice shall contain the following or similar language:

"Enrolling in (name of HMO) does not guarantee services by a particular provider on this list. If you wish to receive care from specific providers listed, you should contact those providers to be sure that they are accepting additional patients for (name of HMO)."

(2) Description of the Services Area. An HMO shall provide its subscribers with a description of its service area no later than the time of enrollment or the time the group or individual contract and evidence of coverage is issued and upon request thereafter. If the description of the service area is changed, the HMO shall provide at such time a new description of the service area to its subscribers.

(3) Copayments and Deductibles. An HMO may require copayments or deductibles of enrollees as a condition for the receipt of specific health care services. Copayments for basic health care services shall be shown in the group or individual contract and evidence of coverage as a specified dollar amount. Copayments and deductibles shall be the only allowable charge, other than premiums, assessed to subscribers for basic, supplemental and non-basic health care services.

(4) Grievance Procedure. A grievance procedure in compliance with Rule R590-203, Health Care Benefit Plans-Grievance and Voluntary Independent Review Procedures Rule, shall be established and maintained by an HMO to provide reasonable procedures for the prompt and effective resolution of written grievances.

(5) Provider Contracts. All provider contracts must be on file and available for review by the commissioner and the director of the UDOH.

R590-76-9. Quality Assurance.

Each HMO shall develop a quality assurance plan that is subject to the approval of the directors. The plan shall be designed to objectively and systematically monitor and evaluate the quality and appropriateness of patient care, pursue opportunities to improve patient care, and resolve identified problems. The directors shall use the following approval criteria to assess the quality assurance plan.

(1) Qualifications of Personnel.

Health care services specified in the contract and certificate may be delivered through providers who have signed contracts with the HMO as outlined in R590-76-8(5) of this rule.

(2) Certification of Quality Assurance Plan.

(a) Each HMO shall arrange and pay for a review and certification of its quality assurance plan no later than 18 months from the effective date of this rule and at least every three years thereafter. Each new HMO shall arrange and pay for a review and certification of its quality assurance plan no later than 18 months after receiving a Certificate of Authority and commencing operation, and every three years thereafter.

(b) The review shall be conducted by a professionally recognized expert or entity in the area of quality assurance programs for HMOs. Reviews conducted for the federal government shall

satisfy the requirements of this subsection if the requirements of subsections (b), (c), and (d) are met.

(c) Each HMO shall arrange for the directors to receive a copy of the review findings, recommendations, and certification, or notice of non-approval, of the quality assurance plan. This material shall be sent directly from the certifying entity to the directors. Certification status and review materials will be treated confidentially by the directors.

(d) Each HMO shall be prepared to implement the substantive clinical and procedural recommendations made by the certifying entity within reasonable time after the findings are received by the HMO and the directors.

(e) The HMO shall comply with reasonable requests for information required for the external review, including, if available on site at the HMO, an original or copy of patient medical records which would be reviewed only by the directors or external review agency, and information necessary to:

(i) measure health care outcomes according to established medical standards;

(ii) evaluate the process of providing or arranging for the provision of patient care;

(iii) evaluate the system the HMO uses to conduct concurrent reviews and preauthorized medical care;

(iv) evaluate the system the HMO uses to conduct retrospective reviews of medical care; and

(v) evaluate the accessibility and availability of medical care provided or arranged for by the HMO.

(3) Internal Peer Review.

The HMO shall show written evidence of continuing internal peer reviews of medical care given. The program must provide for review by physicians and other health professionals; have direct accountability to senior management; and have resources specifically budgeted for quality assessment, monitoring, and remediation.

R590-76-10. Reporting Requirements and Fee Payments.

Section 31A-3-103 and 31A-4-113 apply to organizations. Both types of entities shall submit their annual reports on the National Association of Insurance Commissioner's (NAIC) blanks that have been adopted for HMOs. In addition, all HMOs shall submit the information asked for in the annual statistical report required by the UDOH. The annual statement blank will be filed with the Insurance Department and the UDOH by March 1 each year.

R590-76-11. Financial Condition.

(1) Qualified Assets. In determining the financial condition of any organization, only the following assets may be used:

(a) assets as determined to be admitted in the Accounting Practices and Procedures Manual published by the NAIC; and

(b) other assets, not inconsistent with the foregoing provisions, deemed by the commissioner available for the provision of health care, at values determined by him/her.

(2) Investments. Investments of organizations shall be consistent with Title 31A, Chapter 18.

(3) Liability Insurance. Evidence of adequate insurance or a plan for general and professional liability self-insurance approved by the commissioner, must be maintained by the organization. All providers of health services to the organization, contracted or on staff, must be covered by liability insurance.

R590-76-12. Enforcement Date.

Effective January 1, 2003, the department will enforce this rule.

R590-76-13. Severability.

If any provision or clause of this rule or its application to any person or situation is held invalid, such invalidity shall not affect any other provision or application of this rule which can be given effect without the invalid provision or application, and to this end the provisions of this rule are declared to be severable.

KEY: HMO insurance
2002
Notice of Continuation October 13, 1999
31A-2-201

Natural Resources, Parks and Recreation
R651-611-2
Day Use Entrance Fees

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25133
FILED: 08/01/2002, 14:15

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The State Parks Board was informed by the Utah State Legislature that Parks' General Fund appropriation would be decreasing by $130,000. The Board was directed to compensate for this decrease by raising entrance fees at parks that could generate the additional revenue. The increase is to be immediate.

SUMMARY OF THE RULE OR CHANGE: The Utah State Parks Board has determined that fees at Deer Creek, East Canyon, Jordanelle, Rockport, Utah Lake, and Willard Bay State Parks could increase their entrance fees without substantial loss in visitation. (DAR NOTE: a corresponding emergency (120-day) rule is found under DAR No. 24132 in this Bulletin and was effective on 08/01/2002.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 63-11-17(2)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: It is anticipated that the proposed increase in fees would generate between $100,000 and $130,000 in additional revenue. The increase will be supported by those who pay entrance fees at the above stated parks. The new fee will increase the Dedicated Credits collected by the Division. State sales tax could also increase between $5,000 and $6,500.

❖ LOCAL GOVERNMENTS: It is anticipated that the counties in which Deer Creek, East Canyon, Jordanelle Rockport, Utah Lake, and Willard Bay state parks are located could collect

additional sales tax revenue, but that revenue is unknown at this filing.

❖ OTHER PERSONS: Those who utilize State Park facilities will pay an added $2 to entrance fees at the parks listed above.

COMPLIANCE COSTS FOR AFFECTED PERSONS: In order to comply with this change in day use entrance fees, affected persons will bear the additional cost. This cost increase of $2 (up to 8 persons per vehicle) is for a single day entrance fee.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The expected effect on local businesses is too small for effective measurement as it would apply to very few locations.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Dee Guess at the above address, by phone at 801-538-7320, by FAX at 801-538-7378, or by Internet E-mail at deeguess@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/17/2002

AUTHORIZED BY: Dave Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.
R651-611. Fee Schedule.
R651-611-2. Day Use Entrance Fees.

Permits the use of all day activity areas in a state park. These fees do not include overnight camping facilities or special use fees.

A. Annual Permits

1. $70.00 Multiple Park Permit (good for all parks)

2. Snow Canyon Specialty Permits

a. $15.00 Family Pedestrian Permit

b. $5.00 Commuter Permit

3. Duplicate Annual Permits may be purchased if originals are lost, destroyed, or stolen, upon payment of a $10.00 fee and the submittal of a signed affidavit to the Division office. Only one duplicate is allowed.

B. Special Fun Tag - Available free to Utah residents, 62 years and older or disabled, as defined by Special Fun Tag permit affidavit.

C. Daily Permit - Allows access to a specific state park on the date of purchase.

1. $9.00 per private motor vehicle or $4.00 per person for pedestrians or bicycles for the following parks:

TABLE 1

Deer Creek	Jordanelle
Utah Lake	Willard Bay

[~~1.~~]2. $7.00 per private motor vehicle or $4.00 per person for pedestrians or bicycles for the following parks:

TABLE [~~1~~]2

Dead Horse Point[~~Deer Creek~~]
[~~Jordanelle~~]East Canyon[~~Utah Lake~~]
[~~Willard Bay~~]Rockport

[~~2.~~]3. $6.00 per private motor vehicle or $3.00 per person for pedestrians or bicycles for the following parks:

TABLE [~~2~~]3

Bear Lake	Quail Creek
Scofield	Yuba

[~~3.~~]4. $5.00 per private motor vehicle or $3.00 per person for pedestrians or bicycles for the following parks:

TABLE [~~3~~]4

Antelope Island	Coral Pink
[~~East Canyon~~]	Escalante
Goblin Valley	Green River
Gunlock	Huntington
Hyrum	Kodachrome
Lost Creek	Millsite
Minersville	Otter Creek
Palisade	Pineview
Piute	[~~Rockport~~]
Snow Canyon	Starvation
Steinaker	Wasatch Mountain

[~~4.~~]5. $1.00 per person or $5.00 per family (up to eight (8) individuals. For the following parks:

TABLE 4

Anasazi	Camp Floyd
Edge of the Cedars	Fort Buenaventura
Fremont	Iron Mission
Territorial	Utah Field House

[~~5.~~]6. $2.00 per person for commercial groups or vehicles with nine (9) or more occupants.

D. Five Day Pass - $15.00 permits day use entrance to all state parks for five (5) consecutive days.

E. Group Site Day Use Fee - Advance reservation only. $2.00 per person, age six (6) and over, for sites with basic facilities. Minimum $50.00 fee established for each facility.

F. Educational Groups - No charge for group visits by Utah public or parochial schools with advance notice to park. When special arrangements or interpretive talks are provided, a fee of $.50 per person may be charged at the park manager's discretion.

G. Heritage Park Pass: $20.00 permits up to five (5) visits to any Heritage Park during the calendar year of issue for up to eight (8) people per private motor vehicle.

H. Antelope Island Wildlife Management Program: A $1.00 fee will be added to the entrance fee at Antelope Island. This additional fee will be used by the Division to fund the Wildlife Management Program on the Island.

KEY: parks, fees
[~~January 1,~~]2002
Notice of Continuation August 7, 2001
63-11-17(2)

Public Safety, Highway Patrol
R714-500
Chemical Analysis Standards and Training

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25129
FILED: 08/01/2002, 09:33

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the rule is to set forth procedures whereby the department may certify breath alcohol testing instruments, programs, operators, technicians, and program supervisors.

SUMMARY OF THE RULE OR CHANGE: The rule change: (a) clarifies that internal standards on a subject test do not have to be recorded numerically; (b) addresses the test reference sample; (c) updates the address of the Utah Highway Patrol Training Section; and (d) and makes minor grammatical changes.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 41-6-44.3(1)

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: There is no budgetary impact on the state because the rule change affects only technical matters involving the department's breath alcohol testing program.
❖ LOCAL GOVERNMENTS: There is no budgetary impact on local government because the rule change affects only technical matters involving the department's breath alcohol testing program.
❖ OTHER PERSONS: There is no budgetary impact on other persons because the rule change affects only technical matters involving the department's breath alcohol testing program.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons because the rule change affects only technical matters involving the department's breath alcohol testing program.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule will have no fiscal impact on businesses because it does not apply to businesses.

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

PUBLIC SAFETY
HIGHWAY PATROL
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5994, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
J. Francis Valerga at the above address, by phone at 801-965-4466, by FAX at 801-965-4608, or by Internet E-mail at jfvalerg@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/17/2002

AUTHORIZED BY: Robert Flowers, Commissioner

R714. Public Safety, Highway Patrol.
R714-500. Chemical Analysis Standards and Training.
R714-500-1. Purpose.

A. It is the purpose of this rule to set forth:
(1) Procedures whereby the department may certify:
(a) Breath alcohol testing instruments;
(b) Breath alcohol testing programs;
(c) Breath alcohol testing operators;
(d) Breath alcohol testing technicians; and
(e) Breath alcohol testing program supervisors.
(2) Adjudicative procedure concerning:
(a) Application for and denial, suspension or revocation of the aforementioned certifications; and
(b) Appeal of initial department action concerning the aforementioned certifications.

R714-500-2. Authority.

A. This rule is authorized by Subsection 41-6-44.3(1) which requires the commissioner of the Department of Public Safety, hereinafter "department", to establish standards for the administration and interpretation of chemical analysis of a person's breath, including standards of training.

R714-500-3. Application for Certification.

A. Application for any certification herein shall be made on forms provided by the department in accordance with Subsection 63-46b-3(3)(c).

R714-500-4. Instrument Certification.

A. Acceptance: All breath alcohol testing instruments employed by Utah law enforcement officers, to be used for evidentiary purposes, shall be approved by the department.

(1) The department shall maintain an approved list of accepted instruments for use in the state. Law enforcement entities shall select breath alcohol instruments from this accepted list, which list shall be available for public inspection at the department during normal working hours.

(2) A manufacturer may make application for approval of an instrument by brand and/or model not on the list. The department

shall subsequently examine and evaluate each instrument to determine if it meets criteria specified by this rule and applicable purchase requisitions.

B. Criteria: In order to be approved, each manufacturer's brand and/or model of breath testing instrument shall meet the following criteria.

(1) Breath alcohol analysis of an instrument shall be based on the principle of infra-red energy absorption, or any other similarly effective procedure specified by the department.

(2) Breath specimen collected for analysis shall be essentially alveolar and/or end expiratory in composition according to the analysis method utilized.

(3) The instrument shall analyze a reference sample, such as headspace gas from a mixture of water and a known weight or volume of ethanol, held at a constant temperature, or a compressed inert gas and alcohol mixture in a pressurized cylinder. The result of [~~which~~]the analysis must agree with the reference sample's predicted value, within plus or minus 5%, or .005, whichever is greater, or such limits as set by the department. For example, if a known reference sample is .10, a plus or minus range of 5%=.005 (.10 x 5 %= .005). The test result, using a known .10 solution or compressed inert gas and alcohol solution, could range from .095-.105.

(4) The instrument shall provide an accurate and consistent analysis of breath specimen for the determination of alcohol concentration for law enforcement purposes. The instrument shall function within the manufacturer's specifications of:

(a) electrical power,
(b) operating temperature,
(c) internal purge,
(d) internal calibration,
(e) diagnostic measurements,
(f) invalid test procedures,
(g) known reference sample testing,
(h) measurements of breath alcohol, as displayed in grams of alcohol per 210 liters of breath.

(5) Any other tests, deemed necessary by the department, may be required in order to correctly and adequately evaluate the instrument, to give the most accurate and correct results in routine breath alcohol testing and be practical and reliable for law enforcement purposes.

C. List: Upon proof of compliance with this rule, an instrument may be approved by brand and/or model and placed on the list of accepted instruments. By inclusion on the department's list of accepted instruments, it will be deemed to have met the criteria listed above.

D. Certification: All breath alcohol instruments purchased for law enforcement evidentiary purposes, shall be certified before being placed into service.

(1) The breath alcohol testing program supervisor, hereinafter, "program supervisor", shall determine if each individual instrument, by serial number, conforms to the brand and/or model that appears on the commissioner's accepted list.

(2) Once an individual instrument has been purchased, found to be operating correctly and placed into service, the affidavit with the serial number of that instrument, shall be placed in a file for certified instruments. Affidavits verifying the certification of any breath testing instrument shall be available during normal business hours through the Department of Public Safety, more specifically the Utah Highway Patrol Training Section, [~~5757~~]5681 S. 320 West, Murray, UT 84107.

(3) The department may, at any time, determine if a specific instrument is unreliable and/or unserviceable. Pending such a finding, an instrument may be removed from service and certification may be withdrawn.

(4) Only certified breath alcohol testing technicians, hereinafter "technicians", as defined by Section 7 of this rule when required, shall be authorized to provide expert testimony concerning the certification and all other aspects of the breath testing instrument under his/her supervision.

R714-500-5. Program Certification.

A. All breath alcohol testing techniques, methods, and programs, hereinafter "program", must be certified by the department.

B. Prior to initiating a program, an agency or laboratory shall submit an application to the department for certification. The application shall show the brand and/or model of the instrument to be used and contain a resume of the program to be followed. An on-site inspection shall be made by the department to determine compliance with all applicable provisions in this rule.

C. Certification of a program may be denied, suspended, or revoked by the department if, based on information obtained by the department, program supervisor, or technician, the agency or laboratory fails to meet the criteria as outlined by the department.

D. All programs, in order to be certified, shall meet the following criteria:

(1) The results of tests to determine the concentration of alcohol on a person's breath shall be expressed as equivalent grams of alcohol per 210 liters of breath. The results of such tests shall be entered in a permanent record book for department use.

(2) Printed checklists, outlining the method of properly performing breath tests shall be available at each location where tests are given. Test record cards used in conjunction with breath testing shall be available at each location where tests are given. Both the checklist and test record card, after completion of a test should be retained by the operator.

(3) The instruments shall be certified on a routine basis, not to exceed 40 days between calibration tests, by a technician, depending on location of instruments and area of responsibility.

(4) Certification procedures to certify the breath testing instrument shall be performed by a technician as required in this rule, or by using such procedures as recommended by the manufacturer of the instrument to meet its performance specifications, as derived from:

(a) electrical power tests,
(b) operating temperature tests,
(c) internal purge tests,
(d) internal calibration tests,
(e) diagnostic tests,
(f) invalid function tests,
(g) known reference samples testing, and
(h) measurements displayed in grams of alcohol per 210 liters of breath.

(5) Results of tests for certification shall be kept in a permanent record book retained by the technician. A report of the certification procedure shall be recorded on the approved form (affidavit) and sent to the program supervisor.

(6) Except as set forth in paragraph 7 in this section, [~~A~~]all analytical results on a subject test shall be recorded, using terminology established by state statute and reported to three

decimal places. For example, a result of 0.237g/210L shall be reported as 0.237.

(7) Internal standards on a subject test do not have to be recorded numerically.

(8) The instrument must be operated by either a certified operator or technician.

R714-500-6. Operator Certification.

A. All breath alcohol testing operators, hereinafter "operators", must be certified by the department.

B. All training for initial and renewal certification will be conducted by a program supervisor and/or technician.

C. Initial Certification

(1) In order to apply for certification as an operator of a breath testing instrument, an applicant must successfully complete a course of instruction approved by the department, which must include as a minimum the following:

a. One hour of instruction on the effects of alcohol in the human body.

b. Two hours of instruction on the operational principles of breath testing.

c. One hour of instruction on the D.U.I. Summons and Citation/D.U.I. Report Form.

d. One and one half hours of instruction on the legal aspects of chemical testing, driving under the influence, case law and other alcohol related laws.

e. One and one half hours of laboratory participation performing simulated tests on the instruments, including demonstrations under the supervision of a class instructor.

f. One hour for examination and critique of course.

(2) After successful completion of the initial certification course a certificate will be issued that will be valid for two years.

D. Renewal Certification

(1) The operator is required to renew certification prior to its expiration date. The minimum requirement for renewal of operator certification will be:

a. Two hours of instruction on the effects of alcohol in the human body.

b. Two hours of instruction on the operational principles of breath testing.

c. One hour of instruction on the D.U.I. Summons and Citation/D.U.I. Report Form and testimony of arresting officer.

d. Two hours of instruction on the legal aspects of chemical testing and detecting the drinking driver.

e. One hour for examination and critique of course.

f. Or the operator must successfully complete the Compact Disc Computer program including successful completion of exam. Results of exams must be forwarded to program supervisor and a certification certificate will be issued.

(2) Any operator who allows his/her certification to expire one year or longer must retake and successfully complete the initial certification course as outlined in paragraph C of this section.

R714-500-7. Technician Certification.

A. All technicians, must be certified by the department.

B. The minimum qualifications for certification as a technician are:

(1) Satisfactory completion of the operator's initial certification course and/or renewal certification course.

(2) Satisfactory completion of the Breath Alcohol Testing Supervisor's course offered by Indiana University, or an equivalent course of instruction, as approved by the program supervisor.

(3) Satisfactory completion of the manufacturer's maintenance/repair technician course.

(4) Maintain technician's status through a minimum of eight hours training each calendar year. This training must be directly related to the breath alcohol testing program, and must be approved by the program supervisor.

C. Any technician who fails to meet the requirements of paragraph B, sub-paragraph (4) of this section and allows his/her certification to expire for more than one year, must renew his/her certification by meeting the minimum requirements as outlined in paragraph B, sub-paragraphs (1), (2), and (3) of this section.

R714-500-8. Program Supervisor Certification.

A. The program supervisor will be required to meet the minimum certification standards set forth in section 7 of this rule. Certification should be within one year after initial appointment or other time as stated by the department.

R714-500-9. Previously Certified Personnel.

A. This rule shall not be construed as invalidating the certification of personnel previously certified as operators under programs existing prior to the promulgation of this rule. Such personnel shall be deemed certified, provided they meet the training requirements as outlined in section 6, paragraph D of this rule.

B. This rule shall not be construed as invalidating the certification of personnel previously certified as a technician under programs existing prior to the promulgation of this rule. Such personnel shall be deemed certified, provided they meet the training requirements in section 7, paragraph B, sub-paragraph (4) of this rule.

R714-500-10. Revocation or Suspension of Certification.

A. The department may, on the recommendation of the program supervisor, revoke or suspend the certification of any operator or technician:

(1) Who fails to comply with or meet any of the criteria required in this rule.

(2) Who falsely or deceitfully obtained certification.

(3) Who fails to show proficiency in proper operation of the breath testing instrument.

(4) For other good cause.

R714-500-11. Adjudicative Proceedings.

A. Purpose of section. It is the purpose of this section to set forth adjudicative proceedings in compliance with Title 63 Chapter 46b.

B. Designation. All adjudicative proceedings performed by the department shall proceed informally as set forth herein and as authorized by Sections 63-46b-4 and 63-46b-5.

C. Denial, suspension or revocation. A party who is denied certification or whose certification is suspended or revoked, will be informed within a period of 30 days by the department the reasons for denial, suspension, or revocation.

D. Appeal of denial, suspension, or revocation. A party who is denied certification or whose certification is suspended or revoked may appeal to the commissioner or designee on a form provided by the department in accordance with Subsection 63-46b-3(3)(c). The

appeal must be filed within ten days after receiving notice of the department action.

E. No hearing will be granted to the party. The commissioner or designee will merely review the appeal and issue a written decision to the party within ten days after receiving the appeal.

KEY: alcohol, intoxilyzer, breath testing, operator certification
[~~September 25, 1998~~]2002
Notice of Continuation November 2, 2000
41-6-44.3
63-46b

Transportation, Administration
R907-1
Appeal of Departmental Actions

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25128
FILED: 07/31/2002, 18:17

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To clarify the Utah Department of Transportation's (UDOT) administrative procedures regarding both informal and formal proceedings.

SUMMARY OF THE RULE OR CHANGE: The changes spell out in more detail the process that UDOT is to follow when handling an administrative appeal.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 63-46b-1 and 72-1-201

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: There will be no costs or savings to the state from these changes. It is only a procedural change that should have no financial impact.
❖ LOCAL GOVERNMENTS: The local governments are not involved in the administrative proceedings process, so there will be no costs.
❖ OTHER PERSONS: There will be no cost or savings increase because the changes do not affect any fees or other financial factors. These procedural changes have no impact on costs as they only clarify the currently existing rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be no additional compliance cost increase because the changes do not affect any fees or other financial factors. These procedural changes have no impact on costs as they only clarify the currently existing rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: People requesting agency action or being notified of agency action being taken should not incur any additional costs because these amendments are merely procedural changes to the existing rule.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
TRANSPORTATION
ADMINISTRATION
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5998, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
James Beadles at the above address, by phone at 801-965-4168, by FAX at 801-965-4796, or by Internet E-mail at jbeadles@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 10/01/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 10/02/2002

AUTHORIZED BY: John R. Njord, Executive Director

R907. Transportation, Administration.
R907-1. Appeal of Departmental Actions.
R907-1-1. General Administrative Procedures.

All applications, Requests for Agency Action, and appeals from Notices of Agency Action shall be processed as informal adjudicative proceedings pursuant to Title 63, Chapter 46b, Utah Administrative Procedures Act (UAPA), unless another rule specifically designates a proceeding as formal or either party requests conversion to a formal proceeding and the presiding officer decides that conversion is in the public interest and does not prejudice the rights of any party. An evidentiary hearing will be held only for formal adjudicative proceedings. However, nothing in this rule is intended to prohibit the presiding officer[~~person who hears a matter on agency review~~] from holding a meeting of all parties for purposes of settlement, fleshing out of the issues, oral argument, or presentation of evidence. Adjudicative proceedings are subject to agency review or appeal pursuant to Utah Code Ann. Section 63-46b-12 only when statute or a rule specifically provides for review. This rule does not apply to employee grievances, personnel actions, or requests for records under the Governmental Records Access and Management Act (GRAMA).

R907-1-2. Commencement by department -- Notice of Agency Action -- Procedures.

(1) An adjudicative proceeding commenced by the department is initiated by a Notice of Agency Action, which the department shall mail or personally deliver to[~~the mailing or delivery by personal service of a Notice of Agency Action to~~] the person or persons against whom the action is proposed to be taken (respondents). UDOT shall publish the Notice of Agency Action if required by statute, any other rule, or the Utah Transportation Commission.

(2) A Notice of Agency Action shall include the following information:

(a) the names and mailing addresses of all respondents and any other persons to whom notice is being given;

(b) the department's file number or other reference number;

(c) a name or caption of the adjudicative proceeding, i.e., Utah Department of Transportation, Motor Carrier Safety Division v. XXXX Trucking Company;

(d) the date on which the Notice was placed in U.S. Mail, or personally served upon the respondents;

(e) a statement that, if the person requests an appeal of the agency action, the adjudicative proceeding will be conducted informally pursuant to these rules unless either the department or the respondent requests conversion to a formal adjudicative proceeding and the appropriate [~~hearing~~]presiding officer identified in R907-1-3(2) grants the request;

(f) a statement of the legal authority and jurisdiction under which the adjudicative proceeding is to be maintained;

(g) the name, title, mailing address, and telephone number of the office initiating the Notice of Agency Action and the appropriate hearing officer;

(h) a general statement of the purpose of the adjudicative proceeding and, to the extent known, the questions to be decided;

(i) if the department is proposing to assess a fine or penalty, the amount of the fine or penalty and a summary of the evidence supporting the proposed amount;

(j) a statement that the respondent is entitled to agency review if he or she files a Request for Agency Appeal[~~Review~~] with the initiating division or office within 30 days from the date the Notice is deposited in U.S. Mail or personally served.

(3) Absent filing of a timely request, the department will issue an order that the respondent is in default. If the defaulting party is the sole respondent, the Notice of Agency Action will then become the department's final order. The initiating division, office, or appropriate hearing officer shall revise the Notice of Agency Action to effect this change, captioning the Notice as the Final Order, affixing the appropriate signature the new date. The department may not change the contents in any substantive manner. However, the final order shall include a provision that notifies the respondent of his right to judicial review. The department shall then either mail or personally serve the respondent with a copy of the default order and the final order.

(4) If the defaulting party is not the sole respondent, the initiating division, office, or the appropriate hearing officer shall mail the Order of Default to all parties. The adjudicative proceeding may continue and the department may determine all issues in the proceeding, including those affecting the defaulting party.

(5) A defaulting party may seek agency review of an Order of Default by appealing to the appropriate hearing officer identified in R907-1-3(2). If the Order of Default was issued by that hearing officer, then the defaulting party must seek reconsideration of the Order of Default pursuant to R907-3-1. The sole issue is whether entering default was appropriate.[

~~(6) UDOT shall:~~

~~(a) mail or personally serve the Notice of Agency Action to each party;~~

~~(b) publish the Notice of Agency Action if required by statute, any other rule, or the Utah Transportation Commission.~~]

R907-1-3. Commencement by a member of the public -- Complete or Partial Denials of Applications or Requests for Agency Action -- Default.

(1) If the Department denies[~~decides to deny~~], either completely or in part, an application or Request for Agency Action[~~request for agency action~~] and that action is subject to agency appeal[~~review~~], the division or office issuing the denial[~~making that decision~~] shall send to the applicant a written reply as promptly as possible. The reply should include a brief summary of the reasons for the decision along with a listing of any statutes or rules that were interpreted or relied upon for it, along with UDOT's file or reference number. It shall advise the applicant of his or her right to request agency review by filing a written request with the initiating division or office within 30 days after issuance of the notice. The reply shall constitute the proposed order of the division or office making the decision and shall so indicate on the reply. If there is no appeal within 30 days, it shall become the final order of the department.

(2) Upon receiving a Request for Agency Appeal[~~request for agency review~~], the division or office shall first evaluate[~~review~~] it to determine whether it meets the requirements of Utah Code Ann. Section 63-46b-12(1)(b), i.e., whether it is signed, states the grounds upon which review is requested, the relief sought, and stating the date upon which it was mailed. If the request does not meet the statutory requirements, or was received at the division or office after the 30-day appeals period, it shall be returned to the sender with explanation as to the reason for the return. If the request meets the statutory requirements, the division or office shall promptly forward the material and a copy of any relevant material in its files to:

(a) the State Operations Engineer, if the action involves Title 72, Chapter 7, Part 5, Utah Outdoor Advertising Act;

(b) the deputy director, if the action involves Title 72, Chapter 9, Motor Carrier Safety Act;

(c) the Project Development Director or designee, if the matter relates to:

(i) construction contract disputes; or

(ii) construction bids or the Disadvantaged Business Enterprise (DBE) program, in which case, the agency review also constitutes "administrative reconsideration" under federal regulation;

(d) the Region Director, if the action involves something other than the items listed in Subsections (a), (b), or (c), and a specific appellate procedure is not otherwise specified in these rules or in statute;

(e) the executive director or designee, if the action involves something other than the items listed in subsections (a), (b), (c), or (d) and was initiated by Department personnel located at Department headquarters at the Calvin Rampton Complex.

(3) The positions listed above shall be the respective presiding officers. However, either the executive director or deputy director may designate another to act as a substitute. Additionally, when called to preside over adjudicative proceeding that involves access management or has potential "takings" or inverse condemnation implications, the Region Director may designate a group of individuals either to advise on the issue or to take over presiding officer duties. If the Region Director designates a group to take over presiding officer duties, he or she shall appoint:

(a) an odd-numbered group so that any decision will not result in a tie; and

(b) a chairperson.

(4) The person who issued the appealed order may not be included in either of the groups established in paragraph (3). However, the person who issued the decision may be consulted, asked for the reasons underlying his decision, and called as a witness if the proceeding is converted to a formal one.

[~~(3)~~](4) Absent filing of a timely Request for Agency Appeal[~~request~~], the department will issue an order that the respondent is in default. If the defaulting party is the sole respondent, the Request for Agency Action will be dismissed. The department shall either mail a copy of the default order and the dismissal order to the person who requested the action.

[~~(4)~~](5) If the defaulting party is not the sole requester, the initiating division, office, or the appropriate hearing officer shall mail the Order of Default to all parties. The adjudicative proceeding may continue and the department may determine all issues in the proceeding, including those affecting the defaulting party.

[~~(5)~~](6) A defaulting party may seek agency appeal[~~review~~] of an Order of Default by appealing to the [~~appropriate hearing~~]presiding[~~officer identified in R907-1-3(2)~~]. If the Order of Default was issued by that [~~hearing~~]officer, then the defaulting party must seek reconsideration of the Order of Default pursuant to R907-1-5. The sole issue is whether entering default was appropriate.

R907-1-4. Administrative Appeals -- Procedures.

(1) Upon receiving notice from the division or office of the filing of an appeal either in response to a Notice of Agency Action or a complete or partial denial of an application or Request for Agency Action, the presiding officer[~~person making the review~~] shall send a letter to the appellant notifying him or her that the appeal has been received and notifying the appellant of the opportunity to submit further documentation in support of the appeal by a date certain. That date should not be less than 10 days nor more than 20 days after the letter is sent.

(2) Discovery is prohibited, but subpoenas may be issued for the production of necessary evidence. Upon request, the applicant shall have access to information contained in the agency's files and to all materials and information gathered in any investigation, except as otherwise provided by law.

(3) Within 20 days after receipt of a request for agency review, any party, including the division or office that issued the original decision, may submit additional documentation, which may include legal briefs, to the person required to decide on review. The person deciding on review may grant either party an extension of time. The decision should be made on the record appearing after the responses have been submitted, but the [~~person deciding on review~~]may meet with the parties, if he or she considers it necessary. This meeting is not a hearing as contemplated under Title 63, Chapter 46b, Utah Administrative Procedures Act.

(4) The person deciding the review shall issue a final agency order as promptly as possible. The order shall contain:

(a) a designation of the statute or rule permitting or requiring review;

(b) a statement of the issues reviewed;

(c) findings as fact as to each of the issues;

(d) conclusions of law as to each of the issues;

(e) the reasons for the disposition;

(f) whether the decision of the division or office initiating the decision is affirmed, reversed, modified, or remanded;

(g) the right to judicial review pursuant to Utah Code Ann. Section 63-46b-15 by filing a complaint in district court within 30 days.

R907-1-5. Reconsideration.

(1) Within 20 days after issuance of the final order, any party may request reconsideration, stating the specific grounds upon which relief is requested.

(2) The person filing the request shall mail a copy to each party.

(3) The executive director, or his designee, shall issue a written order either denying or granting the request. If no order is issued within 20 days, the request shall be considered denied. If the request is granted in any part and a new final order is issued, it shall include the same information listed in R907-1-4, or R907-1-6 if the matter concerned motor carriers.

R907-1-6. Administrative Procedures for Motor Carrier Actions.

(1) When a motor carrier appeals the imposition of a penalty under Title 72, Chapter 9, Motor Carrier Safety Act, he or she shall follow the procedures established in R907-1. This proceeding is an informal adjudicative proceeding under Title 63, Chapter 46b, Utah Administrative Procedures Act; therefore, discovery is prohibited, but the administrative hearing officer may issue subpoenas or other orders to compel production of necessary evidence. The Department shall provide the applicant, upon request, information in the agency's files, including records that are part of any investigation unless those records are otherwise made confidential or protected from disclosure.

(2) If the proceeding is converted to a formal adjudicative proceeding and an evidentiary hearing held, the Department's deputy director may act as the administrative hearing officer. He may also designate another in his stead. At the hearing, the motor carrier shall go first and is burdened to show why the Department's civil penalties should not be assessed. The division shall respond, with the motor carrier being given an opportunity to rebut the division's evidence. If the administrative hearing officer decides doing so will be beneficial to his understanding of the issues, he may allow closing statement or arguments and he may tape the proceedings. The rules of evidence do not apply.

(3) The person deciding the review shall issue a final agency order as promptly as possible. The order shall contain:

(a) a designation of the statute or rule permitting or requiring review;

(b) a statement of the issues reviewed;

(c) findings as fact as to each of the issues;

(d) conclusions of law as to each of the issues;

(e) the reasons for the disposition;

(f) whether the decision of the division or office initiating the decision is affirmed, reversed, modified, or remanded;

(g) the right to judicial review pursuant to Utah Code Ann. Section 63-46b-15 by filing a complaint in district court within 30 days.

R907-1-[~~6~~]7. Formal Process and Hearing: Initiation.

(1) If, notwithstanding R907-1-1, the department wishes to initiate an adjudicative proceeding as a formal proceeding, the[~~The~~] formal hearing process shall be conducted as follows:

[~~(1) If a timely request for hearing is filed as described in R907-1-5, the Director shall issue a Notice of Agency Action which commences a formal hearing process before the Director in the matter.~~

~~(2) Notice of Agency Action, notice of formal hearing. A Notice of Agency Action shall be in writing, signed by the Director, and shall include:~~

~~(a) The names and mailing addresses of all respondents and other persons to whom notice is being given by the Director, and the name, title, and mailing address of any attorney or employee who has been designated to appear for the agency;~~

~~(i) The file number or other reference number;~~

~~(ii) The name of the adjudicative proceeding;~~

~~(iii) The date that the Notice of Agency Action was mailed;~~

~~(iv) A statement that the adjudicative proceeding is to be conducted formally according to the provisions of these Rules and Sections 63-46b-6 to 63-46b-11;~~

~~(v) A statement that a written response must be filed within 30 days of the mailing date of the Notice of Agency Action;~~

~~(vi) A statement of the time and place of the hearing, a statement of the purpose for which the hearing is to be held, and a statement that a party who fails to attend or participate in the hearing may be held in default;~~

~~(vii) A statement of the legal authority and jurisdiction under which the adjudicative proceeding is to be maintained;~~
~~(viii) The name, title, mailing address, and telephone number of the Director; and~~
~~(ix) A statement of the purpose of the adjudicative proceeding and, to the extent known by the Director, the questions to be decided.~~
~~(b) The Director shall:~~
~~(i) Mail the Notice of Agency Action to each party; and~~
~~(ii) Publish the Notice of Agency Action if required by statute or rule.~~]

(2) A Notice of Agency Action shall include the following information:

(a) the names and mailing addresses of all respondents and any other persons to whom notice is being given;

(b) the department's file number or other reference number;

(c) a name or caption of the adjudicative proceeding, i.e., Utah Department of Transportation, Motor Carrier Safety Division v. XXXX Trucking Company;

(d) the date on which the Notice was placed in U.S. Mail, or personally served upon the respondents;

(e) a statement of the legal authority and jurisdiction under which the adjudicative proceeding is to be maintained;

(f) the name, title, mailing address, and telephone number of the office initiating the Notice of Agency Action and the appropriate hearing officer;

(g) a general statement of the purpose of the adjudicative proceeding and, to the extent known, the questions to be decided;

(h) if the department is proposing to assess a fine or penalty, the amount of the fine or penalty and a summary of the evidence supporting the proposed amount;

(i) A statement that the adjudicative proceeding is to be conducted formally according to the provisions of these Rules and Sections 63-46b-6 to 63-46b-11;

(j) A statement that a written response must be filed within 30 days of the mailing date of the Notice of Agency Action;

(k) A statement of the time and place of the hearing, a statement of the purpose for which the hearing is to be held, and a statement that a party who fails to attend or participate in the hearing may be held in default;

(3) Absent filing of a timely request, the department will issue an order that the respondent is in default. If the defaulting party is the sole respondent, the Notice of Agency Action will then become the department's final order. The initiating division, office, or appropriate hearing officer shall revise the Notice of Agency Action to effect this change, captioning the Notice as the Final Order, affixing the appropriate signature the new date. The department may not change the contents in any substantive manner. However, the final order shall include a provision that notifies the respondent of his right to judicial. The department shall then either mail or personally serve the respondent with a copy of the default order and the final order.

(4) If the defaulting party is not the sole respondent, the initiating division, office, or the appropriate hearing officer shall mail the Order of Default to all parties. The adjudicative proceeding may continue and the department may determine all issues in the proceeding, including those affecting the defaulting party.

(5) A defaulting party may seek agency review of an Order of Default by appealing to the appropriate hearing officer identified in R907-1-3(2). If the Order of Default was issued by that hearing officer, then the defaulting party must seek reconsideration of the Order of Default pursuant to R907-3-1. The sole issue is whether entering default was appropriate.

R907-1-[~~7~~]8. Formal Process and Hearing: Responses.

In all formal adjudicative proceedings, the respondent shall file and serve a written response signed by the respondent or a representative within 30 days of the mailing date of the Notice of Agency Action that shall include:

(1) UDOT's file number or other reference number;

(2) The name of the adjudicative proceeding;

(3) A statement of the relief that the respondent seeks;

(4) A statement of the facts; and

(5) A statement summarizing the reasons that the relief requested should be granted.

(6) The response shall be filed with UDOT and one copy shall be sent by mail to each party.

(7) All papers permitted or required to be filed under these rules shall be filed with UDOT and one copy shall be sent by mail to each party.

(8) In the discretion of the Director, any respondent may be heard without written pleadings or an order of default may be entered pursuant to the Rules below.

[~~R907-1-8. Formal Process and Hearing: Default.~~
~~The Director may enter an order of default as provided by statute.~~]

R907-1-9. Formal Process and Hearing: Intervention.

(1) Order Granting Leave to Intervene Required. Any person, not a party, desiring to intervene in a formal proceeding shall obtain an order from the presiding officer[~~Director~~] granting leave to intervene before being allowed to participate. Such order shall be requested by means of a signed, written petition to intervene which shall be filed with UDOT by the time a response is due as prescribed in R907-1-7 and a copy promptly mailed to each party. Any petition to intervene or materials filed after the date a response is due, may be considered by the presiding officer[~~Director~~] only upon separate motion of the intervenor made at or before the hearing for good cause shown.

(2) Content of Petition. Petitions for leave to intervene must identify the proceedings. The petition must contain a statement of facts demonstrating that the petitioner's legal rights or interest are substantially affected by the formal adjudicative proceeding, or that the petitioner qualifies as an intervenor under any provision of law. Additionally, the petition shall include a statement of the relief, including the basis thereof, that the petitioner seeks from the presiding officer[~~Director~~].

(3) Response to Petition. Any party to a proceeding in which intervention is sought may make an oral or written response to the petition for intervention. Such response shall state the basis for opposition to intervention and may suggest limitations to be placed upon the intervenor if intervention is granted. The response must be presented or filed at or before the hearing.

(4) Granting of Petition. The presiding officer[~~Director~~] shall grant a petition for intervention if he or she determines that:

(a) The petitioner's legal interests may be substantially affected by the formal adjudicative proceeding; and

(b) The interests of justice and the orderly and prompt conduct of the adjudicative proceedings will not be materially impaired by allowing the intervention.

(5) Order Requirements.

(a) Any order granting or denying a petition to intervene shall be in writing and sent by mail to the petitioner and each party.

(b) An order permitting intervention may impose conditions on the intervenor's participation in the adjudicative proceeding that are necessary for a just, orderly, and prompt conduct of the adjudicative proceeding.

(c) The presiding officer[~~Director~~] may impose conditions at any time after the intervention.

(d) If it appears during the course of the proceeding that an intervenor has no direct or substantial interest in the proceeding and that the public interest does not require the intervenor's participation therein, the [~~Director~~]presiding officer may dismiss the intervenors from the proceeding.

(e) In the interest of expediting a hearing, the presiding officer[~~Director~~] may limit the extent of participation of an intervenor. Where two or more intervenors have substantially like interests and positions, the presiding officer[~~Director~~] may at any time during the hearing limit the number of intervenors who will be permitted to testify, cross-examine witnesses or make and argue motions and objections.

R907-1-10. Formal Process and Hearing: Conduct of Hearings.

All hearings before the Director shall be governed by the following procedures:

(1) Public Hearings. All hearings before the Director shall be open to the public, unless otherwise ordered by the Director for good cause shown. All hearings shall be open to all parties

(2) Full Disclosure. The Director shall regulate the course of the hearing to obtain full disclosure of relevant facts and to afford all the parties a reasonable opportunity to present their positions.

(3) Rules of Evidence. The Director shall use as appropriate guides, the Utah Rules of Evidence insofar as the same may be applicable and not inconsistent with these rules. Notwithstanding this, on its own motion or upon objection of a party, the Director:

(a) May exclude evidence that is irrelevant, immaterial, or unduly repetitious.

(b) Shall exclude evidence privileged in the courts of Utah.

(c) May receive documentary evidence in the form of a copy or excerpt if the copy or excerpt contains all pertinent portions of the original document.

(d) May take official notice of any facts that could be judicially noticed under the Utah Rules of Evidence, of the record or other proceedings before the agency, and of technical or scientific facts within the agency's specialized knowledge.

(4) Hearsay. Notwithstanding subsection C. above, the Director may not exclude evidence solely because it is hearsay.

(5) Parties Rights. The Director shall afford to all parties the opportunity to present evidence, argue, respond, conduct cross-examination, and submit rebuttal evidence.

(6) Public Participation. The Director may give persons not a party to the adjudicative proceeding the opportunity to present oral or written statements at the hearing.

(7) Oath. All testimony presented at the hearing, if offered as evidence to be considered in reaching a decision on the merits, shall be given under oath.

(8) Failure to Appear. When a party to a proceeding fails to appear at a hearing after due notice has been given, the Director may enter an order of default in accordance with the Rules described hereinabove.

(9) Time Limits. The Director may set reasonable time limits for the participants of the hearing.

(10) Continuances of the Hearing. Any hearing may be continued to a time and date certain announced at the hearing, which shall not require any new notification. The continuance of the hearing may be made upon motion of a party indicating good cause why such a continuance is necessary and not due to the fault of the party requesting the continuance. The continuance of the hearing may also be made by the request of the Director when in the public interest.

(11) Oral Argument and Briefs. Upon the conclusion of the taking of evidence, the Director may, at his discretion, permit the parties to make oral arguments or submit additional briefs or memoranda upon a schedule to be designated by the Director.

(12) Record of Hearing. The Director shall cause an official record of the hearing to be made, at the agency's expense, as follows:

(a) The record may be made by means of a certified shorthand reporter employed by the Director or by a party desiring to employ a certified shorthand reporter at its own cost in the event that the Director chooses not to employ a reporter. If a party employs a certified shorthand reporter, the original transcript of the hearing shall be filed with the Director. Parties desiring a copy of the certified shorthand reporter's transcript may purchase it from the reporter.

(b) The record of the proceedings may also be made by means of a tape recorder or other recording device if the Director determines that it is unnecessary or impracticable to employ a certified shorthand reporter and the parties do not desire to employ a certified shorthand reporter. Any party, at its own expense, may have a person approved by the Director prepare a transcript of the hearing, subject to any restrictions that the Director is permitted by statute to impose to protect confidential information disclosed at the hearing. Whenever a transcript or tape recording of a hearing is made, it will be made available at the appropriate UDOT office for use[~~ of the parties~~], but may not be taken out of the office[~~withdrawn therefrom~~]. If the party agrees to pay the costs, the Department will make a copy to give to them.

(13) Preserving Integrity. This section does not preclude the Director from taking appropriate measures necessary to preserve the integrity of the hearing.

(14) Summons, Witness Fees and Discovery. The Director may allow appropriate witness fees as provided by statute or rule.

(a) Summons. The Director may issue a summons or subpoena on its own motion, or upon request of a party, shall issue summons or subpoenas for the attendance of witnesses and the production of any pertinent paper, book, record, document, or other appropriate discovery of evidence.

(b) Discovery. Upon the motion of a party and for good cause shown that it is to obtain relevant information necessary to support a claim or defense, the Director may authorize such manner of discovery against another party or person, including the UDOT staff, as may be prescribed by and in the manner provided by the Utah Rules of Civil Procedure.

(c) Construction. Nothing in this section restricts or precludes any investigative right or power given to the Transportation Commission or Director by law.

R907-1-11. Formal Process and Hearing: Decisions and Orders.

Decision. The Director shall sign and issue an order that includes:

(1) A statement of the Director's findings of fact, conclusions of law and decision, based exclusively on the evidence of the record in the adjudicative proceedings or on facts officially noted;

(2) A statement of the reasons for the Director's decision;

(3) A statement of any relief ordered;

(4) A notice of the right to apply for reconsideration;

(5) A notice of any right to administrative or judicial review of the order available to aggrieved parties; and

(6) The time limits applicable to any reconsideration or review.

(7) Preparation of Order. The Director may direct the prevailing party to prepare proposed findings of fact, conclusions of law and an order consistent with the requirements of this rule, which shall be completed within ten days of the direction, unless otherwise instructed by the Director. Copies of the proposed findings of fact, conclusions of law and order shall be served by the prevailing party upon all parties of record prior to being presented by the Director for signature. Notice of objection thereto shall be submitted to the Director and all parties of record within ten days of service.

(8) Entry of Order. The Director shall sign the order and cause the same to be entered and indexed in books kept for that purpose. The order shall be effective on the date of issuance, unless otherwise provided in the order. Upon the petition of a person subject to the order and for good cause shown, the Director may extend the time for compliance fixed in its order.

(9) Evaluation of Evidence. The Director may use his expertise, technical competence, and specialized knowledge to evaluate the evidence.

(10) Hearsay. No finding of fact that was contested may be based solely on hearsay evidence.

(11) Interim Orders. This section does not preclude the Director from issuing interim orders to:

(a) Notify the parties of further hearings;

(b) Notify the parties of provisional rulings on a portion of the issues presented; or

(c) Otherwise provide for the fair and efficient conduct of the adjudicative proceeding.

(12) Notice. The Director shall notify all parties to the proceeding of its decision. A copy of the order with accompanying findings of fact and conclusions of law shall be delivered or mailed to each party.

R907-1-12. Formal Process and Hearing: Reconsideration and Modification of Existing Orders.

(1) Time for Filing. Within 20 days after the date that a final order is issued in the formal adjudicative process, any party may file a written request for reconsideration, rehearing, stating the specific grounds upon which relief is requested.

(2) Not Prerequisite for Judicial Review. Unless otherwise provided by law, the filing of the request for reconsideration is not a prerequisite for seeking judicial review of the order.

(3) Mailing Requirement. The request for reconsideration shall be filed with the Director. One copy shall be sent by mail, within three days of said filing, to each party by the person making the request.

(4) Contents of Petition. A petition for reconsideration shall set forth specifically the particulars in which it is claimed the Director's order or decision is unlawful, unreasonable, or unfair. If the petition is based upon a claim that the Director failed to consider certain evidence, it shall include an abstract of that evidence. If the petition is based upon newly discovered evidence, then the petition shall be accompanied by an affidavit setting forth the nature and extent of such evidence, its relevancy to the issues involved, and a statement that the party could not, with reasonable diligence, have discovered the evidence prior to the hearing.

(5) Response to Petition. All other parties to the proceeding upon which a reconsideration is sought may file a response to the petition no later than ten days from the filing of the petition. A copy of such responses shall be mailed to the petitioner by the person so responding on the date the response is filed.

(6) Action on the Petition. The Director is authorized to act upon the petition for reconsideration. If the Director does not issue an order within 20 days after the filing of the request, the request for reconsideration shall be considered denied. The Director may, by written order, set a time for hearing on said petition or deny the petition.

(7) Modification of Existing Orders. A request for modification or amendment of an existing order of the Director shall be treated as a new Request for Agency Action for the purposes of these Rules. Such request for modification or amendment shall include as directly affected persons all parties to the previous adjudicative proceeding and their successors in interest.

R907-1-13. Declaratory Rulings.

(1) Petition for Declaratory Orders. Any person may petition the Director for a declaratory order on the applicability of any administrative rule, regulation or order as well as any provision of the Utah Code within the jurisdiction of UDOT, which relate to the operations or activities of that person. The petition shall include the questions and answers sought and reasons in support of or in opposition to the applicability of the statute, rule, regulation or order involved.

(2) Not Subject to Declaratory Rulings. The Director shall not issue a declaratory ruling if:

(a) The person requesting the declaratory ruling participated in an adjudicative proceeding concerning the same issue within 12 months of the date of the present request; or

(b) There would be substantial prejudice to the rights of a person who would be a necessary party unless that person consents in writing to the determination of the matter by a declaratory proceeding.

(3) Intervention. Persons may intervene in declaratory proceedings if they meet the requirements of R907-1-9 hereinabove.

(4) Forms of Rulings. After receipt of a petition for a declaratory order, the Director may issue a written order:

(a) Declaring the applicability of the statute, rule, regulation or order in question to the specified circumstances; or

(b) Decline to issue a declaratory order and state the reasons for its action.

(5) Contents of Order. A declaratory order shall contain:

(a) The names of all parties to the proceeding on which it is based;

(b) The particular facts on which it is based; and

(c) The reasons for its conclusion.

(6) Mailing of Order. A copy of all orders issued in response to a request for a declaratory proceeding shall be mailed promptly to the petitioner and any other parties.

(7) Binding Effect. A declaratory order has the same status and binding effect as any other order issued in an adjudicative proceeding.

(8) Time Limit. Unless the petitioner and the Director agree in writing to an extension, if the Director has not issued a declaratory order within 60 days after receipt of the request for a declaratory order, the petition is denied.

R907-1-14. Emergency Orders.

Emergency orders will be issued in accordance with the following guidelines: notwithstanding the other provisions of these Rules, the Director or any member of the Transportation Commission is authorized to issue an emergency order without notice and hearing in accordance with applicable law. The emergency order shall remain in effect no longer than until the next regular meeting of the Transportation Commission, or such shorter period of time as shall be prescribed by statute.

(1) Prerequisites for Emergency Order. The following must exist to allow an emergency order:

(a) The facts known to the Director or Commission member or presented to the Director or Commission member show that an immediate and significant danger to the public health, safety, or welfare exists; and

(b) The threat requires immediate action by the Director of Commission member.

(2) Limitations. In issuing its Emergency Order, the Director or Commission member shall:

(a) Limit its order to require only the action necessary to prevent or avoid the danger to the public health, safety, or welfare;

(b) Issue promptly a written order, effective immediately, that includes a brief statement of findings of fact, conclusions of law, and reasons for the Director or Commission member's utilization of emergency adjudicative proceedings;

(c) Give immediate notice to the persons who are required to comply with the order; and

(d) If the emergency order issued under this section will result in the continued infringement or impairment of any legal right or interest of any party, the Director shall commence a formal adjudicative proceeding before the Director in accordance with R907-1.

R907-1-15. Exhaustion of Administrative Remedies.

(1) Persons must exhaust their administrative remedies in accordance with Section 63-46b-14, prior to seeking judicial review.

[~~(2) Informal phases as described in these Rules are intended to apply to the uncontested stage of the adjudicative process. No final order is issued in the informal phase if there is a timely objection and request for hearing made. If such a timely objection and request for hearing is made, the matter is treated as a contested case which is processed as a formal proceeding before the Director. Such right to have the matter be contested and processed "formally" is an available and adequate administrative remedy and should be exercised prior to seeking judicial review.~~

~~(3)~~](2) In any [~~formal~~]adjudicative proceeding before the Director, there is an opportunity for affected parties to respond and participate. Only those aggrieved parties that so exhausted these available and adequate remedies before the Director may be allowed to seek judicial review of the final Director action.

R907-1-16. Deadline for Judicial Review.

A party shall file a petition for judicial review of final agency action within 30 days after the date that the order constituting the final agency action is issued. The petition shall name the agency and all other appropriate parties as respondents and shall meet the form requirements specified in Title 63, Chapter 46b.

R907-1-17. Judicial Review of Formal Adjudicative Proceedings.

Judicial review of formal adjudicative proceedings shall be conducted in conformance with Sections 63-46b-16 through 63-46b-18.

R907-1-18. Civil Enforcement.

(1) Agency Action. In addition to other remedies provided by law and other Rules of the Transportation Commission or UDOT, the Commission or UDOT may seek enforcement of an order by seeking civil enforcement in the district courts subject to the following:

(a) The action seeking civil enforcement must name, as defendants, each alleged violator against whom civil enforcement is sought.

(b) Venue for an action seeking civil enforcement shall be determined by the Utah Rules of Civil Procedure.

(c) The action may request, and the court may grant, any of the following:

(i) Declaratory relief;

(ii) temporary or permanent injunctive relief;

(iii) any other civil remedy provided by law; or

(iv) any combination of the foregoing.

(2) Individual Action. Any person whose interests are directly impaired or threatened by the failure of an agency to enforce its order may timely file a complaint seeking civil enforcement of that order. The complaint must name as defendants, the agency whose order is sought to be enforced, the agency that is vested with the power to enforce the order, and each alleged violator against whom the plaintiff seeks civil enforcement. The action may not be commenced:

(a) Until at least 30 days after the plaintiff has given notice of its intent to seek civil enforcement of the alleged violation to the Commission or UDOT, the attorney general, and to each alleged violator against whom the petitioner seeks civil enforcement;

(b) If the Commission or UDOT has filed and is diligently prosecuting a complaint seeking civil enforcement of the same order against the same or similarly situated defendant;

(c) If a petition for judicial review of the same order has been filed and is pending in court.

R907-1-19. Waivers.

Notwithstanding any other provision of these rules, any procedural matter, including any right to notice or hearing, may be waived by the affected person by a signed, written waiver in a form acceptable to UDOT. This waiver provision may not be construed to prohibit a finding of default as defined in these rules.

R907-1-20. Construction.

The Utah Administrative Procedures Act described in Title 63, Chapter 46b or any other federal, state statute, or federal regulation shall supersede any conflicting provision of these Rules. It is the Department's intent that, where possible, the provisions of these rules[~~These Rules should~~] be construed to be in compliance with [~~said Act~~]those superseding provisions.

KEY: administrative procedures, enforcement (administrative)
[~~February 2~~], 2002
Notice of Continuation January 30, 2002
63-46b-1 through 20
72-1-102

Transportation, Operations, Traffic and Safety

R920-50

Ropeway Operation Safety Rules

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 25127
FILED: 07/31/2002, 17:50

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To provide additional direction for dynamic testing requirements and to revise conveyor requirements.

SUMMARY OF THE RULE OR CHANGE: To modify the Dynamic Testing requirements in the ANSI B77.1-1999 standard and modify the conveyor requirements in Rule R920-50.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 72, Chapter 11

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This change does not require the expenditure of any state monies because it actually imposes less onerous requirements on the licensees. Consequently, the state's responsibility for oversight may be lessened. There may be a slight savings.

❖ LOCAL GOVERNMENTS: This change does not affect local government because they are not covered by the Act and do not provide those services.

❖ OTHER PERSONS: This change should not result in a cost increase because it actually imposes less onerous requirements on the licensees. Consequently, the licensees will not be increasing their obligations over and above what they are currently doing and, may, in fact, save some money.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This change should not result in increased compliance costs to licensees. It actually imposes less restrictive mandates than are currently in the rule. The businesses affected may obtain some slight savings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This change should not result in increased compliance costs to licensees. It actually imposes less restrictive mandates than are currently in the rule. The businesses affected may obtain some slight savings.

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

TRANSPORTATION
OPERATIONS, TRAFFIC AND SAFETY
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5998, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

James Beadles at the above address, by phone at 801-965-4168, by FAX at 801-965-4796, or by Internet E-mail at jbeadles@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 10/01/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 10/02/2002

AUTHORIZED BY: John R. Njord, Executive Director

R920. Transportation, Operations, Traffic and Safety.
R920-50. Ropeway Operation Safety Rules.
R920-50-1. Utah Ropeway Rules for Passenger Ropeways.

A. Introduction

These rules are issued pursuant to Utah Code Annotated, Section 72-11-210 to implement the Passenger Ropeway Safety Act, Utah Code Ann., Sections 72-11-201 et seq.

B. Governing Standard

1. The governing standard in Utah is the standard entitled "ANSI B-77.1, 1999", published by the American National Standards Institute, 1430 Broadway, New York, New York 10018, and approved by ANSI on March 11, 1999, and as modified by rule of the Committee. Use of this standard is authorized by Section 72-11-201.

2. The Utah Passenger Ropeway Safety Committee reserves the right to modify, add, or delete provisions included in the Governing Standard.

C. Classification of Ropeways and Applicable Standards

1. Section 1.2.4.1 of the Governing Standard is modified by the following requirements:

a. Existing installations need not comply with the new or revised requirements of the Governing Standard and these rules, except as set forth in R920-50-1.D.1.b;

b. Existing ropeways, when removed and reinstalled, shall be classified as new installations (see R920-50-1-C.2);

c. Ropeway modifications shall meet the requirements of R920-50-2.F and R920-50-8.

2. Section 1.2.4.2 of the Governing Standard is modified by the following requirement: New installations and those with design review completed by the Committee after the effective date of the Governing Standard, shall comply with the new or revised requirements of the Governing Standard and with these rules.

D. Inspections of Ropeways

1. The annual general inspection requirements stated in ANSI B77.1, 2.3.4.1, 3.3.4.1, 4.3.4.1, 5.3.4.1 and 6.3.4.1, are replaced by the following requirements:

a. An annual general or pre-operational inspection of each passenger ropeway shall be made by a Ropeway Inspector prior to approval of any application for licensure. An operational inspection of each passenger ropeway may be made by a Ropeway Inspector at least once a year during the high-use season. For each passenger ropeway inspected, items found either deficient or in noncompliance shall be noted. A report signed by the Ropeway Inspector listing items found either deficient or in noncompliance shall be filed with the owner. The owner shall correct all deficiencies and noncompliance items listed in the Ropeway Inspector's report or request an exception from the Governing Standard and applicable Utah Ropeway Operations Safety Rules. In addition to the annual general, pre-operational, and operational inspections, the Committee may order other inspections in accordance with Section 72-11-211;

b. All installations shall comply with the new or revised requirements of the Governing Standard and these rules in the following areas, on or before the effective date of each paragraph, as set forth below:

1. Requirements for auxiliary drives, as set forth in ANSI B77.1, 2.1.2.1.1, 3.1.2.1.1, 4.1.2.1.1. These requirements shall be effective November 1, 1994;

2. Requirement for one device that senses the position of the rope shall be installed on each sheave unit, as set forth in ANSI B77.1, 3.1.3.3.2, paragraph 6. This requirement shall be effective November 1, 1994;

3. Requirements for audible warning devices, as specified by ANSI B77.1, 2.1.1.12, 3.1.1.12. These requirements shall be effective November 1, 2001;

4. Section 4.1.1.12 of the Governing Standard is modified by the following requirement: The aerial lift shall incorporate an audible warning device that signals an impending start of the ropeway. After the start button is pressed, the device shall sound an audible alarm for a minimum of two seconds before the ropeway begins to move. The audible device shall be heard inside and outside all terminals and machine rooms above the ambient noise level. These requirements shall be effective November 1, 2001;

5. "Qualified personnel" as used in X.1.1.11 means a qualified engineer approved by the Committee. A "aerial tramway specialist" as used in 2.3.4, "aerial lift specialist" as used in 3.3.4 and 4.3.4, "surface lift specialist" as used in 5.3.4, and a "tow specialist" as used in 6.3.4 means a ropeway inspector approved by the Committee.

c. Grips, clips, hangars, chairs, carriages and cabins shall be tested according to ANSI B77.1, X.3.4.3, except as modified in this subsection c.

1. Testing personnel shall be qualified in accordance with ASNT Recommended Practice No. SNT-TC-1A-1992. Testing agency shall provide certification of qualification of personnel performing testing.

2. Testing agency inspector shall certify to the owner or area operator that the passenger ropeway components tested were non-destructively tested in accordance with current acceptance criteria established by the designer or manufacturer, or in case the designer or manufacturer is no longer in business, by a Qualified Engineer;

3. Sampling size and method of obtaining the sample shall comply with X.3.4.3 of the Governing Standard;

4. Rejection rate and retest procedures shall comply with current acceptance criteria established by the designer or manufacturer, or in case the designer or manufacturer is no longer in business, by a Qualified Engineer;

5. Types of inspections to be performed and the procedures to be used shall comply with current acceptance criteria established by the designer or manufacturer, or in case the designer or manufacturer is no longer in business, by a Qualified Engineer;

6. Criteria for acceptance/rejection of samples shall comply with current acceptance criteria established by the designer or manufacturer, or in case the designer or manufacturer is no longer in business, by a Qualified Engineer.

d. Wire rope inspection shall be performed according to Section 7.4.1 of the Governing Standard and shall be performed by a competent inspector defined by the Governing Standard and who is approved by the Committee. The wire rope inspector shall certify to the owner or area operator whether the wire rope in its present condition meets requirements for continued operation.

e. All installations shall comply with the Operation and Maintenance requirements of the Governing Standard. These requirements are stated in ANSI B77.1, 2.3, 3.3, 4.3, 5.3, 6.3, and 7.4.

E. Fire Detection

All machine rooms that are in an enclosed structure located adjacent to the rope of the ropeway (vaulted) shall have a fire detection system installed in accordance with the National Fire Alarm Code. This system shall initiate a visual and audible alarm monitored at the drive terminal operator station.

F. Conveyors Standards

1. Section 8 of the ANSI B77.1-1999 is modified by the following requirement:

a. Modifying the maximum conveyor speed requirements stated in 8.1.1.5, that maximum speed is 160 feet/minute.

b. Loading and unloading areas requirements of 8.1.1.9 shall also accommodate the use of adaptive devices.

c. "Qualified personnel" as used in 8.1.1.11 means a qualified engineer approved by the Committee. A "conveyor specialist" as used in 8.3.4 means a ropeway inspector approved by the Committee.

d. Power units referred to in 8.1.2.1 may not have reverse capability.

e. "Power supply cords" referred to in 8.2.1.5.5 shall be protected from snow grooming, skiers, and other equipment and shall be ground fault protected.

f. The belt transition entry stop device referred to in 8.1.2.11.2 shall include redundant (double) sensors. Each sensor shall be part of an independent control circuit that can initiate an emergency shutdown of the conveyor. The device shall be so designed and maintained that no single point of failure can cause the entry stop device to malfunction. The device shall not be remotely resettable and shall require the operator to reset the device prior to restarting the conveyor. [~~When an automatic stop occurs, an audible alarm shall sound for a minimum of 10 seconds or until manually reset. The alarm shall be audible to the operator at the loading and unloading areas.~~]

g. A single operator, as referred to in 8.3.2.2 may not operate more than one conveyor.

h. No bypass of circuits, as referred to in 8.3.2.5.9 is allowed.

G. Dynamic Testing

1. Section X.3.3.1 is replaced with:

Foundations and structural, mechanical and electrical components shall be inspected regularly and kept in a state of good repair. The maintenance requirements of the designer or a Qualified Engineer (see X.1.6.2) shall be followed. Maintenance and testing logs shall be kept (see X.3.5.3).

2. Section X.3.3.1.2 is replaced with:

A written schedule for systematic dynamic testing shall be developed and followed. The schedule shall establish specific frequencies and conditions for periodic testing. The owner shall provide Experienced personnel to develop and conduct the dynamic test. The testing shall simulate or duplicate inertial loadings. The test load shall be equivalent to the design live load. Dynamic testing shall be performed at intervals not exceeding 7 years. The testing requirements shall include, but not be limited to the following:

a) braking systems;
b) auxiliary power units;
c) tension systems; and
d) electrical systems.

R920-50-2. Definition of Terms.

A. "Aerial lift" means a ropeway on which passengers are transported in cabins or on chairs and that circulate in one direction between terminals without reversing the travel path.

B. "Aerial tramway (reversible)" means a ropeway on which the passengers are transported in cable-supported carriers are not in contact with the ground or snow surface, and in which the carrier(s) reciprocate between terminals.

C. "Annual general inspection" means an inspection of a passenger ropeway made by a Ropeway Inspector to verify preservation of original design integrity and to determine that components and systems of the passenger ropeway are in proper working order and in accordance with Committee rules.

D. "Committee" means the Passenger Ropeway Safety Committee as outlined in Section 72-11-202.

E. "Conveyor" means a device used to transport skiers uphill while standing on a flexible moving element which consists of multiple tread plates or belting.

F. "Detachable grip lift" means a ropeway system on which carriers circulate around the system alternately attaching to and detaching from a moving haul rope(s). The ropeway system may be monocable or bicable.

G. "Experienced personnel" means an individual who has acquired knowledge and skills through study, training, or experience in ropeway maintenance, operation, or testing.

[~~G~~]H. "Funicular" means a ropeway in which carrier(s) are supported and guided by a guideway and are propelled by means of a haul rope system and operates as a single reversible or as a double reversible.

[~~H~~]I. "Incident inspection" means an inspection of a passenger ropeway incident made by an approved Ropeway Inspector or a qualified engineer at the request of the Committee.

[~~I~~]J. "Modification" means any change as defined in the Governing Standard, ANSI B77.1 Standard 1.2.4.3 and the replacement of a ropeway component by one that alters the certified design or construction provided by the passenger ropeway manufacturer or designer.

[~~J~~]K. "Operational inspection" means an inspection of a passenger ropeway made by a Ropeway Inspector to determine compliance with the operation and maintenance requirements of the Governing Standard and with Committee rules.

[~~K~~]L. "Operating personnel" means persons employed by the operator for the purpose of supervising the operation, or engaged in servicing, checking, inspecting or maintaining the machinery or structures of a ropeway and when specifically on duty for such purpose on that ropeway.

[~~L~~]M. "Operator" means a person, including any political subdivision or instrumentality of the political subdivision, who owns, manages, or directs the operation of a passenger ropeway.

[~~M~~]N. "Passenger" means any person riding a ropeway, other than "operating personnel".

[~~N~~]O. "Passenger ropeway" means all devices that carry, pull, or push passengers along a level or inclined path (excluding elevators) by means of a haul rope or other flexible element that is driven by a power unit remaining essentially at a single location. Passenger ropeways include the following:

(1) aerial tramway (reversible);

(2) aerial lifts (detachable lifts, chair lifts and similar equipment);

(3) conveyor;

(4) funicular;

(5) rope tow (wire rope and fiber rope tows);and

(6) surface lifts (J-bar, T-bar, or platter pull and similar equipment).

[~~O~~]P. "Passenger Ropeway Incident" means:

1. Any structural, mechanical, or electrical malfunction or failure of a passenger ropeway component that results in bodily injury to any person on, or inside the load or unload zone of, a passenger ropeway;

2. Any deropement regardless of whether or not the passenger ropeway is evacuated;

3. Any evacuation of the passenger ropeway other than by prime mover or auxiliary power unit, regardless of cause;

4. Any fire involving a passenger ropeway component or adjacent structure;

5. Any structural, mechanical, or electrical malfunction or failure of a passenger ropeway component that results in a loss of control of the passenger ropeway as defined in the Governing Standard, ANSI B77.1 Standard X.2.1.7.2;

6. Any wire rope damage which exceeds the requirement in the Governing Standard, ANSI B77.1 Standard 7.4.1.1; or

7. Any structural, mechanical, or electrical malfunction or failure of a passenger ropeway component or its primary connection that has the apparent potential for causing bodily injury to any person, including but not limited to, the following;

a. Terminal Structure

b. Bullwheel

c. Brake System

d. Tower Structure

e. Sheave, Axle, or Sheave Assembly

f. Carrier

g. Grip.

[~~P~~]Q. "Pre-operational inspection" means an inspection made by a Ropeway Inspector prior to the operation of any new or modified passenger ropeway requiring an Acceptance Inspection and Test.

[~~Q~~]R. "Qualified engineer" means, notwithstanding any different definition in the ANSI B77.1 Standard, any engineer who is licensed to practice engineering in the state of Utah and who has been approved by the Committee.

[~~R~~]S. "Responsible charge" means effective control and direction of projects of the type discussed in these rules.

[~~S~~]T. "Rope tow" means a ropeway wherein passengers grasp a circulating fiber hauling rope or a towing device attached to a circulating wire rope or fiber rope and are propelled uphill. Passenger riding on recreational devices are also propelled uphill.

[~~T~~]U. "Ropeway inspector" means an engineer licensed to practice engineering in the state of Utah, independent of the ropeway owner, and approved by the Committee to inspect passenger ropeways.

[~~U~~]V. "Surface lift" ("J bar," "T bar," or "platter pull," and similar equipment) means a ropeway wherein passengers or passengers on recreational devices are transported on the surface by means of towing devices propelled by a main overhead traveling wire rope supported by trestles or towers with one or more spans.

R920-50-3. Registration of Ropeways.

A. General

1. Purpose - In order to ensure that all passenger Ropeways conform with the requirements set forth by the Passenger Ropeway Act and these rules, all passenger Ropeways operating in the state of Utah shall be registered annually with the committee, and no passenger Ropeway shall be operated for passengers without a valid certificate of registration;

2. Term - Passenger Ropeways shall be registered annually starting November 1st of each year, and each registration expires on October 31st next following date of issue;

3. New ropeways - Any passenger ropeway which shall be opened for the first time for passenger operation shall, during its first

calendar year of operation, be construed to be a new ropeway for purposes stated in these rules;

4. Existing ropeways - Any passenger ropeway which shall have been operated for passengers in excess of one calendar year, shall be construed to be an existing ropeway for purposes stated in these rules;

5. Relocated ropeways - Any passenger ropeway moved to a new location shall be construed to be a new ropeway for purposes stipulated in these rules, with the exception that ropeways expressly designed to be portable, operated without a permanent foundation, and that have a design range of maximum grade, shall not be considered new ropeways when moved to different locations but remaining under the jurisdiction of the same operator;

6. Identification number - For each ropeway, upon receipt of the first application for a certificate of registration, the committee shall assign an identification number to the ropeway, which shall remain as a permanent identification number for the life of the ropeway; all correspondence with the committee pertaining to any ropeway shall refer to the identification number assigned to that ropeway;

7. All ropeway operators shall be covered by a liability insurance of a minimum of $300,000;

8. Submittal of application for registration of ropeways - All applications for registration of new or existing ropeways shall be submitted in accordance with requirements of these rules and shall be made in writing and addressed to:

Utah Department of Transportation
Passenger Ropeway Safety Committee
Division of Safety
4501 South 2700 West
Salt Lake City, Utah 84119-5998;

9. "As Built" drawings for each passenger ropeway shall be submitted no later than 60 days after the project is completed and the Acceptance Test and Inspection is finished.

B. Attachments

In addition to supporting documents indicated in R920-50-4 or R920-50-7, each application is to include as attachments:

1. Certificate of insurance
2. Annual registration fee.

R920-50-4. Registration of New Ropeways.

A. Application for Certification of Registration

Prior to the operation of any new passenger ropeway, the operator shall apply to the Committee for a Certificate of Registration in such form as the Committee shall designate.

B. The Application must include the name, address and telephone number of operator of the ropeway, and operator's designation of the ropeway. The application and certifications must be in accordance with R920-50-3.A and submitted as follows:

1. A Pre-Operational Inspection Report must be submitted by an approved Ropeway Inspector, and must include the name and address of the Inspector and date of his or her inspection.

2. Any Request for Exception from Standards for Passenger Ropeway shall be submitted in accordance with R920-50-10. Any known items that require a Request for Exception from Standards for Passenger Ropeways must be submitted to the Committee before work begins.

3. A Certification of Ropeway Design for New or Modified Passenger Ropeways, must be submitted. The Qualified Engineer in responsible charge of the design shall certify to the Committee on the top drawing of the design drawing packet that the design, plans and specifications conform to the Utah Passenger Ropeway Safety Act, the Governing Standard and the Utah Ropeway Operations Safety Rules. This Certification must be submitted prior to the performance of the Acceptance Inspection and Test and must state the following:

"I hereby certify that the design for this ropeway or ropeway modification is in complete compliance with the Utah Passenger Ropeway Safety Act, Governing Standard and the Utah Ropeway Operations Safety Rules and that I accept responsibility for the engineering designs, calculations, drawings and specifications for this ropeway or ropeway modification." This statement shall be placed on the top drawing of the drawing packet and signed and sealed by the Qualified Engineer. Each additional sheet of this drawing packet shall be sealed by the Qualified Engineer. Any variation from the design drawings shall be noted in the drawings and approved by the Qualified Design Engineer.

4. A Certification of Compliance for Passenger Ropeway shall be made on the Application for Certificate of Registration for New or Modified Ropeway. This Certification shall include the following statement, signed and dated by the ropeway owner or area operator: "I certify that the reports, requests and certificates attached hereto were provided and signed by the persons required by law to provide them, and the deficiencies noted in the inspection report have been corrected with the exception of those listed in the Request for Exception from Standards for Passenger Ropeway."

5. The Annual Registration Fee must be submitted in accordance with R920-50-11-A.

6. A Certification of Fabrication and Materials for Passenger Ropeway must be submitted by a Qualified Engineer of the manufacturing concern or concerns directly responsible for the supply of equipment for this ropeway. This Certification must be submitted prior to the performance of the Acceptance Inspection and Test. This Certification must include the following information:

a. Name, address and telephone number of operator of the ropeway, name of ropeway supervisor, operator's designation of the ropeway.

b. Name and address of manufacturing concern, and name, seal and Utah license number of the qualified engineer making certification.

c. A certifying statement signed by the Qualified Engineer, to read as follows: "I hereby certify that all components, all fabrication procedures and all material used in the production of the equipment for this ropeway, or ropeway modification, conform with the Utah Passenger Ropeway Safety Act, Governing Standard, the Utah Ropeway Operations Safety Rules and the drawings and specifications issued for this ropeway or ropeway modification by the Qualified Design Engineer."

7. A Certification of Construction for Passenger Ropeways must be submitted by a Qualified Engineer directly responsible for the construction for the ropeway. This Certification must be submitted prior to the performance of the Acceptance Inspection and Test. This Certification shall include the following information:

a. Name, address and telephone number of operator of the ropeway name of ropeway supervisor, operator's designation of the ropeway identification number, as assigned by the committee for the ropeway;

b. Name, Utah license number and seal of the Qualified Engineer making the certification.

c. A certifying statement signed by the Qualified Engineer, to read as follows: "I hereby certify that all footings and other concrete structures, field assembly, excavations, placement of reinforcing

steel and anchoring components, quality of concrete and placement of concrete were carried out in accordance with plans and specifications, so that the design bearing value will be attained, as specified by the drawings and specifications issued for this ropeway or ropeway modification by the Qualified Design Engineer."

8. A final Acceptance Test report must be submitted to the Committee. A copy of the acceptance test procedure proposed and submitted by the designer or manufacturer must be provided to the Committee for review at least fourteen (14) days before acceptance testing begins. Acceptance inspection and tests will be scheduled by the Committee or Committee's representative as the acceptance test procedures are received. The owner or area operator shall notify the Committee in writing before the scheduled date that the passenger ropeway has been operated in accordance with the Governing Standard, section X.1.1.11.2.

9. A Certification of "As-Built" Profile for Passenger Ropeway must be submitted by a Land Surveyor or Civil Engineer licensed in the state of Utah. This Certification must be submitted prior to the performance of the Acceptance Inspection and Test, and shall be signed by the Civil Engineer or Land Surveyor, and shall read as follows: "I hereby certify that the attached "as-built" profile of the herein-identified ropeway is as represented on the attached profile drawing and that the completed ropeway conforms to the profile as identified in the plans and specifications prepared by the Qualified Design Engineer."

10. A Utah Passenger Ropeway Safety Committee Lift Data Form must be submitted along with other requested supporting documents. This form must be submitted prior to the performance of the Acceptance Inspection and Test.

R920-50-5. Annual Registration Fee.

This fee shall be submitted in accordance with stipulations of R920-50-11(A).

R920-50-6. Certificate of Registration.

If the application for certificate of registration and supporting documentation attest that the ropeway complies with the Governing Standard and these rules, the Committee, if satisfied with the facts stated in the application, shall issue a certificate of registration to the operator.

R920-50-7. Registration of Existing Ropeways.

A. Before November 1st, of each year, every operator of an Existing Passenger Ropeway who intends to operate the ropeway during the ensuing 12-month period shall apply to the Committee, in such form as the Committee shall designate, for a Certificate of Registration. In the event a new operator is assigned, the operator shall notify the Committee of such action and shall apply for a Certificate of Registration.

B. The Application shall include the following;

1. An Annual General Inspection Report by an approved Ropeway Inspector, including the name and address of the Inspector and date of inspection.

2. Approved Request for Exception from Standards for Passenger Ropeways which meets the requirements of R920-50-10, if applicable.

3. A Certification of Compliance for Passenger Ropeway shall be made on the Application for Certificate of Registration for Existing Ropeway. This Certification shall include the following statement, dated and signed by the ropeway owner or area operator:"I certify that the reports, requests and certificates attached hereto were provided and signed by the persons required by law to provide them, and the deficiencies noted in the inspection report have been corrected with the exception of those listed in the Request for Exception from Standards for Passenger Ropeway."

4. The Annual Registration Fee in accordance with R920-50-11.A.

R920-50-8. Modifications.

If a modification, as defined in R920-50-2(E) has been made to an existing ropeway, the data as required by R920-50-7 shall also be accompanied by a design certification, fabrication and materials certification, and a construction certification, and also a survey profile certification if applicable, submitted by a qualified engineer to cover the modification. Depending on the nature and extent of the modification, the Committee, or the Committee's appointed representative, may require an Acceptance Inspection and Test.

R920-50-9. Certificate of Registration.

If the application for certificate of registration and documentation required by R920-50-7 and R920-50-8, if applicable, attest that the existing ropeway complies with the governing standard and these rules, the committee, if satisfied with facts stated in the application, shall issue a certificate of registration to the owner.

R920-50-10. Exception.

A. In the event that the ropeway does not conform with the requirements set forth in R920-50-1-C, the Committee may issue a certificate of registration with an exception. Two types of exceptions may be granted after a Request for Exception from Standards is submitted. The first type is an Annual Exception. It continues indefinitely, but this type of exception must be reviewed annually by the Committee. This type of exception is subject to cancellation at any time pursuant to a determination by the committee that a change is necessary. The second type of exception is a Limited Exception. This type of exception is granted only for a fixed time period to be determined by the Committee. The nature of the exception shall be stated in the Request for Exception from Standards. The Committee shall, as expeditiously as possible, and within thirty (30) days of receipt of a Request for Exception from Standards, notify the owner or area operator in writing of its action on the Request.

B. The Request for Exception from Standards shall include the following information:

1. Reasons for requesting an exception from requirements set forth in R920-50-1-C.

2. Specification of the ways in which the ropeway does not conform to requirements set forth in R920-50-1-C.

3. Procedures, with estimated time and cost, which would be required to bring the ropeway into conformance with the requirements set forth in R920-50-1-C.

C. Except as required in R920-50-10-F, the Committee shall issue a certification of registration with an exception if the operator satisfies the requirements stated in R920-50-10-B and also supplies the following for new or existing ropeways:

New Ropeways - A design certification by a qualified engineer attesting that the ropeway is so designed and equipped that its devices or methods provide features that are comparable in performance and safety to those that meet requirements set forth in R920-50-1-C;

Existing Ropeways - A design certification by a qualified engineer attesting that the ropeway is so designed and equipped that

its devices or methods provide features that are comparable in performance and safety to those that meet requirements set forth in R920-50-1-C and a statement of the operator certifying that the ropeway has been operated safely and without any passenger ropeway incident, as defined in R920-50-2-J-1 or -7, related to the feature for which the exception is requested, for any period of time the ropeway has been operated up to 2 years prior to the date of the Request for Exception from Standards.

D. In exceptional circumstances, the Committee may issue a certificate of registration with an exception even if the operator does not satisfy the requirements defined in R920-50-10-C if the Committee determines that the ropeway is so designed and equipped that its devices or methods provide features that are comparable in performance and safety to those that meet requirements set forth in R920-50-1-C.

E. The issuance of a certificate of registration with an annual exception shall not bind the committee to issue such a certificate for the ropeway involved in subsequent years, nor to issue such a certificate for another ropeway of same or similar design.

F. In special cases where doubt exists as to the safety of a ropeway, the committee may require a special inspection to ascertain that the ropeway is so designed and equipped that its devices or methods provide features that are comparable in performance and safety to those that meet requirements set forth in R920-50-1-C.

R920-50-11. Fees.

A. In accordance with the requirements of Section 72-11-208 and these rules, each Application for a Certificate of Registration shall be accompanied by the applicable fee fixed by the Committee and approved by the Legislature:

1. Aerial Tramway (Reversible) (101 HP or over) - $440.00 each
2. Aerial Tramway (Reversible) (100 HP or under) - $220.00 each
3. Aerial lift (Double) - $140.00 each
4. Aerial lift (Triple) - $165.00 each
5. Aerial lift (Quad) - $195.00 each
6. Aerial lift (Detachable) - $440.00 each
7. Conveyor, Rope Tow) - $55.00 each
8. Funicular (Single or Double Reversible) - $440.00 each
9. Surface lift (J-bar, T-bar, or platter pull) -$55.00 each

R920-50-12. Violations.

The terms in this rule are outlined in Sections 72-11-212 and 72-11-213.

R920-50-13. Operation of Ropeways.

A. Operation and maintenance

Operators shall comply with the Governing Standard.

B. Reporting of Incidents

1. Every passenger ropeway incident, as defined in R920-50-2J shall be verbally reported to the Committee, or the Committee's appointed representative, as soon as reasonably possible, but no later than twenty-four (24) hours after the time of the incident. A written report shall be delivered to the Committee within five (5) days of the incident.

2. Every passenger ropeway incident shall be reported to the Committee regardless of the time of year in which it occurs and regardless of whether or not the ropeway was open to the public at the time of the incident.

3. The reports required by this section are to be maintained for administrative enforcement, licensing and certification purposes only. The reports are "protected" records under the Government Records Management Act, Utah Code Annotated, Section 63-2-304 and are also governed by the provisions of Utah Code Annotated, Section 63-2-207.

4. When a passenger ropeway incident, as defined in R920-50-2J(1) or (7), occurs, the owner or area operator of the ropeway shall suspend operation of the ropeway and shall notify the Committee through the Committee's appointed representative. The owner or area operator of the ropeway, with the Committee or the Committee's appointed representative, shall perform a joint incident inspection of the ropeway. The inspection shall precede any authorization to resume public operation of the passenger ropeway.

C. Revocation of certificate of registration - Section 72-11-213.

R920-50-14. Ropeway Inspector and Qualified Engineer.

A. General

1. In order to promulgate the uniformity and reliability of the inspections required by law and these rules, and of ropeway designs, any person performing inspection services must be a "ropeway inspector" as required by these rules, and any person performing design services must be a "qualified engineer", as required by these rules.

2. The committee shall maintain up-to-date lists of qualified engineers and ropeway inspectors, which lists shall be open to inspection by the public.

3. Any person desiring to be approved by the committee as a ropeway inspector or qualified engineer shall submit a written request to the committee enumerating his or her professional experience and attesting as far as possible to meeting the requirements stated in R920-50-14(B).

B. Requirements

1. Applicant shall satisfy the Ropeway committee that by his or her education, training and experience gained by participation in Ropeway inspections or designs as a principal or an assistant to a recognized Ropeway inspector or Ropeway designer, he or she is qualified to be, respectively, an approved inspector or Ropeway designer or both.

2. Applicant shall satisfy the committee that he has a working familiarity and understanding of drawings and design data such as are furnished to design, construct, test, and inspect passenger ropeways, and that he or she has an understanding and working knowledge of the governing standard and these rules.

3. The committee may approve qualifications based on experience gained by an applicant through work under direct supervision of a qualified ropeway inspector or qualified ropeway designer.

4. The committee may approve employees of the state or individuals retained by the state as qualified ropeway inspectors. Such engineers may be given certain assignments where time is of the essence or a private engineer is not available or willing to undertake the inspection or investigation. It shall be the policy of the committee to use the services and talents of qualified private engineers wherever possible.

C. Revocation or suspension of approval as ropeway inspector or qualified engineer.

The committee may revoke or suspend the approval of any qualified engineer or ropeway inspector who is found by the committee to have:

1. Practiced any fraud, misrepresentation, or deceit in applying for approval; or,

2. Caused damage to another by gross negligence in the practice of passenger ropeway designing, construction, or inspection; or

3. Been engaged in acts of unlawful or unprofessional conduct.

R920-50-15. Inspection Requirements.

1. The ropeway inspector shall verify that the intent of the design and operational requirements imposed by the Governing Standard and these rules are met.

2. Ropeway inspectors may inspect ropeways at any time during the operation of the ropeway (spot check). All reports, logs, etc. shall be made available to them upon request.

R920-50-16. Administrative Procedures.

A. Informal proceedings

1. All adjudicative proceedings described in the Passenger Ropeway Act and these rules R920-50-1 through R920-50-17, shall be characterized as informal adjudicative proceedings. This includes the following:

a. applications for certification and/or registration of new or existing ropeway;

b. modifications under R920-50-8;

c. exceptions under R920-50-10;

d. revocations under R920-50-13;

e. any other adjudicative proceedings that are within the scope of the Utah Administrative Procedures Act.

2. All adjudicative proceedings shall be commenced initially before the secretary to the committee except for variances and revocations which shall commence initially before the committee.

3. Adjudicative proceedings declared by these rules herein above to commence "informally" shall be processed according to R920-50-17. All other requirements of R920-50-1 through R920-50-16, shall apply when they supplement these rules governing the informal adjudicative process and when not in conflict with R920-50-17. In case of conflict between these and any other provision of the Ropeway rules, these administrative procedure rules shall control and govern the informal adjudicative process.

B. Definitions

1. The terms used in this rule are defined in Section 63-46b-2.

2. In addition, "committee" means the passenger ropeway safety committee and is the presiding officer for all appeals of adjudicative proceedings which commended before the secretary to the committee as well as all adjudicative proceedings which commence before the committee.

3. "Secretary to the committee" means the duly appointed secretary to the committee and is the presiding officer for all informal adjudicative proceedings which commence before the secretary to the committee in accordance with R920-50-17.

C. Commencement of adjudicative proceedings

1. The terms used in this rule are defined in Section 63-46b-2.

2. In addition, the person requesting the action shall use the forms of the Committee. The secretary to the committee is hereby authorized to codify said forms in conformance with this section. Said forms shall be deemed a request for agency action. The person requesting agency action shall file the request with the secretary to the committee and shall, unless waived, send a copy by mail to each affected passenger Ropeway operator.

3. A statement that the parties' may request an informal hearing before the secretary to the committee, except for variances and revocations which shall be before the committee, within 10 days of the date of mailing or publication and that failure to make such a request may preclude that party from any further participation, appeal or judicial review in regard to the subject adjudicative proceeding;

4. Give the name, title, mailing address, and telephone number of the Secretary to the Committee; and

5. If the purpose of the adjudicative proceeding is to award a license or other privilege as to which there are multiple competing applicants, the Chairman of the Committee or Secretary to the Committee, whichever is the Presiding Officer of the proceeding, may, by rule or order, conduct a single adjudicative proceeding to determine the award of that license or privilege.

D. Conversion of informal to formal phase

1. Any time before a final order is issued in any adjudicative proceeding, the Presiding Officer may convert an informal adjudicative proceeding to a formal adjudicative proceeding if:

a. Conversion of the proceeding is in the public interest; and

b. Conversion of the proceeding does not unfairly prejudice the rights of any party.

E. Procedures for informal phase

1. A Request for Agency Action or Notice of Agency Action shall be the method of commencement of an adjudicative process as previously discussed in these rules.

2. The mailing requirements of these Rules shall be met.

3. The Notice of Agency Action shall be published in a newspaper of general circulation likely to give notice to interested persons when required by statute or by these Ropeway Rules.

4. All notices required herein shall indicate the date of publication or mailing. These notices shall specify that any affected person may file with the Secretary to the Committee within ten days of said date, a written objection and request for informal hearing before the Secretary to the Committee. Failure to make such a request within the time specified may preclude that person from further participation, appeal or judicial review in regard to the subject adjudicative proceeding. Said ten day period shall be waived if the Secretary to the Committee receives a waiver signed by those entitled to notice under these rules. An exception to the above would be requests for variances or for modifications which shall be heard before the Committee.

5. In any hearing, the parties named in the Notice of Agency Action or in the Request for Agency Action shall be permitted to testify, present evidence, and comment on the issues.

6. Hearings will be held only after timely notice to all parties.

7. Discovery is prohibited, and no subpoenas or other discovery orders will be issued.

8. All parties shall have access to information contained in the Committee's files and to all materials and information gathered in any investigation, to the extent permitted by law.

9. Intervention is prohibited, except where required by federal statute or rule.

10. All hearings shall be open to all parties.

11. Within a reasonable time after the close of the hearing, or after the parties' failure to request a hearing within said ten (10) day period, the Presiding Officer shall issue a written, signed order that states the following:

a. The decision;

b. The reasons for the decision;

c. A notice of any right to appeal to the Committee if the matter was before the Secretary to the Committee; and

d. The time limits for filing any appeal.

12. The order shall be based on the facts appearing in the Committee's files and on the facts presented in evidence at any hearings.

13. Unless waived, a copy of the order shall be promptly mailed to each of the parties.

14. All hearings shall be recorded at the Committee's expense. Any party, at his or her own expense, may have a reporter approved by the Secretary to the Committee prepare a transcript from the Committee's record of the hearing.

15. Nothing in this section restricts or precludes any investigative right to power given to the Committee by another statute.

16. Default. The Presiding Officer may enter an order of default against a party if the party fails to participate in the adjudicative proceeding. The order shall include a statement of the grounds for default and shall be mailed to all parties. A defaulted party may seek to have the Presiding Officer set aside the default order according to procedures outlined in the Utah Rules of Civil Procedure. After issuing the order of default, the Presiding Officer shall conduct any further proceedings necessary to complete the adjudicative proceeding without the participation of the party in default and shall determine all issues in the adjudicative proceeding, including those affecting the defaulting party.

17. Appeal of Division Order. Any aggrieved party that participated at a hearing before the Secretary to the Committee or an applicant who is aggrieved by a denial or approval with conditions, may file a written appeal to the Committee within ten days of the issuance of the order. Such a written request for appeal shall be deemed to commence a contested informal adjudicative proceeding and hearing before the Committee. The appeal shall be conducted in accordance with the informal procedures described herein above, as well as the procedures of Utah Administrative Procedure Act Section 63-46b-12, where applicable. The written appeal shall:

a. Be signed by the party seeking the appeal;

b. State the grounds for the appeal and the relief requested;

c. State the date upon which it was mailed; and

d. Be sent by mail to the Presiding Officer and to each party.

18. Response on Appeal. Within 15 days of the mailing of the appeal, any party may file a response with the Secretary to the Committee. One copy of the response shall be sent by mail to each of the parties and to the Committee.

19. Notices of the informal hearing before the Committee shall be mailed to all parties and all parties may mail briefs, written statements and/or present testimony. The appeal is considered de novo and a record may be developed before the Committee.

20. Emergency Orders. Notwithstanding the other provisions of these Rules, the Chairman of the Committee or Secretary to the Committee is authorized to issue an emergency order without notice and hearing in accordance with applicable law. The emergency order shall remain in effect no longer than until the next regular meeting of the Committee, or such shorter period of time as shall be prescribed by statute.

a. Prerequisites for Emergency Order. The following must exist to allow an emergency order:

(1) The facts known to the Chairman or Secretary or presented to the Chairman or Secretary show that an immediate and significant danger to the public health, safety, or welfare exists; and

(2) The threat requires immediate action by the Chairman or Secretary.

b. Limitations. In issuing its Emergency Order, the Chairman or Secretary shall:

(1) Limit its order to require only the action necessary to prevent or avoid the danger to the public health, safety, or welfare;

(2) Issue promptly a written order, effective immediately, that includes a brief statement of findings of fact, conclusions of law, and reasons for the Chairman or Secretary's utilization of emergency adjudicative proceedings;

(3) Give immediate notice to the persons who are required to comply with the order; and

(4) If the emergency order issued under this section will result in the continued infringement or impairment of any legal right or interest of any party, the Committee shall commence a formal adjudicative proceeding before the Committee in accordance with the Utah Administrative Procedures Act.

F. Declaratory rulings

1. Petition for Declaratory Rulings. Any person may petition the Committee for a declaratory ruling on the applicability of any administrative rule, regulation or order as well as any provision of the Utah Code to the operations or activities of that person. The petition shall include the questions and answers sought and reasons in support of or in opposition to the applicability of the statute, rule, regulation or order involved. All other classes of circumstances shall not be subject to declaratory ruling.

2. Not subject to Declaratory Rulings. The Committee shall not issue a declaratory ruling if:

a. The request is not one of the classes of circumstances listed herein above;

b. The person requesting the declaratory ruling participated in an adjudicative proceeding concerning the same issue within 12 months of the date of the present request; or

c. There would be substantial prejudice to the rights of a person who would be a necessary party unless that person consents in writing to the determination of the matter by a declaratory proceeding.

3. Intervention. Persons may intervene in declaratory proceedings if they meet the applicable requirements of the Utah Administrative Procedures Act and file such request with the Secretary of the Committee at least five (5) days prior to the Committee meeting at which the petition will be considered.

4. Forms of Rulings. After receipt of a petition for a declaratory order, the Committee may issue a written order:

a. Declaring the applicability of the statute, rule, regulation or order in question to the specified circumstances; or

b. Decline to issue a declaratory order and stating the reasons for its action.

5. Contents of Order. A declaratory order shall contain:

a. The names of all parties to the proceeding on which it is based;

b. The particular facts on which it is based; and

c. The reasons for its conclusion.

6. Mailing of Order. A copy of all orders issued in response to a request for a declaratory proceeding shall be mailed promptly to the petitioner and any other parties.

7. Binding Effect. A declaratory order has the same status and binding effect as any other order issued in an adjudicative proceeding.

8. Time Limit. Unless the petitioner and the Committee agree in writing to an extension, if the Committee has not issued a declaratory order within 60 days after receipt of the request for a declaratory order, the petition is denied.

G. Exhaustion of administrative remedies

1. Persons must exhaust their administrative remedies in accordance with Section 63-46b-14 prior to seeking judicial review.

2. In any informal communication with the Secretary to the Committee, there is an opportunity given to request an informal hearing before the Secretary to the Committee. If a timely request is made, the Secretary to the Committee will conduct an informal hearing and issue a decision thereafter. Only those aggrieved parties that participated in any hearing or an applicant who is aggrieved by a denial or an approval with conditions will then be entitled to appeal such Secretary's decision to the Committee within ten (10) days of issuance of the Secretary's order. Such rights to request an informal hearing before the Secretary to the Committee or to appeal the Secretary's order and have the matter be contested and heard before the Committee are available and adequate administrative remedies and should be exercised prior to seeking judicial review.

H. Deadline for judicial review. A party shall file a petition for judicial review of final agency action within thirty (30) days after the date that the order constituting the final agency action is issued. The petition shall name the agency and all other appropriate parties as respondents and shall meet the form requirements specified in Title 63, Chapter 46b of the Utah Code Annotated (1953, as amended).

I. Judicial review of informal adjudicative proceedings. Judicial review of informal adjudicative proceedings shall be conducted in conformance with Sections 63-46b-15 and 63-46b-17 through 63-46b-18.

J. Civil enforcement

1. Agency Action. In addition to other remedies provided by law and other rules of this Committee, the Committee or Secretary to the Committee may seek enforcement of an order by seeking civil enforcement in the district courts subject to the following:

a. The action seeking civil enforcement must name, as defendants, each alleged violator against whom civil enforcement is sought.

b. Venue for an action seeking civil enforcement shall be determined by the Utah Rules of Civil Procedure.

c. The action may request, and the court may grant, any of the following:

(1) declaratory relief;

(2) temporary or permanent injunctive relief;

(3) any other civil remedy provided by law; or

(4) any combination of the foregoing.

2. Individual Action. Any person whose interests are directly impaired or threatened by the failure of an agency to enforce its order may timely file a complaint seeking civil enforcement of that order. The complaint must name as defendants, the agency whose order is sought to be enforced, the agency that is vested with the power to enforce the order, and each alleged violator against whom the plaintiff seeks civil enforcement. The action may not be commenced:

a. Until at least thirty (30) days after the plaintiff has given notice of its intent to seek civil enforcement of the alleged violation to the Committee, the attorney general, and to each alleged violator against whom the petitioner seeks civil enforcement;

b. If the Committee or Secretary to the Committee has filed and is diligently prosecuting a complaint seeking civil enforcement of the same order against the same or similarly situated defendant; or

c. If a petition for judicial review of the same order has been filed and is pending in court.

KEY: transportation safety, tramways[~~*~~], ropeways[~~*~~], tramway permits[~~*~~]
[~~August 31, 2000~~]2002
Notice of Continuation December 24, 1997
72-11-201 through 72-11-216
63-46b-1 et seq.

End of the Notices of Proposed Rules Section

NOTICES OF
CHANGES IN PROPOSED RULES

After an agency has published a PROPOSED RULE in the *Utah State Bulletin*, it may receive public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

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

Following the RULE ANALYSIS, the text of the CHANGE IN PROPOSED RULE is usually printed. The text shows only those changes made since the PROPOSED RULE was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [~~example~~]). A row of dots in the text (. . . . .) indicates that unaffected text was removed to conserve space. If a CHANGE IN PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends September 16, 2002. At its option, the agency may hold public hearings.

From the end of the waiting period through December 13, 2002, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

CHANGES IN PROPOSED RULES are governed by *Utah Code* Section 63-46a-6 (2001); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

The Changes in Proposed Rules Begin on the Following Page.

Environmental Quality, Radiation Control
R313-19-2
Requirements of General Applicability to Licensing of Radioactive Material

NOTICE OF CHANGE IN PROPOSED RULE
DAR File No.: 24758
Filed: 07/25/2002, 09:40

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The division received public comments that require substantive change to the original rule.

SUMMARY OF THE RULE OR CHANGE: A wording change was suggested to ensure consistency with the Section R313-12-3 definitions for source material milling and byproduct material, definition (b) to make it clear which materials are covered using the specific terms as defined in the Utah Radiation Control rules. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed amendment that was published in the May 15, 2002, issue of the Utah State Bulletin, on page 22. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed amendment together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: Since there is a transfer of regulatory authority from federal to state government, there will be a savings impact through the collection of annual and review fees from licensees. The fees approved by the 2002 legislature contained within the Department of Environmental Quality (DEQ) fee schedule set the amounts of fees from $0 to $80,000 per year for closing, on standby, or operating facilities and a $70 per hour review fee. In comparison, the recently approved Nuclear Regulatory Commission (NRC) fees are approximately $78,000 annual fee with a $152 per hour review fee. Licensees will realize savings from the hourly review fee difference. The fees have been set to collect annual state program costs.

❖ LOCAL GOVERNMENTS: Local governments are not subject to provisions of this rule, because no local governments in Utah have uranium recovery material licensees.

❖ OTHER PERSONS: There will be a cost impact associated with this rule change. Licensees will pay annual and review fees. Annual fees vary from $0 to $80,000 per year depending if the facility is closing, on standby, or operating. An hourly review fee of $70 per hour will be charged.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will be annual and review fee costs associated with this rule change. Fees are set by the legislature within the DEQ fee schedule and during the 2002 legislative session, annual fees from $0 to $80,000 per year were set for closing, on standby, and operating facilities with an hourly review fee of $70 per hour. The fees were established to pay on a monthly basis starting in January 2003 and legislation was crafted such to avoid licensees from having to pay duplicative fees to the State and to the NRC (except for 3 months of startup costs). For the first year, the fees were established through passage of S.B. 96 during the 2002 legislative session. S.B. 96 is found at UT L 2002 Ch 297, and was effective May 6, 2002.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This is an annual fee for businesses that possess radioactive material in license category Subsections R313-70-7(2)(b) or (c). There is a per hour review fee authorized in the DEQ fee schedule.

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

ENVIRONMENTAL QUALITY
RADIATION CONTROL
Room 212
168 N 1950 W
SALT LAKE CITY UT 84116-3085, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
William Sinclair at the above address, by phone at 801-536-4250, by FAX at 801-533-4097, or by Internet E-mail at bsinclair@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 10/11/2002

AUTHORIZED BY: William Sinclair, Director

R313. Environmental Quality, Radiation Control.
R313-19. Requirements of General Applicability to Licensing of Radioactive Material.
R313-19-2. General.

(1) A person shall not receive, possess, use, transfer, own or acquire radioactive material except as authorized in a specific or general license issued pursuant to Rules R313-21 or R313-22 or as otherwise provided in Rule R313-19.

(2) In addition to the requirements of Rules R313-19, R313-21 or R313-22, all licensees are subject to the requirements of Rules R313-12, R313-15, and R313-18. Licensees authorized to use sealed sources containing radioactive materials in panoramic irradiators with dry or wet storage of radioactive sealed sources, underwater irradiators, or irradiators with high dose rates from radioactive sealed sources are subject to the requirements of Rule R313-34,

licensees engaged in industrial radiographic operations are subject to the requirements of Rule R313-36, licensees using radionuclides in the healing arts are subject to the requirements of Rule R313-32, licensees engaged in land disposal of radioactive material are subject to the requirements of Rule R313-25, and licensees engaged in wireline and subsurface tracer studies are subject to the requirements of Rule R313-38. Licensees engaged in [~~uranium mill recovery~~]source material milling operations, authorized to possess byproduct [~~waste~~]material, as defined in Section R313-12-3 (see definition (b))[~~(tailings)~~] from source material [~~recovery~~]milling operations, authorized to possess and maintain a source material milling facility in standby mode, authorized to receive byproduct material from other persons for disposal, or authorized to possess and dispose of [~~source~~]byproduct material [~~waste tailings~~]generated by source material milling operations are subject to the requirements of Rule R313-24.

KEY: license, reciprocity, transportation, exemptions 2002
Notice of Continuation October 10, 2001
19-3-104
19-3-108

Environmental Quality, Radiation Control
R313-24
Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements

NOTICE OF CHANGE IN PROPOSED RULE
DAR File No.: 24738
Filed: 07/23/2002, 15:16

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Received public comments that require substantive changes to the original proposed rule.

SUMMARY OF THE RULE OR CHANGE: This change is in response to comments offered by the Nuclear Regulatory Commission (NRC) during the public comment period. Changes made are those suggested by NRC to ensure that this rule is compatible (equivalent) with federal rules. Many of the changes are clarifications to or modifications of the original rule language as suggested by the NRC. NRC also recommended that a reference be added to ensure that the Executive Secretary provides a written analysis of any environmental report and this was accomplished by adding Subsection R313-24-3(3). It distinguishes where it is appropriate for the NRC (under the Commission) to continue jurisdiction and where it is appropriate for the State (under the Executive Secretary) to assume authority. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed new rule that was published in the May 15, 2002, issue of the Utah State Bulletin, on page 23. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed new rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 19-3-104 and 19-3-108

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: 10 CFR Part 40, 2001

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: Since there is a transfer of regulatory authority from federal to state government, there will be a savings impact through the collection of annual and review fees from licensees. The fees approved by the 2002 legislature contained within the Department of Environmental Quality (DEQ) fee schedule set the amounts of fees from $0 to $80,000 year for closing, on standby, or operating facilities and a $70/hour review fee. In comparison, the recently approved NRC fees are approximately $78,000 annual fee with a $152/hour review fee. Licensees will realize savings from the hourly review fee difference. The fees have been set to collect annual state program costs.
❖ LOCAL GOVERNMENTS: Local governments are not subject to provisions of this rule, because no local governments in Utah have uranium recovery radioactive material licenses.
❖ OTHER PERSONS: There will be a cost impact associated with this rule change. Licensees will pay annual and review fees. Annual fees vary from $0 to $80,000 per year depending if the facility is closing, on standby, or operating. An hourly review fee of $70 per hour will be charged.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There will annual and review fees costs associated with this rule change. Fees are set by the legislature within the DEQ fee schedule and during the 2002 legislative session, annual fees from $0 to $80,000/year were set for closing, on standby, or operating facilities with an hourly review fee of $70/hour. The fees were established to be paid on a monthly basis starting in January 2003 and legislation was crafted such as to avoid licensees from having to pay duplicative fees to the State and to the NRC (except for 3 months of startup costs). For the first year, the fees were established through passage of S.B. 96 during the 2002 legislative session. S.B. 96 is found at UT L 2002 Ch 297, and was effective May 6, 2002.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This is an annual fee for businesses that possess radioactive material in the license category under Subsections R313-70-7(2)(b) or (c). There is a per hour review fee authorized in the DEQ fee schedule.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
ENVIRONMENTAL QUALITY
RADIATION CONTROL
Room 212
168 N 1950 W
SALT LAKE CITY UT 84116-3085, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
William Sinclair at the above address, by phone at 801-536-4250, by FAX at 801-533-4097, or by Internet E-mail at bsinclair@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/16/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 10/11/2002

AUTHORIZED BY: William Sinclair, Director

R313. Environmental Quality, Radiation Control.
R313-24. Uranium Mills and Source Material Mill Tailings Disposal Facility Requirements.
R313-24-1. Purpose and Authority.

(1) The purpose of this rule is to prescribe requirements for possession and use of source material [~~in recovery~~]milling operations such as conventional milling, in-situ leaching, or heap-leaching[~~, and ion exchange facilities and in processing of ores containing source material for extraction of metals other than uranium or thorium~~]. The rule includes requirements for the possession of byproduct [~~waste material (tailings)~~]material, as defined in Section R313-12-3 (see "byproduct material" definition (b)), from source material [~~recovery~~]milling operations, as well as, possession and maintenance of a facility in standby mode. In addition, requirements are prescribed for the receipt of byproduct material[~~, as defined in Section 19-3-102,~~] from other persons for possession and disposal. The rule also prescribes requirements for receipt of byproduct material[~~, as defined in Section 19-3-102,~~] from other persons for possession and disposal incidental to the [~~uranium waste tailings~~]byproduct material generated by the licensee's source material milling operations.

(2) The rules set forth herein are adopted pursuant to the provisions of Subsections 19-3-104(4) and 19-3-104(8).

(3) The requirements of Rule R313-24 are in addition to, and not substitution for, the other applicable requirements of [~~these rules~~]Title R313. In particular, the provisions of Rules R313-12, R313-15, R313-18, R313-19, R313-21, R313-22, and R313-70 apply to applicants and licensees subject to Rule R313-24.

R313-24-2. Scope.

(1) The requirements in Rule R313-24 apply to [~~uranium mills, uranium mill tailings, and~~]source material milling operations, byproduct material, and byproduct material disposal facilities.

R313-24-3. Environmental Analysis.

(1) Each new license application, renewal, or major amendment shall contain an environmental report describing the proposed action, a statement of its purposes, and the environment affected. The environmental report shall present a discussion of the following:

(a) An assessment of the radiological and nonradiological impacts to the public health from the activities to be conducted pursuant to the license or amendment;

(b) An assessment of any impact on waterways and groundwater resulting from the activities conducted pursuant to the license or amendment;

(c) Consideration of alternatives, including alternative sites and engineering methods, to the activities to be conducted pursuant to the license or amendment; and

(d) Consideration of the long-term impacts including decommissioning, decontamination, and reclamation impacts, associated with activities to be conducted pursuant to the license or amendment.

(2) Commencement of construction prior to issuance of the license or amendment shall be grounds for denial of the license or amendment.

(3) The Executive Secretary shall provide a written analysis of the environmental report which shall be available for public notice and comment pursuant to R313-17-2.

R313-24-4. Clarifications or Exceptions.

For the purposes of Rule R313-24, 10 CFR 40.2a through 40.4; 40.12; 40.20(a); 40.21; 40.26(a) through (c); 40.31(h); 40.41(c); the introduction to 40.42(k) and 40.42(k)(3)(i); 40.61(a) and (b); 40.65; and Appendix A to Part 40(2002) are incorporated by reference with the following clarifications or exceptions:

(1) The exclusion and substitution of the following:

(a) Exclude 10 CFR 40.26(c)(1) and replace with "(1) The provisions of Sections R313-12-51, R313-12-52, R313-12-53, R313-19-34, R313-19-50, R313-19-61, R313-24-1, Rules R313-14, R313-15, R313-18, and R313-24 (incorporating 10 CFR 40.2a, 40.3, 40.4, and 40.26 by reference)";[~~ and~~]

(b) In Appendix A to 10 CFR 40, exclude Criterion 5B(1) through 5H, Criterion 7A, Criterion 13, and replace the excluded Criterion with "Utah Administrative Code, R317-6, Ground Water Quality Protection[~~.~~]"; and

(c) In Appendix A to 10 CFR 40, exclude Criterion 11A through 11F and Criterion 12;

(2) The substitution of the following:

(a) "[~~Board~~]10 CFR 40" for reference to "[~~Commission" in the definition of "compliance period," in paragraph four of the introduction to Appendix A, and in Criterion 5A(3) of Appendix A~~]this part" as found throughout the incorporated text;

(b) "Executive Secretary" for reference to "Commission" in the first and fourth references contained in 10 CFR 40.2a, in 10 CFR 40.3, 40.20(a), 40.26, 40.41(c), 40.61, and 40.65[~~, in the definition of "closure plan", in paragraph five of the introduction to Appendix A, in Criterion 6(2), 6(4), 6(6), 6A(2), 6A(3), 9, 10, 11A through 11E, and 12 of Appendix A;~~

~~(c) "10 CFR 40" for reference to "this part"~~];[

~~(d~~]

(c) "Rules R313-19, R313-21, or R313-22" for "Section 62 of the Act" as found in 10 CFR 40.12(a);

([~~e~~]d) "Rules R313-21 or R313-22" for reference to "the regulations in this part" in 10 CFR 40.41(c);

([~~f~~]e) "Section R313-19-100" for reference to "part 71 of this chapter"[~~;~~

~~(g) "Executive Secretary" for reference to "appropriate NRC regional office as indicated in Appendix D to 10 CFR part 20 of this chapter, or the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555", or for reference to "appropriate NRC Regional Office shown in Appendix D to 10 CFR part 20 of this chapter, with copies to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555" or for reference to "appropriate NRC regional office as indicated in Criterion 8A";~~

~~(h)~~] as found in 10 CFR 40.41(c);

(f) In 10 CFR 40.42(k)(3)(i), "R313-15-401 through R313-15-406" for reference to "10 CFR part 20, subpart E";

([~~i~~]g) "[~~uranium~~]source material milling" for reference to "uranium milling, in production of uranium hexafluoride, or in a uranium enrichment facility"[~~;~~

~~(j) "Utah Administrative Code, Rule R317-6, Ground Water Quality Protection"~~] as found in 10 CFR 40.65(a);

(h) "Executive Secretary" for reference to "[~~Environmental Protection Agency in 40 CFR part 192, subparts D and E" or "Environmental Protection Agency in 40 CFR part 192, subparts D and E (48 FR 45926; October 7, 1983)";~~

~~(k~~]appropriate NRC Regional Office shown in Appendix D to 10 CFR part 20 of this chapter, with copies to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555," as stated in 10 CFR 65(a)(1);

(i) "require the licensee to" for reference to "require to" in 10 CFR 40.65(a)(1); and

([~~l~~]j) In Appendix A to 10 CFR part 40, the following substitutions:

(i) "R313-12-3" for reference to "Sec. 20.1003 of this chapter"[~~;~~

~~(ii~~] as found in the first paragraph of the introduction to Appendix A;

(ii) "Utah Administrative Code, Rule R317-6, Ground Water Quality Protection" for ground water standards in "Environmental Protection Agency in 40 CFR part 192, subparts D and E" as found in the Introduction, paragraph 4; or "Environmental Protection Agency in 40 CFR part 192, subparts D and E (48 FR 45926; October 7, 1983)" as found in Criterion 5;

(iii) "Board" for reference to "Commission" in the definition of "compliance period," in paragraph five of the introduction and in Criterion 5A(3);

(iv) "Executive Secretary" for reference to "Commission" in the definition of "closure plan", in paragraph five of the introduction, and in Criterions 6(2), 6(4), 6(6), 6A(2), 6A(3), 9, and 10 of Appendix A;

(v) "license issued by the Executive Secretary" for reference to "Commission license" in the definition of "licensed site," in the introduction to Appendix A;

([~~iii~~]vi) "Executive Secretary" for reference to "NRC" in Criterion 4[~~(d)~~]D;

([~~iv~~]vii) "representatives of the Executive Secretary" for reference to "NRC staff" in Criterion 6(6);

([~~v~~]viii) "Executive Secretary-approved" for reference to "Commission-approved" in Criterion 6[~~a~~]A(1) and Criterion 9;

(ix) "Executive Secretary" for reference to "appropriate NRC regional office as indicated in Criterion 8A" as found, Criterion 8, paragraph 2 or for reference to "appropriate NRC regional office as indicated in Appendix D to 10 CFR part 20 of this chapter, or the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555," as stated in Criterion 8A; and

([~~vi~~]x) "Executive Secretary" for reference to "the Commission or the State regulatory agency"[~~; and~~

~~(vii) "general or specific" for the reference to "NRC general or specific."~~] in Criterion 9, paragraph 2.

KEY: environmental analysis, uranium mills, tailings, monitoring
2002
19-3-104
19-3-108

▼ ▼

Insurance, Administration
R590-216
Standards for Safeguarding Customer Information

NOTICE OF CHANGE IN PROPOSED RULE
DAR File No.: 24752
Filed: 07/23/2002, 14:25

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The changes noted here are being made to comply with comments received during the comment period.

SUMMARY OF THE RULE OR CHANGE: Wording in Subsection R590-216-3(4) was accidently eliminated from the final draft rule that was filed with the department. This wording eliminates from the requirements of this rule, purchasing groups, manufacturer or seller warranty provider and manufacturer or seller service contract provider. Also, the rule extends the compliance time noted in Section R590-216-8, from 45 days to 120 days. (DAR NOTE: This change in proposed rule has been filed to make additional changes to a proposed new rule that was published in the May 15, 2002, issue of the Utah State Bulletin, on page 47. Underlining in the rule below indicates text that has been added since the publication of the proposed rule mentioned above; strike-out indicates text that has been deleted. You must view the change in proposed rule and the proposed new rule together to understand all of the changes that will be enforceable should the agency make this rule effective.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 31A-2-201, 31A-2-202, and 31A-23-317; and 15 U.S.C. 6801, 15 U.S.C. 6805, and 15 U.S.C. 6807

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: These changes will have no effect on the states budget. They will not increase or decrease the workload of the department or increase or decrease the revenues coming into the department.

❖ LOCAL GOVERNMENTS: The rule changes will not effect local government since the rule applies only to licensees of the department.

❖ OTHER PERSONS: The rule allows more time for insurers to set up the information security program required by this rule and the federal Gramm-Leach-Bliley Act of 1999. This will

affect each insurer differently, based upon what they already have in place and will need to do further to come into compliance. It may reduce or eliminate the need to subcontract some of this work out. Also, the change in Section R590-216-3 that exempts parties from the requirement of this rule complies with the same exemption in Rule R590-210, Privacy of Consumer Information Exemption for Manufacturer Warranties and Service Contract. Both this rule and Rule R590-210 are a result of the requirements in the federal Gramm-Leach-Bliley Act of 1999.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The rule allows more time for insurers to set up the information security program required by this rule and the federal Gramm-Leach-Bliley Act of 1999. This will affect each insurer differently, based upon what they already have in place and will need to do further to come into compliance. It may reduce or eliminate the need to subcontract some of this work out. Also, the change in Section R590-216-3 that exempts parties from the requirement of this rule complies with the same exemption in Rule R590-210, Privacy of Consumer Information Exemption for Manufacturer Warranties and Service Contract. Both this rule and Rule R590-210 are a result of the requirements in the federal Gramm-Leach-Bliley Act of 1999.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The changes to this rule will have little fiscal impact on businesses in Utah. It will provide more time to comply, thus reducing pressure and perhaps some unspecified financial impact to do it sooner.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@utah.gov

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 PM on 09/17/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 09/18/2002

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.
R590-216. Standards for Safeguarding Customer Information.
R590-216-1. Authority.

This rule is promulgated pursuant to Subsections 31A-2-202(1), 31A-2-201(2) and 31A-2-201(3)(a) in which the commissioner is empowered to administer and enforce Title 31A, to perform duties imposed by Title 31A and to make administrative rules to implement the provisions of Title 31A. Furthermore, Title V, Section 505 (15 United States Code (U.S.C.) 6805)) empowers the Utah Insurance Commissioner to enforce Subtitle A of Title V of the Gramm-Leach-Bliley Act of 1999(15 U.S.C. 6801 through 6820). Title V, Section 505 (15 U.S.C. 6805(b)(2)) authorizes the commissioner to issue rules to implement the requirements of Title V, Section 501(b)of the federal act. The commissioner is also authorized under Subsection 31A-23-317(3) to adopt rules implementing the requirements of Title V, Section 501(b) of the federal act.

R590-216-2. Purpose and Scope.

(1) This rule establishes standards applicable to the department's licensees to assist them in developing and implementing administrative, technical and physical safeguards to protect the security, confidentiality and integrity of customer information, pursuant to Sections 501, 505(b), and 507 of the Gramm-Leach-Bliley Act, codified at 15 U.S.C. 6801, 6805(b) and 6807.

(2) Section 501(a) provides that it is the policy of the Congress that each financial institution has an affirmative and continuing obligation to respect the privacy of its customers and to protect the security and confidentiality of those customers' nonpublic personal information. Section 501(b) requires the state insurance regulatory authorities to establish appropriate standards relating to administrative, technical and physical safeguards:

(a) to ensure the security and confidentiality of customer records and information;

(b) to protect against any anticipated threats or hazards to the security or integrity of such records; and

(c) to protect against unauthorized access to or use of records or information that could result in substantial harm or inconvenience to a customer.

(3) Under Section 505(b)(2) state insurance regulatory authorities are to implement the standards prescribed under Section 501(b) by rule with respect to persons engaged in providing insurance.

(4) Section 507 provides, among other things, that a state rule may afford persons greater privacy protections than those provided by Subtitle A of Title V of the Gramm-Leach-Bliley Act. This rule requires that the safeguards established pursuant to the rule shall apply to nonpublic personal information, including nonpublic personal financial information and nonpublic personal health information that licensees of the department obtain from their customers.

R590-216-3. Definitions.

For purposes of this rule, the following definitions apply:

(1) "Customer" means a customer of the licensee as the term customer is defined in Rule R590-206, Privacy of Consumer Financial and Health Information Rule, Subsection 4(9).

(2) "Customer information" means nonpublic personal information as defined in Subsection R59-206-4(19) about a customer, whether in paper, electronic or other form, that is maintained by or on behalf of the licensee.

(3) "Customer information systems" means the electronic or physical methods used to access, collect, store, use, transmit, protect or dispose of customer information.

(4) "Licensee" means a licensee as that term is defined in Subsection R590-206-4(17)(a)[~~. However, a person exempted by R590-210, Privacy of Consumer Information Exemption for~~

~~Manufacturer Warranties and Service Contracts, are not a licensee for purposes of this rule.~~], except that "licensee" shall not include: a purchasing group; manufacturer or seller warranty provider and manufacturer or seller service contract provider exempted by R590-210, Privacy of Consumer Information Exemption for Manufacturer Warranties and Service Contract; or an unauthorized insurer in regard to the excess line business conducted pursuant to Section 31A-15-103.

(5) "Service provider" means a person that maintains, processes or otherwise is permitted access to customer information through its provision of services directly to the licensee.

R590-216-4. Information Security Program.

Each licensee shall implement a comprehensive written information security program that includes administrative, technical and physical safeguards for the protection of customer information. The administrative, technical and physical safeguards included in the information security program shall be appropriate to the size and complexity of the licensee and the nature and scope of its activities.

R590-216-5. Objectives of Information Security Program.

A licensee's information security program shall be designed to:

(1) Ensure the security and confidentiality of customer information;

(2) Protect against any anticipated threats or hazards to the security or integrity of the information; and

(3) Protect against unauthorized access to or use of the information that could result in substantial harm or inconvenience to any customer.

R590-216-6. Examples of Methods of Development and Implementation.

The actions and procedures described in this section are examples of methods of implementation of the requirements of Sections 4 and 5 of this rule. These examples are non-exclusive illustrations of actions and procedures that licensees may adopt to implement Sections 4 and 5 of this rule.

(1) For risk assessment, the licensee may:

(a) identify reasonably foreseeable internal or external threats that could result in unauthorized disclosure, misuse, alteration or destruction of customer information or customer information systems;

(b) assess the likelihood and potential damage of these threats, taking into consideration the sensitivity of customer information; and

(c) assess the sufficiency of policies, procedures, customer information systems and other safeguards in place to control risks.

(2) For risk management and control, the licensee may:

(a) design its information security program to control the identified risks, commensurate with the sensitivity of the information, as well as the complexity and scope of the licensee's activities;

(b) train staff, as appropriate, to implement the licensee's information security program; and

(c) regularly test or otherwise regularly monitor the key controls, systems and procedures of the information security program. The frequency and nature of these tests or other monitoring practices are determined by the licensee's risk assessment.

(3) For service provider arrangement oversight, the licensee may:

(a) exercise appropriate due diligence in selecting its service providers; and

(b) require its service providers to implement appropriate measures designed to meet the objectives of this rule, and, where indicated by the licensee's risk assessment, takes appropriate steps to confirm that its service providers have satisfied these obligations.

(4) For program adjustment, the licensee may monitor, evaluate and adjust, as appropriate, the information security program in light of any relevant changes in technology, the sensitivity of its customer information, internal or external threats to information, and the licensee's own changing business arrangements, such as mergers and acquisitions, alliances and joint ventures, outsourcing arrangements and changes to customer information systems.

R590-216-7. Determined Violation.

Violation of any provision of the rule will result in appropriate enforcement action by the department, which may include forfeiture, penalties, and revocation of license as provided in Section 31A-2-308.

R590-216-8. Enforcement Date.

The commissioner will begin enforcing the provisions of this rule [~~45~~]120 days from the effective date of the rule.

KEY: insurance
2002
31A-2-201
31A-2-202
31A-23-317
15 U.S.C. 6801
15 U.S.C. 6805
15 U.S.C. 6807

End of the Notices of Changes in Proposed Rules Section

NOTICES OF
120-DAY (EMERGENCY) RULES

An agency may file a 120-DAY (EMERGENCY) RULE when it finds that the 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 (*Utah Code* Subsection 63-46a-7(1) (2001)).

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 row of dots in the text (· · · · ·) indicates that unaffected text was removed to conserve space.

A 120-DAY RULE is effective at the moment the Division of Administrative Rules receives the filing, 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 120-DAY RULES are effective immediately, the law does not require a public comment period. However, when an agency files a 120-DAY RULE, it usually files a PROPOSED RULE at the same time, to make the requirements permanent. Comment may be made on the proposed rule. Emergency or 120-DAY RULES are governed by *Utah Code* Section 63-46a-7 (2001); and *Utah Administrative Code* Section R15-4-8.

Administrative Services, Fleet Operations
R27-6-3
State Fuel Network

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 25114
FILED: 07/16/2002, 15:03

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: After the rule was made effective, it was discovered that a word in Section R27-6-3 was in violation of State law (see Subsection 63-9A-401(2)).

SUMMARY OF THE RULE OR CHANGE: Replacing the word "except" with the word "including".

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 63A-9-401(1)(c)(vi), 63A-9-401(1)(e), and 63A-2-201.1(a)

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: The enforcement of the change is covered under current budget. Therefore, there are no anticipated costs of savings to the State budget at this time.
❖ LOCAL GOVERNMENTS: The local governments that use the fuel network will not have any anticipated costs or savings to their budget because the change that has been made only covers state vehicles and higher education vehicles.
❖ OTHER PERSONS: This rule does not affect other persons. Therefore, there are no costs or savings anticipated concerning other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs that affect other persons. As stated under local government above, this the change to this rule mandates the use of the fuel network by state agencies and higher education institutions.

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

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD place the agency in violation of federal or state law.

By not changing this word, the Division of Fleet Operations is in violation of State law.

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

ADMINISTRATIVE SERVICES
FLEET OPERATIONS
Room 4120 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Alison Taylor at the above address, by phone at 801-538-3306, by FAX at 801-538-1773, or by Internet E-mail at alisontaylor@utah.gov

THIS RULE IS EFFECTIVE ON: 07/16/2002

AUTHORIZED BY: Steve Saltzgiver, Director

R27. Administrative Services, Fleet Operations.
R27-6. Fuel Dispensing Program.
R27-6-3. State Fuel Network.

(1) The state fuel network consists of all fuel sites owned, leased or under the control of the DFO; all agencies [~~except~~]including institutions of higher education; all counties, municipalities, school districts, and special districts that subscribe to the services provided by DFO; and all privately owned fuel sites that participate in the Utah Fuel Card program.

KEY: fuel dispensing
April 8, 2002
63A-9-401(1)(c)(vi)
63A-9-401(1)(e)
63A-2-201.1(a)

Natural Resources, Parks and Recreation
R651-611-2
Day Use Entrance Fees

NOTICE OF 120-DAY (EMERGENCY) RULE
DAR FILE NO.: 25132
FILED: 08/01/2002, 14:14

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: In June the Utah Legislature met in Appropriations and determined that the Utah State Parks General Fund would be decreasing by $130,000. The Board was directed to compensate for this decrease by raising entrance fees at certain parks that could generate the additional revenue and the increase was to be immediate. The Parks Board was able to meet the second week of July to approve this increase of $2 at Deer Creek, East Canyon, Jordanelle, Rockport, Utah Lake, and Willard Bay State Parks.

SUMMARY OF THE RULE OR CHANGE: In order to compensate for a $130,000 cut in the General Fund of Utah State Parks and Recreation, the Board was directed by the Legislature to raise fees at certain parks. (DAR NOTE: a corresponding amendment is found under DAR No. 25133 in this Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 63-11-17(2)

ANTICIPATED COST OR SAVINGS TO:
❖ THE STATE BUDGET: It is anticipated that the proposed increase in fees would generate between $100,000 and $130,000 additional revenue. Sales tax could also increase between $5,000 and $6,500.
❖ LOCAL GOVERNMENTS: Counties in which Deer Creek, East Canyon, Jordanelle, Rockport, Utah Lake, and Willard Bay state parks are located could collect additional sales tax revenue, but that revenue is unknown at this time.
❖ OTHER PERSONS: Those who use the park facilities at the above named state parks will pay an additional $2 added to the current entrance fees.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Affected persons will bear the additional cost in order for the Division to comply with the change in day use entrance fees. The increase in day use (up to 8 persons per vehicle) is for a single day entrance fee.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The expected effect on local business is too small for effective measurement.

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent budget reduction because of budget restraints or federal requirements.

In order to compensate the Division of Parks and Recreation (Division) $130,000 budget cut to the General Fund in a manner agreed upon by the Utah State Parks Board, six state parks with higher visitation are the best choices to increase fees to make up the latest budget decrease.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
NATURAL RESOURCES
PARKS AND RECREATION
Room 116
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Dee Guess at the above address, by phone at 801-538-7320, by FAX at 801-538-7378, or by Internet E-mail at deeguess@utah.gov

THIS RULE IS EFFECTIVE ON: 08/01/2002

AUTHORIZED BY: Dave Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.
R651-611. Fee Schedule.
R651-611-2. Day Use Entrance Fees.

Permits the use of all day activity areas in a state park. These fees do not include overnight camping facilities or special use fees.

A. Annual Permits
1. $70.00 Multiple Park Permit (good for all parks)
2. Snow Canyon Specialty Permits
a. $15.00 Family Pedestrian Permit
b. $5.00 Commuter Permit
3. Duplicate Annual Permits may be purchased if originals are lost, destroyed, or stolen, upon payment of a $10.00 fee and the submittal of a signed affidavit to the Division office. Only one duplicate is allowed.

B. Special Fun Tag - Available free to Utah residents, 62 years and older or disabled, as defined by Special Fun Tag permit affidavit.

C. Daily Permit - Allows access to a specific state park on the date of purchase.

1. $9.00 per private motor vehicle or $4.00 per person for pedestrians or bicycles for the following parks:

TABLE 1

Deer Creek	Jordanelle
Utah Lake	Willard Bay

[~~1.~~]2. $7.00 per private motor vehicle or $4.00 per person for pedestrians or bicycles for the following parks:

TABLE [~~1~~]2

Dead Horse Point[~~Deer Creek~~]	
[~~Jordanelle~~]East Canyon[~~Utah Lake~~]	
[~~Willard Bay~~]Rockport	

[~~2.~~]3. $6.00 per private motor vehicle or $3.00 per person for pedestrians or bicycles for the following parks:

TABLE [~~2~~]3

Bear Lake	Quail Creek
Scofield	Yuba

[~~3.~~]4. $5.00 per private motor vehicle or $3.00 per person for pedestrians or bicycles for the following parks:

TABLE [~~3~~]4

Antelope Island	Coral Pink
[~~East Canyon~~]	Escalante
Goblin Valley	Green River
Gunlock	Huntington
Hyrum	Kodachrome
Lost Creek	Millsite
Minersville	Otter Creek
Palisade	Pineview
Piute	[~~Rockport~~]
Snow Canyon	Starvation
Steinaker	Wasatch Mountain

[~~4.~~]5. $1.00 per person or $5.00 per family (up to eight (8) individuals. For the following parks:

TABLE 4

Anasazi	Camp Floyd
Edge of the Cedars	Fort Buenaventura
Fremont	Iron Mission
Territorial	Utah Field House

[~~5.~~]6. $2.00 per person for commercial groups or vehicles with nine (9) or more occupants.

D. Five Day Pass - $15.00 permits day use entrance to all state parks for five (5) consecutive days.

E. Group Site Day Use Fee - Advance reservation only. $2.00 per person, age six (6) and over, for sites with basic facilities. Minimum $50.00 fee established for each facility.

F. Educational Groups - No charge for group visits by Utah public or parochial schools with advance notice to park. When special arrangements or interpretive talks are provided, a fee of $.50 per person may be charged at the park manager's discretion.

G. Heritage Park Pass: $20.00 permits up to five (5) visits to any Heritage Park during the calendar year of issue for up to eight (8) people per private motor vehicle.

H. Antelope Island Wildlife Management Program: A $1.00 fee will be added to the entrance fee at Antelope Island. This additional fee will be used by the Division to fund the Wildlife Management Program on the Island.

KEY: parks, fees
August 1, 2002
Notice of Continuation August 7, 2001
63-11-17(2)

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 responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

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

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

Commerce, Administration
R151-3
Americans With Disabilities Act Rules

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 25124
FILED: 07/26/2002, 16:28

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: The provisions of 28 CFR 35, 1991 edition, implement the provisions of Title II of the Americans With Disabilities (ADA) Act, 42 USC 12201, which provide that no qualified individual with a disability, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by this or any such entity. This rule provides procedures for the prompt and equitable resolution of ADA complaints filed within the Department of Commerce.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The Department has not received any comments regarding this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule should be continued because it is still required by federal law and regulations, and it provides necessary procedures for resolution of ADA complaints.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Masuda Medcalf at the above address, by phone at 801-530-7663, by FAX at 801-530-6001, or by Internet E-mail at mmedcalf@utah.gov

AUTHORIZED BY: Klare Bachman, Deputy Director

EFFECTIVE: 07/26/2002

Commerce, Occupational and Professional Licensing
R156-16a
Optometry Practice Act Rules

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 25121
FILED: 07/23/2002, 11:43

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Title 58, Chapter 16a, provides for the licensure of optometrists. Subsection 58-1-106(1) provides that the Division may adopt and enforce rules to administer Title 58. Subsection 58-16a-201(3) provides that the Optometrist Licensing Board's duties and responsibilities shall be in accordance with Section 58-1-202. Subsection 58-1-202(1)(a) provides that one of the duties of each board is to recommend appropriate rules to the division director. This rule was enacted to clarify the provisions of Title 58, Chapter 16a, with respect to optometrists.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since this rule was last reviewed in September 1997, it has been amended four times. Only one written comment was received by the Division as a result of the four proposed rule filings. A March 26, 1998, letter was received from Lenscrafters, Inc., commenting on proposed changes to the optometry quality assurance program. The Division reviewed the March 26, 1998, letter and considered its comments. The proposed rule amendment was made effective on April 1, 1998, without any additional changes. It should be noted that on May 17, 2001, the rule was amended to delete all references to peer review and quality assurance programs since the 2001 Legislature had deleted the provision from the Optometry Practice Act, Title 58, Chapter 16a.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued as it clarifies the provisions of Title 58, Chapter 16a, with respect to optometrists.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
Lynn Bernhard at the above address, by phone at 801-530-6621, by FAX at 801-530-6511, or by Internet E-mail at lbernhard@utah.gov

AUTHORIZED BY: J. Craig Jackson, Director

EFFECTIVE: 07/23/2002

Commerce, Occupational and Professional Licensing

R156-78a

Prelitigation Panel Review Rules

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25112
FILED: 07/16/2002, 07:32

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 78-14-12 provides that the Division of Occupational and Professional Licensing shall be responsible for a medical liability prelitigation program. Subsection 78-14-12(1)(b) provides the Division shall establish procedures for prelitigation consideration of medical liability claims for damages arising out of the provision of or alleged failure to provide health care. This rule was enacted to clarify the provisions of Sections 78-14-12 through 78-14-16 with respect to the medical liability prelitigation program.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since this rule was last reviewed in September 1997, no amendments have been made to the rule. As a result, the Division has received no written comments with respect to this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued as it clarifies the provisions of Sections 78-14-12 through 78-14-16 with respect to the medical liability prelitigation program.

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

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

DIRECT QUESTIONS REGARDING THIS RULE TO:
W. Ray Walker at the above address, by phone at 801-530-6256, by FAX at 801-530-6511, or by Internet E-mail at raywalker@utah.gov

AUTHORIZED BY: J. Craig Jackson, Director

EFFECTIVE: 07/16/2002

Financial Institutions, Administration

R331-5

Rule Governing Sale of Securities by Persons Issuing Securities, Who Are Under the Jurisdiction of the Department of Financial Institutions

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25134
FILED: 08/01/2002, 15:52

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 7-1-503 authorizes the Commissioner of Financial Institutions to regulate the sale by financial institutions of its securities including the solicitation of deposit accounts which is restricted. Subsection 7-1-301(13) allows the Commissioner to regulate the issuance, advertising, offer for sale, and sale of a security to the extent authorized by Section 7-1-503.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No supporting or opposing written comments have been received by the agency concerning this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule is necessary because it covers registration with the department, offering circular requirements, securities sale report, limitations on resale of "restricted securities", remuneration paid for solicitation or for sales, manipulative and deceptive devices, waivers, and penalties for violation.

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

FINANCIAL INSTITUTIONS
ADMINISTRATION
Room 201
324 S STATE ST
SALT LAKE CITY UT 84111-2393, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Paul Allred at the above address, by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at PALLRED@utah.gov

AUTHORIZED BY: Edward Leary, Commissioner

EFFECTIVE: 08/01/2002

Financial Institutions, Administration
R331-7
Rule Governing Leasing Transactions by Depository Institutions Subject to the Jurisdiction of the Department of Financial Institutions

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25135
FILED: 08/01/2002, 15:58

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 7-1-501 lists the persons and institutions subject to the jurisdiction of the department, and those under the jurisdiction of the department who must comply with supervision and examination including, as the rule states, "acceptable employment of deposits and other funds involved in leasing or leasing transactions".

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No supporting or opposing written comments have been received by the agency concerning this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule clearly defines acceptable leases and leasing transactions, residual dependence restrictions, salvage powers, sales-type capital lease restrictions, sale-leaseback restrictions, leveraged lease restrictions, and account requirements and should be continued.

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

FINANCIAL INSTITUTIONS
ADMINISTRATION
Room 201
324 S STATE ST
SALT LAKE CITY UT 84111-2393, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Paul Allred at the above address, by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at PALLRED@utah.gov

AUTHORIZED BY: Edward Leary, Commissioner

EFFECTIVE: 08/01/2002

Financial Institutions, Administration
R331-9
Rule Prescribing Rules of Procedure for Hearings Before the Commissioner of Financial Institutions of the State of Utah

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25136
FILED: 08/01/2002, 16:02

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 7-1-309 expressly authorizes the Commissioner of Financial Institutions to conduct hearings relating to matters within his supervisory jurisdiction.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No supporting or opposing written comments have been received by the agency concerning this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Section 7-1-301 affords the Commissioner the functions, powers, duties, and responsibilities with respect to institutions, persons, or businesses subject to the jurisdiction of the department. The rule lists the types of hearings the Commissioner may call in connection with any matter pending before the department and how those hearings should commence. It also covers confidential proceedings, pleadings, discovery, and subpoenas and should be continued.

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

FINANCIAL INSTITUTIONS
ADMINISTRATION
Room 201
324 S STATE ST
SALT LAKE CITY UT 84111-2393, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Paul Allred at the above address, by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at PALLRED@utah.gov

AUTHORIZED BY: Edward Leary, Commissioner

EFFECTIVE: 08/01/2002

Financial Institutions, Administration
R331-10
Schedule for Retention or Destruction of Records of Financial Institutions Under the Jurisdiction of the Department of Financial Institutions

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25137
FILED: 08/01/2002, 16:06

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsection 7-1-301(7) authorizes the Commissioner to adopt rules for the retention and destruction of financial institution records under the Department's jurisdiction that are consistent with federal laws and regulations.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No supporting or opposing written comments have been received since the last notice of continuation.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: No other state rule establishes the schedule of retention and destruction of records for financial institutions under the Department's jurisdiction so it should be continued.

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

FINANCIAL INSTITUTIONS
ADMINISTRATION
Room 201
324 S STATE ST
SALT LAKE CITY UT 84111-2393, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Paul Allred at the above address, by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at PALLRED@utah.gov

AUTHORIZED BY: Edward Leary, Commissioner

EFFECTIVE: 08/01/2002

Financial Institutions, Administration
R331-12
Guidelines Governing the Purchase and Sale of Loans and Participations in Loans by all State Chartered Financial Institutions

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25138
FILED: 08/01/2002, 16:11

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 7-1-301 authorizes the Commissioner to establish guidelines for the purchase and sale of loans and participations in loans by state-chartered financial institutions.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No supporting or opposing written comments have been received since the last notice of continuation.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: No other state rule establishes the guidelines for the purchase and sale of loans and participations in loans by state-chartered financial institutions so it should be continued.

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

FINANCIAL INSTITUTIONS
ADMINISTRATION
Room 201
324 S STATE ST
SALT LAKE CITY UT 84111-2393, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Paul Allred at the above address, by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at PALLRED@utah.gov

AUTHORIZED BY: Edward Leary, Commissioner

EFFECTIVE: 08/01/2002

Financial Institutions, Administration

R331-14

Rule Governing Parties Who Engage in the Business of Issuing and Selling Money Orders, Traveler's Checks, and Other Instruments for the Purpose of Effecting Third-Party Payments

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 25139
FILED: 08/01/2002, 16:14

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Sections 7-1-301 and 7-1-505, and Subsection 7-1-501(8)(c) authorize the Commissioner to adopt rules requiring licensing and prescribing standards with regard to the financial condition and capability of all parties who issue instruments payable to third parties.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No supporting or opposing written comments have been received since the last notice of continuation.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: No other state rule establishes the authority to engage in the selling of money orders, traveler's checks, and other instruments in the state of Utah so it should be continued.

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

FINANCIAL INSTITUTIONS
ADMINISTRATION
Room 201
324 S STATE ST
SALT LAKE CITY UT 84111-2393, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Paul Allred at the above address, by phone at 801-538-8854, by FAX at 801-538-8894, or by Internet E-mail at PALLRED@utah.gov

AUTHORIZED BY: Edward Leary, Commissioner

EFFECTIVE: 08/01/2002

Public Safety, Driver License

R708-3

Driver License Point System Administration

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 25123
FILED: 07/25/2002, 12:06

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

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

AUTHORIZE OR REQUIRE THE RULE: Section 53-3-209 authorizes the Driver License Division to make rules to establish and administer a separate point system for persons granted provisional licenses or for those older than 21 years of age.

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: We need to have this rule so the Driver License Division can establish and administer a point system, as per statute, to allow us to identify and help problem drivers.

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

PUBLIC SAFETY
DRIVER LICENSE
CALVIN L RAMPTON COMPLEX
4501 S 2700 W 3RD FL
SALT LAKE CITY UT 84119-5595, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Vinn Roos at the above address, by phone at 801-965-4456, by FAX at 801-964-4482, or by Internet E-mail at vroos@utah.gov

AUTHORIZED BY: Judy Hamaker Mann, Director

EFFECTIVE: 07/25/2002

Public Safety, Driver License
R708-14
Adjudicative Proceedings For Driver License Actions Involving Alcohol and Drugs

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25122
FILED: 07/25/2002, 10:47

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 53-3-104 gives the Driver License Division authority to establish rules that allow the division to suspend, revoke, disqualify, cancel, or deny any license issued in accordance with this chapter. The purpose of this rule is to establish procedures that allow individuals an opportunity to have a hearing before any action is taken against them in accordance with the Utah's Administrative Procedure Act.

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

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is necessary to comply with the Utah's Administrative Procedure Act which provides individuals with an opportunity to have a hearing before any action is taken against them.

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

PUBLIC SAFETY
DRIVER LICENSE
CALVIN L RAMPTON COMPLEX
4501 S 2700 W 3RD FL
SALT LAKE CITY UT 84119-5595, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Vinn Roos at the above address, by phone at 801-965-4456, by FAX at 801-964-4482, or by Internet E-mail at vroos@utah.gov

AUTHORIZED BY: Judy Hamaker Mann, Director

EFFECTIVE: 07/25/2002

Regents (Board Of), College of Eastern Utah
R767-1
Government Records Access and Management Act

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 25117
FILED: 07/18/2002, 10:34

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: In enacting this rule, the College of Eastern Utah recognizes the public's right of access to information concerning this institution's business and the right of privacy in relation to personal data gathered by governmental entities. The College of Eastern Utah has developed a Government Records Access and Management Act (GRAMA) policy and a standard form for submitting a request. All requests use the standard form and are filed in

the office of the GRAMA Officer (Jan L. Young), located in the Academic Records/Registrar's Office. Each form is reviewed and processed according to the law. GRAMA training for the entire campus takes place at the beginning of the school year in August and upon request.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The College of Eastern Utah supports the rule. No other comments have been received from outside parties.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The College wishes to continue the rule to be in compliance with the law, as well as recognizing the public's right to access. GRAMA is used in conjunction with the Family Educational Rights and Privacy Act (FERPA) to manage the release of institutional information.

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

REGENTS (BOARD OF)
COLLEGE OF EASTERN UTAH
ACADEMIC RECORDS/REGISTRAR
451 E 400 N
PRICE UT 84501, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jan L. Young at the above address, by phone at 435-613-5205, by FAX at 435-613-5814, or by Internet E-mail at janyoung@ceu.edu

AUTHORIZED BY: Jan L. Young, Director of Academic Records/Registrar

EFFECTIVE: 07/18/2002

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

NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. These effective dates are at least 31 days and not more than 120 days after the date the following rules were published.

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

Agriculture and Food
Animal Industry
No. 24877 (AMD): R58-18. Elk Farming.
Published: June 15, 2002
Effective: July 18, 2002

Commerce
Occupational and Professional Licensing
No. 24913 (AMD): R156-22. Professional Engineers and Professional Land Surveyors Licensing Act Rules.
Published: July 1, 2002
Effective: August 1, 2002

No. 24866 (AMD): R156-55a. Utah Construction Trades Licensing Act Rules.
Published: June 15, 2002
Effective: July 16, 2002

No. 24897 (AMD): R156-59. Professional Employer Organization Act Rules.
Published: July 1, 2002
Effective: August 1, 2002

Real Estate
No. 24894 (AMD): R162-209. Administrative Proceedings.
Published: June 15, 2002
Effective: July 19, 2002

Environmental Quality
Air Quality
No. 24492 (CPR): R307-415-9. Fees for Operating Permits.
Published: July 1, 2002
Effective: August 1, 2002

Radiation Control
No. 24759 (AMD): R313-15-1001. Waste Disposal - General Requirements.
Published: May 15, 2002
Effective: July 23, 2002

No. 24757 (AMD): R313-22-39. Executive Secretary Action on Applications to Renew or Amend.
Published: May 15, 2002
Effective: July 23, 2002

Labor Commission
Industrial Accidents
No. 24915 (AMD): R612-2-20. Travel Allowance and Per Diem.
Published: July 1, 2002
Effective: August 1, 2002

Safety
No. 24953 (AMD): R616-3-3. Safety Codes for Elevators.
Published: July 1, 2002
Effective: August 1, 2002

Natural Resources
Parks and Recreation
No. 24881 (AMD): R651-611-3. Camping Fees.
Published: June 15, 2002
Effective: August 1, 2002

No. 24882 (AMD): R651-611-4. Special Fees.
Published: June 15, 2002
Effective: August 1, 2002

School and Institutional Trust Lands
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No. 24886 (AMD): R850-100. Trust Land Management Planning.
Published: June 15, 2002
Effective: July 16, 2002

End of the Notices of Rule Effective Dates Section

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

The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective from January 2, 2002, including notices of effective date received through August 1, 2002, the effective dates of which are no later than August 15, 2002. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *Index of Changes*. Nonsubstantive changes, while not published in the *Bulletin*, do become part of the *Utah Administrative Code (Code)* and are included in this *Index*, as well as 120-Day (Emergency) rules that do not become part of the *Code*. The rules are indexed by Agency (Code Number) and Keyword (Subject).

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

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
5YR = Five-Year Review
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
* = Text too long to print in *Bulletin*, or repealed text not printed in *Bulletin*

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RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment
CPR = Change in proposed rule
EMR = Emergency rule (120 day)
NEW = New rule
5YR = Five-Year Review
EXD = Expired
NSC = Nonsubstantive rule change
REP = Repeal
R&R = Repeal and reenact
* = Text too long to print in *Bulletin*, or repealed text not printed in *Bulletin*

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	24993	R651-216	EMR	07/01/2002	2002-14/87
	24990	R651-219	EMR	07/01/2002	2002-14/88
	24995	R651-221	EMR	07/01/2002	2002-14/90
	24991	R651-223	EMR	07/01/2002	2002-14/90
	24994	R651-224	EMR	07/01/2002	2002-14/91
	24992	R651-225	EMR	07/01/2002	2002-14/93
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Labor Commission, Safety	24376	R616-2	5YR	01/10/2002	2002-3/126
	24286	R616-2-3	AMD	01/15/2002	2001-24/13
	24529	R616-2-3	AMD	04/16/2002	2002-6/42
	24377	R616-2-12	NSC	03/01/2002	Not Printed
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Transportation, Operations, Construction	24414	R916-1	5YR	01/18/2002	2002-4/54
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	24757	R313-22-39	AMD	07/23/2002	2002-10/23
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	24861	R414-304	AMD	07/02/2002	2002-11/38
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Commerce, Occupational and Professional Licensing	24315	R156-56	NSC	04/01/2002	Not Printed
	24865	R156-56	5YR	05/16/2002	2002-12/24
	24653	R156-56	AMD	07/01/2002	2002-8/58
	24652	R156-56	AMD	07/01/2002	2002-8/46

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Commerce, Occupational and Professional Licensing	24652	R156-56	AMD	07/01/2002	2002-8/46
	24653	R156-56	AMD	07/01/2002	2002-8/58
	24650	R156-56-704	AMD	07/01/2002	2002-8/76
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Commerce, Occupational and Professional Licensing	24315	R156-56	NSC	04/01/2002	Not Printed
	24865	R156-56	5YR	05/16/2002	2002-12/24
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Transportation, Preconstruction, Right-of-Way Acquisition	24429	R933-4	5YR	01/22/2002	2002-4/61
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Transportation, Preconstruction, Right-of-Way Acquisition	24429	R933-4	5YR	01/22/2002	2002-4/61
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Administrative Services, Finance	24691	R25-14	5YR	04/05/2002	2002-9/63
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Labor Commission, Safety	24376	R616-2	5YR	01/10/2002	2002-3/126
	24953	R616-3-3	AMD	08/01/2002	2002-13/106
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Human Services, Substance Abuse	25018	R544-4	5YR	06/24/2002	2002-14/100
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Labor Commission, Safety	24286	R616-2-3	AMD	01/15/2002	2001-24/13
	24529	R616-2-3	AMD	04/16/2002	2002-6/42
	24377	R616-2-12	NSC	03/01/2002	Not Printed
	24375	R616-3	5YR	01/10/2002	2002-3/127
	24295	R616-3	AMD	01/15/2002	2001-24/14
Transportation, Motor Carrier	24287	R909-19	AMD	01/18/2002	2001-24/23
	24665	R909-19	AMD	05/21/2002	2002-8/120
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Tax Commission, Auditing	24690	R865-19S	5YR	04/05/2002	2002-9/82
	24616	R865-19S-8	AMD	05/17/2002	2002-8/118
	24786	R865-19S-27	NSC	06/01/2002	Not Printed
	24776	R865-19S-35	NSC	06/01/2002	Not Printed
	24604	R865-19S-55	AMD	05/17/2002	2002-8/119
	24778	R865-19S-58	NSC	06/01/2002	Not Printed
	24782	R865-19S-91	NSC	06/01/2002	Not Printed
	24784	R865-19S-96	NSC	06/01/2002	Not Printed
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	24346	R430-60-13	AMD	02/15/2002	2002-2/18
	24347	R430-90-15	AMD	02/15/2002	2002-2/20
	24348	R430-100-16	AMD	02/15/2002	2002-2/21
Workforce Services, Employment Development	24248	R986-700	AMD	02/01/2002	2001-23/117
	24494	R986-700	AMD	04/09/2002	2002-5/56
	24801	R986-700	AMD	07/01/2002	2002-10/59
	24311	R986-700-714	AMD	04/01/2002	2002-1/17
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Health, Health Systems Improvement, Child Care Licensing	24795	R430-3-8	AMD	06/20/2002	2002-10/41
	24264	R430-50	AMD	01/14/2002	2001-23/37
	24265	R430-60	AMD	01/14/2002	2001-23/40
	24266	R430-90	AMD	01/14/2002	2001-23/45
	24638	R430-100-8	AMD	05/31/2002	2002-8/97
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Human Services, Recovery Services	24190	R527-5	AMD	01/02/2002	2001-23/56
	24404	R527-5	5YR	01/16/2002	2002-4/47
	24433	R527-34	5YR	01/24/2002	2002-4/48
	24434	R527-34	NSC	03/01/2002	Not Printed
	24432	R527-35	5YR	01/24/2002	2002-4/48
	24493	R527-35	AMD	04/02/2002	2002-5/47
	24359	R527-200	AMD	03/05/2002	2002-3/20
	24600	R527-200-6	AMD	05/16/2002	2002-8/100
	24438	R527-201	5YR	01/30/2002	2002-4/49
	24794	R527-210	AMD	06/19/2002	2002-10/42
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Human Services, Child and Family Services	24684	R512-10	5YR	04/02/2002	2002-9/71
	24587	R512-43	5YR	03/14/2002	2002-7/47
	24829	R512-43	EMR	05/14/2002	2002-11/123
	24831	R512-43	AMD	07/11/2002	2002-11/99
	24683	R512-60	5YR	04/02/2002	2002-9/71
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Health, Community and Family Health Services, WIC Services	24777	R406-100	5YR	04/30/2002	2002-10/71
	24779	R406-200	5YR	04/30/2002	2002-10/71
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	24789	R406-301	5YR	05/01/2002	2002-10/73
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	24488	R382-10	AMD	07/02/2002	2002-5/35
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Natural Resources, Oil, Gas and Mining; Coal	24617	R645-100	5YR	03/25/2002	2002-8/144
	24619	R645-200	5YR	03/25/2002	2002-8/145
	24620	R645-201	5YR	03/25/2002	2002-8/145
	24621	R645-202	5YR	03/25/2002	2002-8/146
	24622	R645-203	5YR	03/25/2002	2002-8/146
	24626	R645-300	5YR	03/26/2002	2002-8/147
	24627	R645-301	5YR	03/26/2002	2002-8/147
	24628	R645-302	5YR	03/26/2002	2002-8/148
	24629	R645-303	5YR	03/26/2002	2002-8/148
	24630	R645-402	5YR	03/26/2002	2002-8/149
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Workforce Services, Administration	25039	R982-601	5YR	06/27/2002	2002-14/113
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Natural Resources, Wildlife Resources	25080	R657-14	5YR	07/12/2002	2002-15/97
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	24698	R251-306	NSC	05/01/2002	Not Printed

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Commerce, Real Estate	24647	R162-106	5YR	03/27/2002	2002-8/130
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	24404	R527-5	5YR	01/16/2002	2002-4/47
	24358	R527-5-6	NSC	04/01/2002	Not Printed
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	24942	R477-9	5YR	06/11/2002	2002-13/144
	24853	R477-9	AMD	07/05/2002	2002-11/89
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Health, Epidemiology and Laboratory Services, Epidemiology	24820	R386-800	AMD	07/08/2002	2002-11/29
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Administrative Services, Facilities Construction and Management	24594	R23-1-60	AMD	05/03/2002	2002-7/3
Transportation, Operations, Construction	24416	R916-3	5YR	01/18/2002	2002-4/55
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Commerce, Consumer Protection	24900	R152-11	5YR	06/03/2002	2002-13/126
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Environmental Quality, Radiation Control	24759	R313-15-1001	AMD	07/23/2002	2002-10/21
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Commerce, Administration	24452	R151-33	R&R	03/19/2002	2002-4/8
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Commerce, Occupational and Professional Licensing	24822	R156-38	AMD	07/03/2002	2002-11/22
	24392	R156-55a	5YR	01/15/2002	2002-3/121
	24151	R156-55a	CPR	03/19/2002	2002-4/42
	24151	R156-55a	AMD	03/19/2002	2001-22/51
	24866	R156-55a	AMD	07/16/2002	2002-12/9
	24367	R156-55b	5YR	01/07/2002	2002-3/121
	24315	R156-56	NSC	04/01/2002	Not Printed
	24865	R156-56	5YR	05/16/2002	2002-12/24
	24653	R156-56	AMD	07/01/2002	2002-8/58
	24652	R156-56	AMD	07/01/2002	2002-8/46
	24650	R156-56-704	AMD	07/01/2002	2002-8/76
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Administrative Services, Facilities Construction and Management	24925	R23-1	5YR	06/06/2002	2002-13/125
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Transportation, Operations, Construction	24414	R916-1	5YR	01/18/2002	2002-4/54
	24415	R916-2	5YR	01/18/2002	2002-4/55
	24416	R916-3	5YR	01/18/2002	2002-4/55
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Commerce, Occupational and Professional Licensing	24821	R156-37	5YR	05/09/2002	2002-11/133
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Tax Commission, Auditing	24739	R865-3C	5YR	04/22/2002	2002-10/84
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Corrections, Administration	24431	R251-704	5YR	01/23/2002	2002-4/47
	24430	R251-704	AMD	04/10/2002	2002-4/28
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Corrections, Administration	24583	R251-106	5YR	03/13/2002	2002-7/33
	24499	R251-107	5YR	02/20/2002	2002-6/77
	24498	R251-107	AMD	04/18/2002	2002-6/7
	24697	R251-107	NSC	05/01/2002	Not Printed
	24584	R251-108	5YR	03/13/2002	2002-7/34
	24825	R251-305	5YR	05/13/2002	2002-11/134
	24826	R251-305	AMD	07/08/2002	2002-11/28
	24580	R251-705	5YR	03/13/2002	2002-7/35
	24579	R251-705	NSC	05/01/2002	Not Printed
	24581	R251-706	5YR	03/13/2002	2002-7/35
	24823	R251-707	5YR	05/13/2002	2002-11/135
	24997	R251-710	5YR	06/19/2002	2002-14/98
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Workforce Services, Administration	24471	R982-301	AMD	04/09/2002	2002-5/55
	25038	R982-301	5YR	06/27/2002	2002-14/112
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Commerce, Occupational and Professional Licensing	24196	R156-60c-502	AMD	01/07/2002	2001-23/11
Workforce Services, Workforce Information and Payment Services	24869	R994-103	5YR	05/23/2002	2002-12/30
	24412	R994-103-304	NSC	04/01/2002	Not Printed
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Health, Health Care Financing, Coverage and Reimbursement Policy	24834	R414-303	AMD	07/02/2002	2002-11/33
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Corrections, Administration	24274	R251-111	AMD	01/28/2002	2001-24/2
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Community and Economic Development, Community Development, History	24322	R212-7	AMD	02/21/2002	2002-2/10
Natural Resources, Forestry, Fire and State Lands	24678	R652-60	5YR	04/02/2002	2002-9/76
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Community and Economic Development, Community Development, History	24623	R212-7	AMD	05/21/2002	2002-8/86
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Education, Administration	24400	R277-700	R&R	03/05/2002	2002-3/12
	24662	R277-700	NSC	05/01/2002	Not Printed
	24401	R277-705	NEW	03/05/2002	2002-3/17
	24663	R277-705	NSC	05/01/2002	Not Printed
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Public Safety, Fire Marshal	24245	R710-8	AMD	01/02/2002	2001-23/104
	24751	R710-8	5YR	04/23/2002	2002-10/81
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Environmental Quality, Radiation Control	24716	R313-22-33	AMD	06/14/2002	2002-9/10
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Commerce, Real Estate	24911	R162-101	5YR	06/03/2002	2002-13/131
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Human Resource Management, Administration	24934	R477-1	5YR	06/11/2002	2002-13/138
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	24946	R477-13	5YR	06/11/2002	2002-13/147
Natural Resources, Forestry, Fire and State Lands	24667	R652-1	5YR	04/02/2002	2002-9/72
School and Institutional Trust Lands, Administration	25030	R850-1	5YR	06/27/2002	2002-14/103
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Health, Health Care Financing, Coverage and Reimbursement Policy	24806	R414-310	NEW	07/01/2002	2002-10/36
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Natural Resources, Wildlife Resources	25070	R657-44	5YR	07/03/2002	2002-15/97
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Transportation, Operations, Construction	24416	R916-3	5YR	01/18/2002	2002-4/55
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Commerce, Administration	25124	R151-3	5YR	07/26/2002	2002-16/57
	24467	R495-878	5YR	02/07/2002	2002-5/67
	24361	R698-3	5YR	01/03/2002	2002-3/128
	24741	R861-1A	5YR	04/22/2002	2002-10/82
	24793	R861-1A-13	NSC	06/01/2002	Not Printed
	24601	R861-1A-34	AMD	05/17/2002	2002-8/115
	24450	R907-62	5YR	02/01/2002	2002-4/53
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Workforce Services, Administration	25036	R982-101	5YR	06/27/2002	2002-14/111
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Public Safety, Administration	24361	R698-3	5YR	01/03/2002	2002-3/128
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Natural Resources, Wildlife Resources	24387	R657-12	AMD	03/05/2002	2002-3/100
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	24403	R638-1-3	NSC	03/01/2002	Not Printed
Tax Commission, Administration	24741	R861-1A	5YR	04/22/2002	2002-10/82
	24793	R861-1A-13	NSC	06/01/2002	Not Printed
	24601	R861-1A-34	AMD	05/17/2002	2002-8/115
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Labor Commission, Antidiscrimination and Labor, Fair Housing	24371	R608-1	5YR	01/10/2002	2002-3/124
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Agriculture and Food, Animal Industry	24477	R58-1	5YR	02/13/2002	2002-5/61
	24478	R58-6	5YR	02/13/2002	2002-5/61
	24486	R58-6	AMD	04/02/2002	2002-5/3
	24479	R58-8	5YR	02/13/2002	2002-5/62
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Health, Epidemiology and Laboratory Services, Epidemiology	24297	R386-710	NEW	01/15/2002	2001-24/5
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Human Resource Management, Administration	24944	R477-11	5YR	06/11/2002	2002-13/146
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Commerce, Occupational and Professional Licensing	24808	R156-1	5YR	05/02/2002	2002-11/133
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	24474	R547-1-14	AMD	04/30/2002	2002-5/49
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Natural Resources, Wildlife Resources	24388	R657-46	AMD	03/05/2002	2002-3/110
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Transportation, Operations, Maintenance	25051	R918-2	NSC	06/26/2002	Not Printed
drinking water					
Environmental Quality, Drinking Water	24539	R309-300	5YR	03/04/2002	2002-7/35
	24674	R309-600	NSC	05/15/2002	Not Printed
	24832	R309-600	5YR	05/15/2002	2002-11/135
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Education, Administration	24726	R277-507	5YR	04/15/2002	2002-9/68
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Public Safety, Peace Officer Standards and Training	24380	R728-405	NSC	05/14/2002	Not Printed
	24830	R728-405	NSC	05/14/2002	Not Printed
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Human Resource Management, Administration	24857	R477-14	AMD	07/05/2002	2002-11/97
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Human Resource Management, Administration	24852	R477-8	AMD	07/05/2002	2002-11/81
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Human Services, Mental Health	24842	R523-1-15	EMR	05/15/2002	2002-11/129
	24835	R523-1-15	AMD	07/02/2002	2002-11/105
	24460	R523-1-19	AMD	05/01/2002	2002-5/46
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Human Services, Substance Abuse	25018	R544-4	5YR	06/24/2002	2002-14/100
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Workforce Services, Administration	25039	R982-601	5YR	06/27/2002	2002-14/113
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Commerce, Real Estate	24909	R162-103	5YR	06/03/2002	2002-13/131
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	24255	R277-903	REP	01/04/2002	2001-23/21
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Education, Administration	24293	R277-432	REP	01/15/2002	2001-24/3
	24259	R277-907	REP	01/04/2002	2001-23/31
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Education, Administration	24293	R277-432	REP	01/15/2002	2001-24/3
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Education, Administration	24722	R277-416	5YR	04/15/2002	2002-9/68
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Education, Administration	24722	R277-416	5YR	04/15/2002	2002-9/68
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Education, Administration	24722	R277-416	5YR	04/15/2002	2002-9/68
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Education, Administration	24661	R277-702	AMD	05/17/2002	2002-8/90
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Human Resource Management, Administration	24943	R477-10	5YR	06/11/2002	2002-13/145
	24854	R477-10	AMD	07/05/2002	2002-11/91

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Education, Administration	24254	R277-902	REP	01/04/2002	2001-23/19
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Education, Administration	24726	R277-507	5YR	04/15/2002	2002-9/68
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Public Service Commission, Administration	24727	R746-210-2	AMD	06/20/2002	2002-9/58
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Commerce, Occupational and Professional Licensing	24367	R156-55b	5YR	01/07/2002	2002-3/121
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Commerce, Occupational and Professional Licensing	25077	R156-11a	5YR	07/11/2002	2002-15/93
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Labor Commission, Safety	24375	R616-3	5YR	01/10/2002	2002-3/127
	24295	R616-3	AMD	01/15/2002	2001-24/14
	24953	R616-3-3	AMD	08/01/2002	2002-13/106
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Community and Economic Development, Community Development, Community Services	24974	R202-206	5YR	06/14/2002	2002-13/135
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Environmental Quality, Air Quality	24485	R307-105	NSC	03/01/2002	Not Printed
	24639	R307-105	5YR	03/26/2002	2002-8/131
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Public Safety, Peace Officer Standards and Training	24443	R728-408	NEW	04/10/2002	2002-4/36
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Environmental Quality, Air Quality	24491	R307-415-3	AMD	05/13/2002	2002-5/31
	24492	R307-415-9	CPR	08/01/2002	2002-13/116
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Human Resource Management, Administration	24940	R477-7	5YR	06/11/2002	2002-13/142
	24858	R477-7	AMD	07/05/2002	2002-11/71
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	24856	R477-12	AMD	07/05/2002	2002-11/95
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	24849	R477-5	AMD	07/05/2002	2002-11/66
	24939	R477-6	5YR	06/11/2002	2002-13/141
	24850	R477-6	AMD	07/05/2002	2002-11/69
Workforce Services, Workforce Information and Payment Services	25046	R994-405	5YR	06/27/2002	2002-14/114
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Workforce Services, Employment Development	24240	R986-100	AMD	02/01/2002	2001-23/113
	24796	R986-100	AMD	07/01/2002	2002-10/52
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Workforce Services, Workforce Information and Payment Services	24408	R994-204-404	NSC	04/01/2002	Not Printed
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Community and Economic Development, Community Development, Community Services	24968	R202-201	5YR	06/14/2002	2002-13/132
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	24562	R202-202	NSC	06/14/2002	Not Printed
	24563	R202-203	NSC	06/14/2002	Not Printed
	24971	R202-203	5YR	06/14/2002	2002-13/133
	24972	R202-204	5YR	06/14/2002	2002-13/134
	24564	R202-204	NSC	06/14/2002	Not Printed
	24565	R202-205	NSC	06/14/2002	Not Printed
	24973	R202-205	5YR	06/14/2002	2002-13/134
	24566	R202-206	NSC	06/14/2002	Not Printed
	24974	R202-206	5YR	06/14/2002	2002-13/135
	24975	R202-207	5YR	06/14/2002	2002-13/135
	24976	R202-208	5YR	06/14/2002	2002-13/136
	24567	R202-208	NSC	06/14/2002	Not Printed
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	24439	R907-1	5YR	01/30/2002	2002-4/52
engineering					
Education, Administration	24263	R277-717	AMD	01/04/2002	2001-23/17
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Commerce, Occupational and Professional Licensing	24913	R156-22	AMD	08/01/2002	2002-13/18
enterprise					
Tax Commission, Auditing	24740	R865-9I	5YR	04/22/2002	2002-10/85
	24602	R865-9I-7	AMD	05/17/2002	2002-8/117
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Tax Commission, Auditing	24284	R865-9I-17	AMD	02/25/2002	2001-24/22
	24791	R865-9I-19	NSC	06/01/2002	Not Printed
	24337	R865-9I-37	AMD	02/25/2002	2002-2/36
	24518	R865-9I-37	AMD	05/17/2002	2002-6/55
environment					
Tax Commission, Auditing	24686	R865-13G	5YR	04/03/2002	2002-9/81
	24509	R865-13G-15	NSC	04/01/2002	Not Printed
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Natural Resources, Forestry, Fire and State Lands	24680	R652-90	5YR	04/02/2002	2002-9/77
environmental health					
Environmental Quality, Drinking Water	24832	R309-600	5YR	05/15/2002	2002-11/135
	24674	R309-600	NSC	05/15/2002	Not Printed
environmental protection					
Environmental Quality, Air Quality	24624	R307-220	5YR	03/26/2002	2002-8/134
	24491	R307-415-3	AMD	05/13/2002	2002-5/31
	24492	R307-415-9	CPR	08/01/2002	2002-13/116
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Environmental Quality, Drinking Water	24539	R309-300	5YR	03/04/2002	2002-7/35
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Environmental Quality, Air Quality	24640	R307-120	5YR	03/26/2002	2002-8/132
essential facilities					
Public Service Commission, Administration	24585	R746-349	5YR	03/13/2002	2002-7/49
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Commerce, Occupational and Professional Licensing	25077	R156-11a	5YR	07/11/2002	2002-15/93

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	24498	R251-107	AMD	04/18/2002	2002-6/7
	24697	R251-107	NSC	05/01/2002	Not Printed
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Commerce, Real Estate	24648	R162-104	5YR	03/27/2002	2002-8/130
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Workforce Services, Workforce Information and Payment Services	24871	R994-402	5YR	05/23/2002	2002-12/32
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Public Safety, Fire Marshal	24656	R710-1	AMD	05/20/2002	2002-8/101
	24929	R710-1	5YR	06/10/2002	2002-13/152
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Education, Administration	24399	R277-605	AMD	03/05/2002	2002-3/11
	24456	R277-617	5YR	02/06/2002	2002-5/66
facilities					
Health, Health Systems Improvement, Child Care Licensing	24345	R430-50-10	AMD	02/15/2002	2002-2/17
	24347	R430-90-15	AMD	02/15/2002	2002-2/20
	24348	R430-100-16	AMD	02/15/2002	2002-2/21
facilities use					
Administrative Services, Facilities Construction and Management	24978	R23-19	5YR	06/14/2002	2002-13/125
Capitol Preservation Board (State), Administration	24366	R131-3	EMR	01/07/2002	2002-3/119
	24369	R131-3	NEW	05/30/2002	2002-3/8
faculty					
Education, Administration	24255	R277-903	REP	01/04/2002	2001-23/21
fair employment practices					
Human Resource Management, Administration	24935	R477-2	5YR	06/11/2002	2002-13/139
	24846	R477-2	AMD	07/05/2002	2002-11/59
	24938	R477-5	5YR	06/11/2002	2002-13/141
	24849	R477-5	AMD	07/05/2002	2002-11/66
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Labor Commission, Antidiscrimination and Labor, Fair Housing	24371	R608-1	5YR	01/10/2002	2002-3/124
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Natural Resources, Wildlife Resources	24531	R657-20	5YR	03/01/2002	2002-6/83
	24532	R657-20	AMD	04/16/2002	2002-6/43
family employment program					
Workforce Services, Employment Development	24241	R986-200	AMD	02/01/2002	2001-23/114
	24797	R986-200	AMD	07/01/2002	2002-10/53

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Human Services, Mental Health	24842	R523-1-15	EMR	05/15/2002	2002-11/129
	24835	R523-1-15	AMD	07/02/2002	2002-11/105
	24460	R523-1-19	AMD	05/01/2002	2002-5/46
Labor Commission, Industrial Accidents	24733	R612-2-5	AMD	06/18/2002	2002-10/49
	24915	R612-2-20	AMD	08/01/2002	2002-13/104
Natural Resources, Parks and Recreation	25132	R651-611-2	EMR	08/01/2002	2002-16/55
	24881	R651-611-3	AMD	08/01/2002	2002-12/16
	24882	R651-611-4	AMD	08/01/2002	2002-12/17
filing deadlines					
Labor Commission, Industrial Accidents	24280	R612-1-11	AMD	01/15/2002	2001-24/9
	24389	R612-1-11	AMD	03/05/2002	2002-3/30
Workforce Services, Workforce Information and Payment Services	25044	R994-403	5YR	06/27/2002	2002-14/113
	24411	R994-403-103f	NSC	04/01/2002	Not Printed
	24405	R994-403-117c	NSC	03/01/2002	Not Printed
filing fees					
Natural Resources, Forestry, Fire and State Lands	24669	R652-4	5YR	04/02/2002	2002-9/73
School and Institutional Trust Lands, Administration	25041	R850-4	5YR	06/27/2002	2002-14/105
finance					
Administrative Services, Finance	24844	R25-6	AMD	07/02/2002	2002-11/13
financial disclosure					
Community and Economic Development, Community Development, Community Services	24564	R202-204	NSC	06/14/2002	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	24861	R414-304	AMD	07/02/2002	2002-11/38
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Community and Economic Development, Community Development, Community Services	24972	R202-204	5YR	06/14/2002	2002-13/134
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Financial Institutions, Administration	25134	R331-5	5YR	08/01/2002	2002-16/58
	25135	R331-7	5YR	08/01/2002	2002-16/59
	25136	R331-9	5YR	08/01/2002	2002-16/59
	25137	R331-10	5YR	08/01/2002	2002-16/60
	25138	R331-12	5YR	08/01/2002	2002-16/60
	25139	R331-14	5YR	08/01/2002	2002-16/61
	24732	R331-22	5YR	04/16/2002	2002-10/70
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Environmental Quality, Environmental Response and Remediation	24555	R311-207	5YR	03/06/2002	2002-7/41

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Public Safety, Fire Marshal	24656	R710-1	AMD	05/20/2002	2002-8/101
	24929	R710-1	5YR	06/10/2002	2002-13/152
	24243	R710-4	AMD	01/02/2002	2001-23/94
	24950	R710-4	5YR	06/12/2002	2002-13/153
	24657	R710-7	AMD	05/20/2002	2002-8/108
	24933	R710-7	5YR	06/11/2002	2002-13/154
	24245	R710-8	AMD	01/02/2002	2001-23/104
	24751	R710-8	5YR	04/23/2002	2002-10/81
	24246	R710-9	AMD	01/02/2002	2001-23/107
	24951	R710-9	5YR	06/12/2002	2002-13/154
firearms					
Human Services, Youth Corrections	24475	R547-2-14	AMD	04/30/2002	2002-5/50
	24476	R547-4-14	AMD	04/30/2002	2002-5/52
	24473	R547-14	NEW	04/30/2002	2002-5/54
Public Safety, Peace Officer Standards and Training	24443	R728-408	NEW	04/10/2002	2002-4/36
fireplaces					
Environmental Quality, Air Quality	24642	R307-122	5YR	03/26/2002	2002-8/133
fireworks					
Public Safety, Fire Marshal	24249	R710-2	AMD	01/02/2002	2001-23/87
	24949	R710-2	5YR	06/11/2002	2002-13/153
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Natural Resources, Wildlife Resources	24067	R657-13	AMD	01/02/2002	2001-20/35
fishing					
Natural Resources, Wildlife Resources	24067	R657-13	AMD	01/02/2002	2001-20/35
	24922	R657-30	5YR	06/05/2002	2002-13/151
fleet tracking					
Administrative Services, Fleet Operations	24444	R27-5	NEW	04/08/2002	2002-4/4
food inspections					
Agriculture and Food, Regulatory Services	24482	R70-320	5YR	02/13/2002	2002-5/63
	24483	R70-350	5YR	02/13/2002	2002-5/63
	24484	R70-360	5YR	02/13/2002	2002-5/64
food services					
Health, Epidemiology and Laboratory Services, Environmental Services	24867	R392-100	5YR	05/17/2002	2002-12/26
food stamps					
Workforce Services, Employment Development	24250	R986-900	AMD	02/01/2002	2001-23/121
	24800	R986-900	AMD	07/01/2002	2002-10/61

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foster care					
Human Services, Administration, Administrative Services, Licensing	24787	R501-12-6	NSC	05/01/2002	Not Printed
	24519	R501-12-8	AMD	07/12/2002	2002-6/27
Human Services, Child and Family Services	24587	R512-43	5YR	03/14/2002	2002-7/47
	24829	R512-43	EMR	05/14/2002	2002-11/123
	24831	R512-43	AMD	07/11/2002	2002-11/99
franchises					
Tax Commission, Auditing	24685	R865-6F	5YR	04/03/2002	2002-9/79
	24773	R865-6F-19	NSC	06/01/2002	Not Printed
	24762	R865-6F-26	NSC	06/01/2002	Not Printed
	24770	R865-6F-27	NSC	06/01/2002	Not Printed
	24336	R865-6F-28	AMD	02/25/2002	2002-2/34
	24525	R865-6F-28	NSC	05/01/2002	Not Printed
	24772	R865-6F-28	NSC	06/01/2002	Not Printed
	24603	R865-6F-35	AMD	05/17/2002	2002-8/116
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Commerce, Consumer Protection	24899	R152-26	5YR	06/03/2002	2002-13/127
freedom of information					
Administrative Services, Administration	24891	R13-2	5YR	05/31/2002	2002-12/23
	24721	R151-2	5YR	04/15/2002	2002-9/63
	24860	R151-2	AMD	07/02/2002	2002-11/17
Natural Resources, Wildlife Resources	24840	R657-29	5YR	05/15/2002	2002-11/138
	24837	R657-29	AMD	07/03/2002	2002-11/116
Public Safety, Administration	24363	R698-2	5YR	01/03/2002	2002-3/128
fuel					
Tax Commission, Auditing	24589	R865-4D	5YR	03/15/2002	2002-7/50
	24527	R865-4D-22	NSC	04/01/2002	Not Printed
fuel dispensing					
Administrative Services, Fleet Operations	24445	R27-6	NEW	04/08/2002	2002-4/4
	25114	R27-6-3	EMR	07/16/2002	2002-16/54
funeral industries					
Commerce, Occupational and Professional Licensing	24463	R156-9	5YR	02/07/2002	2002-5/64
	24390	R156-58	5YR	01/14/2002	2002-3/123
furbearers					
Natural Resources, Wildlife Resources	24386	R657-11	AMD	03/05/2002	2002-3/96
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Natural Resources, Wildlife Resources	24910	R657-22	5YR	06/03/2002	2002-13/151

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Natural Resources, Wildlife Resources	24960	R657-4	5YR	06/13/2002	2002-13/150
	24382	R657-5	AMD	03/05/2002	2002-3/62
	24838	R657-5	AMD	07/03/2002	2002-11/113
	24383	R657-6	AMD	03/05/2002	2002-3/77
	24961	R657-6	5YR	06/13/2002	2002-13/150
	24385	R657-10	AMD	03/05/2002	2002-3/91
	24386	R657-11	AMD	03/05/2002	2002-3/96
	25080	R657-14	5YR	07/12/2002	2002-15/97
	24342	R657-33	AMD	02/26/2002	2002-2/23
gasoline					
Environmental Quality, Air Quality	24646	R307-301	5YR	03/27/2002	2002-8/138
Tax Commission, Auditing	24686	R865-13G	5YR	04/03/2002	2002-9/81
	24509	R865-13G-15	NSC	04/01/2002	Not Printed
gasoline transport					
Environmental Quality, Air Quality	24743	R307-342	5YR	04/22/2002	2002-10/66
general assistance					
Workforce Services, Employment Development	24239	R986-400	AMD	02/01/2002	2001-23/116
	24798	R986-400	AMD	07/01/2002	2002-10/55
genetic counselors					
Commerce, Occupational and Professional Licensing	24459	R156-75	NEW	04/02/2002	2002-5/29
	24670	R156-75-102	NSC	05/01/2002	Not Printed
government documents					
Attorney General, Administration	25007	R105-2	5YR	06/20/2002	2002-14/97
	24721	R151-2	5YR	04/15/2002	2002-9/63
	24860	R151-2	AMD	07/02/2002	2002-11/17
	24792	R305-1	5YR	05/01/2002	2002-10/65
	24807	R380-20	5YR	05/02/2002	2002-11/136
	24455	R495-810	5YR	02/06/2002	2002-5/66
Natural Resources, Forestry, Fire and State Lands	24672	R652-6	5YR	04/02/2002	2002-9/74
Natural Resources, Wildlife Resources	24840	R657-29	5YR	05/15/2002	2002-11/138
	24837	R657-29	AMD	07/03/2002	2002-11/116
Public Safety, Administration	24363	R698-2	5YR	01/03/2002	2002-3/128
Regents (Board Of), College of Eastern Utah	25117	R767-1	5YR	07/18/2002	2002-16/62
School and Institutional Trust Lands, Administration	25040	R850-6	5YR	06/27/2002	2002-14/106
government ethics					
Human Resource Management, Administration	24236	R477-9	AMD	01/04/2002	2001-23/54
	24942	R477-9	5YR	06/11/2002	2002-13/144
	24853	R477-9	AMD	07/05/2002	2002-11/89

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	25136	R331-9	5YR	08/01/2002	2002-16/59
	24944	R477-11	5YR	06/11/2002	2002-13/146
	24855	R477-11	AMD	07/05/2002	2002-11/93
	24569	R671-305	5YR	03/08/2002	2002-7/48
Transportation, Preconstruction	24422	R930-2	5YR	01/22/2002	2002-4/58
government paperwork					
Transportation, Administration	24449	R907-60	5YR	02/01/2002	2002-4/53
government purchasing					
School and Institutional Trust Lands, Administration	24755	R850-11	5YR	04/24/2002	2002-10/81
government records					
Corrections, Administration	24274	R251-111	AMD	01/28/2002	2001-24/2
governor					
Environmental Quality, Air Quality	24485	R307-105	NSC	03/01/2002	Not Printed
	24639	R307-105	5YR	03/26/2002	2002-8/131
GRAMA					
Attorney General, Administration	25007	R105-2	5YR	06/20/2002	2002-14/97
	24792	R305-1	5YR	05/01/2002	2002-10/65
	24807	R380-20	5YR	05/02/2002	2002-11/136
Natural Resources, Forestry, Fire and State Lands	24672	R652-6	5YR	04/02/2002	2002-9/74
Regents (Board Of), College of Eastern Utah	25117	R767-1	5YR	07/18/2002	2002-16/62
School and Institutional Trust Lands, Administration	25040	R850-6	5YR	06/27/2002	2002-14/106
grants					
Commerce, Occupational and Professional Licensing	24202	R156-66a	REP	01/07/2002	2001-23/12
Environmental Quality, Water Quality	24804	R317-100	AMD	07/05/2002	2002-10/25
grievance procedures					
Tax Commission, Administration	24741	R861-1A	5YR	04/22/2002	2002-10/82
	24793	R861-1A-13	NSC	06/01/2002	Not Printed
	24601	R861-1A-34	AMD	05/17/2002	2002-8/115
grievances					
Human Resource Management, Administration	24937	R477-4	5YR	06/11/2002	2002-13/140
	24848	R477-4	AMD	07/05/2002	2002-11/65
	24944	R477-11	5YR	06/11/2002	2002-13/146
	24855	R477-11	AMD	07/05/2002	2002-11/93
	24945	R477-12	5YR	06/11/2002	2002-13/147
	24856	R477-12	AMD	07/05/2002	2002-11/95
ground water					
Environmental Quality, Water Quality	23986	R317-6	CPR	01/22/2002	2001-24/30

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Health, Health Systems Improvement, Child Care Licensing	24346	R430-60-13	AMD	02/15/2002	2002-2/18
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Corrections, Administration	24711	R251-306	5YR	04/12/2002	2002-9/67
	24698	R251-306	NSC	05/01/2002	Not Printed
Hatch Act					
Human Resource Management, Administration	24236	R477-9	AMD	01/04/2002	2001-23/54
	24942	R477-9	5YR	06/11/2002	2002-13/144
	24853	R477-9	AMD	07/05/2002	2002-11/89
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Transportation, Motor Carrier	24736	R909-75	AMD	06/25/2002	2002-10/51
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	24550	R311-202	5YR	03/06/2002	2002-7/37
	24551	R311-203	5YR	03/06/2002	2002-7/38
	24552	R311-204	5YR	03/06/2002	2002-7/38
	24553	R311-205	5YR	03/06/2002	2002-7/39
	24554	R311-206	5YR	03/06/2002	2002-7/40
	24560	R311-212	5YR	03/06/2002	2002-7/44
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	24769	R428-5	5YR	04/29/2002	2002-10/75
	24764	R428-10	5YR	04/29/2002	2002-10/75
	24768	R428-20	5YR	04/29/2002	2002-10/76
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Health, Center for Health Data, Health Care Statistics	24768	R428-20	5YR	04/29/2002	2002-10/76

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	24268	R432-35	AMD	01/14/2002	2001-23/51
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Health, Center for Health Data, Health Care Statistics	24765	R428-12	5YR	04/29/2002	2002-10/76
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Health, Health Systems Improvement, Licensing	24165	R432-500	AMD	01/14/2002	2001-22/73
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Commerce, Occupational and Professional Licensing	24462	R156-15	5YR	02/07/2002	2002-5/65
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Human Services, Recovery Services	24438	R527-201	5YR	01/30/2002	2002-4/49
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Health, Center for Health Data, Health Care Statistics	24763	R428-1	5YR	04/29/2002	2002-10/74
	24766	R428-2	5YR	04/29/2002	2002-10/74
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Health, Center for Health Data, Health Care Statistics	24763	R428-1	5YR	04/29/2002	2002-10/74
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	24769	R428-5	5YR	04/29/2002	2002-10/75
	24768	R428-20	5YR	04/29/2002	2002-10/76
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Health, Center for Health Data, Health Care Statistics	24765	R428-12	5YR	04/29/2002	2002-10/76
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Community and Economic Development, Community Development, Community Services	24561	R202-201	NSC	06/14/2002	Not Printed
Labor Commission, Adjudication	24285	R602-2-4	AMD	01/15/2002	2001-24/7
higher education					
Education, Administration	24258	R277-905	REP	01/04/2002	2001-23/29
	25075	R628-2	5YR	07/10/2002	2002-15/96
	24365	R765-610	5YR	01/04/2002	2002-3/129
	24364	R765-612	5YR	01/04/2002	2002-3/129
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Transportation, Preconstruction, Right-of-Way Acquisition	24426	R933-1	5YR	01/22/2002	2002-4/59
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Transportation, Operations, Maintenance	25051	R918-2	NSC	06/26/2002	Not Printed
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	24849	R477-5	AMD	07/05/2002	2002-11/66
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Community and Economic Development, Community Development, History	24322	R212-7	AMD	02/21/2002	2002-2/10
	24623	R212-7	AMD	05/21/2002	2002-8/86
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	24773	R865-6F-19	NSC	06/01/2002	Not Printed
	24762	R865-6F-26	NSC	06/01/2002	Not Printed
	24770	R865-6F-27	NSC	06/01/2002	Not Printed
	24336	R865-6F-28	AMD	02/25/2002	2002-2/34
	24525	R865-6F-28	NSC	05/01/2002	Not Printed
	24772	R865-6F-28	NSC	06/01/2002	Not Printed
	24603	R865-6F-35	AMD	05/17/2002	2002-8/116
	24740	R865-9I	5YR	04/22/2002	2002-10/85
	24602	R865-9I-7	AMD	05/17/2002	2002-8/117
	24284	R865-9I-17	AMD	02/25/2002	2001-24/22
	24791	R865-9I-19	NSC	06/01/2002	Not Printed
	24337	R865-9I-37	AMD	02/25/2002	2002-2/36
	24518	R865-9I-37	AMD	05/17/2002	2002-6/55
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Community and Economic Development, Community Development, History	24323	R212-6	AMD	02/21/2002	2002-2/9
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Agriculture and Food, Marketing and Conservation	24515	R65-7-11	AMD	04/16/2002	2002-6/6
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Health, Center for Health Data, Health Care Statistics	24764	R428-10	5YR	04/29/2002	2002-10/75
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Human Resource Management, Administration	24947	R477-15	5YR	06/11/2002	2002-13/148

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Natural Resources, Wildlife Resources	24289	R657-38	AMD	01/15/2002	2001-24/17
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Health, Epidemiology and Laboratory Services, Epidemiology	24820	R386-800	AMD	07/08/2002	2002-11/29
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Public Service Commission, Administration	24585	R746-349	5YR	03/13/2002	2002-7/49
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Environmental Quality, Air Quality	24624	R307-220	5YR	03/26/2002	2002-8/134
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Community and Economic Development, Community Development, Community Services	24563	R202-203	NSC	06/14/2002	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	24834	R414-303	AMD	07/02/2002	2002-11/33
	24167	R414-304	AMD	01/14/2002	2001-22/60
	24861	R414-304	AMD	07/02/2002	2002-11/38
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Community and Economic Development, Community Development, Community Services	24563	R202-203	NSC	06/14/2002	Not Printed
	24971	R202-203	5YR	06/14/2002	2002-13/133
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Tax Commission, Auditing	24740	R865-9I	5YR	04/22/2002	2002-10/85
	24602	R865-9I-7	AMD	05/17/2002	2002-8/117
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	24337	R865-9I-37	AMD	02/25/2002	2002-2/36
	24518	R865-9I-37	AMD	05/17/2002	2002-6/55
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Workforce Services, Workforce Information and Payment Services	24408	R994-204-404	NSC	04/01/2002	Not Printed
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Health, Health Care Financing, Medical Assistance Program	24496	R420-1	AMD	04/09/2002	2002-5/43
	24863	R420-1	AMD	07/02/2002	2002-11/51

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Environmental Quality, Radiation Control	24360	R313-35	5YR	01/02/2002	2002-3/124
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Health, Community and Family Health Services, WIC Services	24777	R406-100	5YR	04/30/2002	2002-10/71
	24779	R406-200	5YR	04/30/2002	2002-10/71
	24781	R406-201	5YR	04/30/2002	2002-10/72
	24788	R406-202	5YR	05/01/2002	2002-10/72
	24789	R406-301	5YR	05/01/2002	2002-10/73
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Corrections, Administration	24581	R251-706	5YR	03/13/2002	2002-7/35
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Agriculture and Food, Animal Industry	24480	R58-18	5YR	02/13/2002	2002-5/62
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	24689	R58-18	AMD	06/03/2002	2002-9/6
	24877	R58-18	AMD	07/18/2002	2002-12/8
Agriculture and Food, Plant Industry	24654	R68-20	R&R	05/16/2002	2002-8/4
Agriculture and Food, Regulatory Services	24599	R70-530	5YR	03/18/2002	2002-8/129
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	24045	R70-920	NSC	02/01/2002	Not Printed
	24047	R70-930	NSC	02/01/2002	Not Printed
	24198	R70-940	AMD	02/12/2002	2001-23/9
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Human Resource Management, Administration	24940	R477-7	5YR	06/11/2002	2002-13/142
	24858	R477-7	AMD	07/05/2002	2002-11/71
	24504	R590-102	5YR	02/21/2002	2002-6/80
	24712	R590-102	R&R	06/07/2002	2002-9/49
	24489	R590-103	5YR	02/14/2002	2002-5/67
	24501	R590-114	5YR	02/21/2002	2002-6/80
	24747	R590-118	5YR	04/23/2002	2002-10/79
	24749	R590-146	5YR	04/23/2002	2002-10/80
	24341	R590-147	AMD	02/21/2002	2002-2/22
	24502	R590-147	5YR	02/21/2002	2002-6/82
	24237	R590-148	CPR	04/18/2002	2002-6/58
	24237	R590-148	R&R	04/18/2002	2001-23/60
	24737	R590-148-29	NSC	06/01/2002	Not Printed
	25082	R590-149	5YR	07/12/2002	2002-15/95
	25083	R590-173	5YR	07/12/2002	2002-15/96
	24441	R590-176	5YR	02/01/2002	2002-4/50
	24447	R590-181	5YR	02/01/2002	2002-4/51
	24487	R590-182	5YR	02/13/2002	2002-5/69
	24514	R590-182	AMD	04/18/2002	2002-6/37

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	23814	R590-203	CPR	05/17/2002	2002-7/24
	23814	R590-203	CPR	05/17/2002	2001-23/126
	23813	R590-211	CPR	01/10/2002	2001-23/128
	24050	R590-212	CPR	01/10/2002	2001-23/129
	24827	R590-212	AMD	07/12/2002	2002-11/106
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Insurance, Administration	24292	R590-208	AMD	01/24/2002	2001-24/6
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	24746	R590-108	5YR	04/23/2002	2002-10/79
	24571	R590-116	5YR	03/08/2002	2002-7/47
	24572	R590-117	5YR	03/08/2002	2002-7/48
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Insurance, Administration	24754	R590-68	5YR	04/24/2002	2002-10/77
	24500	R590-70	5YR	02/21/2002	2002-6/78
	24512	R590-78	5YR	02/26/2002	2002-6/78
	24538	R590-78	REP	05/17/2002	2002-7/12
	24753	R590-85	5YR	04/24/2002	2002-10/77
	24744	R590-86	5YR	04/23/2002	2002-10/78
	24393	R590-91	AMD	03/13/2002	2002-3/25
	24506	R590-95	5YR	02/25/2002	2002-6/79
	24513	R590-99	5YR	02/26/2002	2002-6/79
	24528	R590-99	NSC	04/01/2002	Not Printed
	24481	R590-121	5YR	02/13/2002	2002-5/68
	25081	R590-122	5YR	07/12/2002	2002-15/95
	24508	R590-123	5YR	02/26/2002	2002-6/81
	24442	R590-126	5YR	02/01/2002	2002-4/49
	24490	R590-133	5YR	02/14/2002	2002-5/68
	24507	R590-142	5YR	02/26/2002	2002-6/81
	24497	R590-143	5YR	02/19/2002	2002-6/82
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Insurance, Administration	24748	R590-120	5YR	04/23/2002	2002-10/80
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Public Safety, Driver License	25008	R708-34	5YR	06/21/2002	2002-14/102
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Human Resource Management, Administration	24937	R477-4	5YR	06/11/2002	2002-13/140
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Judicial Conduct Commission, Administration	24517	R595-1	AMD	04/16/2002	2002-6/38
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Workforce Services, Workforce Information and Payment Services	24870	R994-406	5YR	05/23/2002	2002-12/33
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	24474	R547-1-14	AMD	04/30/2002	2002-5/49
	24887	R547-2	5YR	05/30/2002	2002-12/27
	24475	R547-2-14	AMD	04/30/2002	2002-5/50
	24893	R547-3	5YR	05/31/2002	2002-12/28
	24888	R547-4	5YR	05/30/2002	2002-12/28
	24476	R547-4-14	AMD	04/30/2002	2002-5/52
	24919	R547-6	5YR	06/04/2002	2002-13/149
	24892	R547-7	5YR	05/31/2002	2002-12/28
	24889	R547-12	5YR	05/30/2002	2002-12/29
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Human Services, Youth Corrections	24920	R547-13	5YR	06/04/2002	2002-13/149
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Public Safety, Peace Officer Standards and Training	24440	R728-505-6	AMD	04/10/2002	2002-4/37
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Labor Commission, Antidiscrimination and Labor, Labor	24370	R610-1	5YR	01/10/2002	2002-3/125
	24373	R610-2	5YR	01/10/2002	2002-3/125
	24372	R610-3	5YR	01/10/2002	2002-3/126
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Health, Epidemiology and Laboratory Services, Laboratory Improvement	24954	R444-14	5YR	06/13/2002	2002-13/137
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School and Institutional Trust Lands, Administration	24396	R850-90	5YR	01/15/2002	2002-3/129

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	24397	R850-120	5YR	01/15/2002	2002-3/130
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Natural Resources, Forestry, Fire and State Lands	24680	R652-90	5YR	04/02/2002	2002-9/77
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Environmental Quality, Air Quality	24624	R307-220	5YR	03/26/2002	2002-8/134
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Natural Resources, Wildlife Resources	24535	R657-43	5YR	03/01/2002	2002-6/84
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Public Safety, Fire Marshal	24246	R710-9	AMD	01/02/2002	2001-23/107
	24951	R710-9	5YR	06/12/2002	2002-13/154
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Public Safety, Peace Officer Standards and Training	24436	R728-404-5	AMD	04/10/2002	2002-4/34
	24380	R728-405	NSC	05/14/2002	Not Printed
	24830	R728-405	NSC	05/14/2002	Not Printed
	24443	R728-408	NEW	04/10/2002	2002-4/36
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Financial Institutions, Administration	25135	R331-7	5YR	08/01/2002	2002-16/59
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Human Resource Management, Administration	24851	R477-7	NEW	07/05/2002	2002-11/75
	24941	R477-8	5YR	06/11/2002	2002-13/143
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Corrections, Administration	24823	R251-707	5YR	05/13/2002	2002-11/135
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Tax Commission, Motor Vehicle	24692	R873-22M	5YR	04/05/2002	2002-9/85
	24761	R873-22M-34	NSC	06/01/2002	Not Printed
Tax Commission, Motor Vehicle Enforcement	24701	R877-23V	5YR	04/11/2002	2002-9/87
licensing					
Commerce, Administration	24452	R151-33	R&R	03/19/2002	2002-4/8
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	24329	R156-1-109	AMD	02/19/2002	2002-2/6
	24463	R156-9	5YR	02/07/2002	2002-5/64
	24462	R156-15	5YR	02/07/2002	2002-5/65
	25121	R156-16a	5YR	07/23/2002	2002-16/57

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	24720	R156-26a	5YR	04/15/2002	2002-9/64
	24818	R156-26a-307	AMD	07/03/2002	2002-11/21
	24718	R156-28	5YR	04/15/2002	2002-9/65
	24821	R156-37	5YR	05/09/2002	2002-11/133
	24822	R156-38	AMD	07/03/2002	2002-11/22
	24694	R156-41	5YR	04/08/2002	2002-9/65
	24318	R156-54	NSC	04/01/2002	Not Printed
	24696	R156-54	5YR	04/08/2002	2002-9/66
	24472	R156-54-302b	AMD	04/02/2002	2002-5/28
	24392	R156-55a	5YR	01/15/2002	2002-3/121
	24151	R156-55a	AMD	03/19/2002	2001-22/51
	24151	R156-55a	CPR	03/19/2002	2002-4/42
	24866	R156-55a	AMD	07/16/2002	2002-12/9
	24367	R156-55b	5YR	01/07/2002	2002-3/121
	24368	R156-55c	5YR	01/07/2002	2002-3/122
	24315	R156-56	NSC	04/01/2002	Not Printed
	24865	R156-56	5YR	05/16/2002	2002-12/24
	24653	R156-56	AMD	07/01/2002	2002-8/58
	24652	R156-56	AMD	07/01/2002	2002-8/46
	24650	R156-56-704	AMD	07/01/2002	2002-8/76
	24391	R156-57	5YR	01/14/2002	2002-3/123
	24390	R156-58	5YR	01/14/2002	2002-3/123
	24897	R156-59	AMD	08/01/2002	2002-13/20
	24196	R156-60c-502	AMD	01/07/2002	2001-23/11
	25078	R156-64	5YR	07/11/2002	2002-15/94
	24331	R156-67-306	AMD	02/19/2002	2002-2/7
	24809	R156-70a	5YR	05/02/2002	2002-11/134
	24464	R156-71	5YR	02/07/2002	2002-5/65
	24695	R156-72	5YR	04/08/2002	2002-9/67
	24459	R156-75	NEW	04/02/2002	2002-5/29
	24670	R156-75-102	NSC	05/01/2002	Not Printed
Commerce, Real Estate	24908	R162-1	5YR	06/03/2002	2002-13/127
	24649	R162-102	5YR	03/27/2002	2002-8/129
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Human Services, Youth Corrections	24885	R547-1	5YR	05/30/2002	2002-12/27
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	24892	R547-7	5YR	05/31/2002	2002-12/28
Natural Resources, Wildlife Resources	24699	R657-27	5YR	04/10/2002	2002-9/78
	24714	R657-27	AMD	06/03/2002	2002-9/55
	24922	R657-30	5YR	06/05/2002	2002-13/151
Transportation, Operations, Aeronautics	25025	R914-2	5YR	06/25/2002	2002-14/110

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liens					
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limited access highways					
Transportation, Preconstruction, Right-of-Way Acquisition	24428	R933-3	5YR	01/22/2002	2002-4/60
liquefied petroleum gas					
Public Safety, Fire Marshal	24244	R710-6	AMD	01/02/2002	2001-23/98
livestock					
Agriculture and Food, Animal Industry	24194	R58-7-3	AMD	02/12/2002	2001-23/4
loss recovery					
Transportation, Administration	24451	R907-63	5YR	02/01/2002	2002-4/54
management					
Community and Economic Development, Community Development, History	24322	R212-7	AMD	02/21/2002	2002-2/10
Natural Resources, Forestry, Fire and State Lands	24675	R652-40	5YR	04/02/2002	2002-9/75
	24680	R652-90	5YR	04/02/2002	2002-9/77
School and Institutional Trust Lands, Administration	25034	R850-40	5YR	06/27/2002	2002-14/107
	24333	R850-41-1310	AMD	02/15/2002	2002-2/33
	24886	R850-100	AMD	07/16/2002	2002-12/19
materials handling					
Natural Resources, Forestry, Fire and State Lands	24681	R652-100	5YR	04/02/2002	2002-9/77
mathematics					
Education, Administration	24263	R277-717	AMD	01/04/2002	2001-23/17
Medicaid					
Health, Children's Health Insurance Program	24063	R382-10	AMD	02/07/2002	2001-20/19
Health, Health Care Financing, Coverage and Reimbursement Policy	24785	R414-1	5YR	04/30/2002	2002-10/73
	24700	R414-1-6	AMD	06/01/2002	2002-9/47
	25026	R414-1A	5YR	06/25/2002	2002-14/98
	24314	R414-2A	AMD	02/01/2002	2002-1/6
	24576	R414-4A	5YR	03/12/2002	2002-7/44
	24575	R414-7C	5YR	03/12/2002	2002-7/45
	24573	R414-10	5YR	03/08/2002	2002-7/45
	24577	R414-10A	5YR	03/12/2002	2002-7/46
	24378	R414-21	NSC	05/06/2002	Not Printed
	24816	R414-21	5YR	05/06/2002	2002-11/136
	24379	R414-38	NSC	05/06/2002	Not Printed
	24817	R414-38	5YR	05/06/2002	2002-11/137
	24574	R414-45	5YR	03/08/2002	2002-7/46
	25029	R414-60	5YR	06/26/2002	2002-14/99
	24495	R414-63	AMD	04/30/2002	2002-5/41
	24802	R414-100	NEW	07/01/2002	2002-10/29

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Health, Health Care Financing, Medical Assistance Program	24496	R420-1	AMD	04/09/2002	2002-5/43
	24863	R420-1	AMD	07/02/2002	2002-11/51
	25086	R420-1	5YR	07/12/2002	2002-15/94
Human Services, Recovery Services	24438	R527-201	5YR	01/30/2002	2002-4/49
medicaid					
Health, Health Care Financing, Coverage and Reimbursement Policy	24803	R414-200	NEW	07/01/2002	2002-10/31
medical laboratories					
Health, Epidemiology and Laboratory Services, Laboratory Improvement	24921	R444-1	5YR	06/04/2002	2002-13/137
	25061	R444-11	5YR	07/01/2002	2002-14/100
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Commerce, Occupational and Professional Licensing	25112	R156-78a	5YR	07/16/2002	2002-16/58
medical practitioner					
Labor Commission, Industrial Accidents	24733	R612-2-5	AMD	06/18/2002	2002-10/49
medical practitioners					
Labor Commission, Industrial Accidents	24915	R612-2-20	AMD	08/01/2002	2002-13/104
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Commerce, Occupational and Professional Licensing	24196	R156-60c-502	AMD	01/07/2002	2001-23/11
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Natural Resources, Wildlife Resources	24384	R657-9	AMD	03/05/2002	2002-3/85
mineral resources					
Tax Commission, Auditing	24590	R865-14W	5YR	03/15/2002	2002-7/50
	24730	R865-14W	5YR	04/16/2002	2002-10/88
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Natural Resources, Oil, Gas and Mining; Abandoned Mine Reclamation	24607	R643-870	5YR	03/25/2002	2002-8/139
	24608	R643-872	5YR	03/25/2002	2002-8/140
	24609	R643-874	5YR	03/25/2002	2002-8/140
	24610	R643-875	5YR	03/25/2002	2002-8/141
	24611	R643-877	5YR	03/25/2002	2002-8/141
	24612	R643-879	5YR	03/25/2002	2002-8/142
	24613	R643-882	5YR	03/25/2002	2002-8/142
	24614	R643-884	5YR	03/25/2002	2002-8/143
	24615	R643-886	5YR	03/25/2002	2002-8/143
Natural Resources, Oil, Gas and Mining; Coal	24618	R645-103	5YR	03/25/2002	2002-8/144
mining law					
Natural Resources, Oil, Gas and Mining; Abandoned Mine Reclamation	24611	R643-877	5YR	03/25/2002	2002-8/141
	24612	R643-879	5YR	03/25/2002	2002-8/142
minority education					
Education, Administration	24263	R277-717	AMD	01/04/2002	2001-23/17

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	24373	R610-2	5YR	01/10/2002	2002-3/125
	24372	R610-3	5YR	01/10/2002	2002-3/126
moratorium					
Community and Economic Development, Community Development, Community Services	24976	R202-208	5YR	06/14/2002	2002-13/136
motor fuel					
Tax Commission, Auditing	24509	R865-13G-15	NSC	04/01/2002	Not Printed
motor fuels					
Tax Commission, Auditing	24686	R865-13G	5YR	04/03/2002	2002-9/81
motor vehicles					
Administrative Services, Fleet Operations	24879	R27-10	5YR	05/29/2002	2002-12/23
Commerce, Consumer Protection	24901	R152-20	5YR	06/03/2002	2002-13/126
Environmental Quality, Air Quality	24641	R307-121	5YR	03/26/2002	2002-8/133
	24646	R307-301	5YR	03/27/2002	2002-8/138
Tax Commission, Motor Vehicle	24692	R873-22M	5YR	04/05/2002	2002-9/85
	24761	R873-22M-34	NSC	06/01/2002	Not Printed
Tax Commission, Motor Vehicle Enforcement	24701	R877-23V	5YR	04/11/2002	2002-9/87
	24790	R877-23V-7	NSC	06/01/2002	Not Printed
municipal landfills					
Environmental Quality, Air Quality	24625	R307-221	5YR	03/26/2002	2002-8/138
nail technicians					
Commerce, Occupational and Professional Licensing	25077	R156-11a	5YR	07/11/2002	2002-15/93
national register					
Community and Economic Development, Community Development, History	24323	R212-6	AMD	02/21/2002	2002-2/9
natural resources					
Natural Resources, Forestry, Fire and State Lands	24675	R652-40	5YR	04/02/2002	2002-9/75
School and Institutional Trust Lands, Administration	25034	R850-40	5YR	06/27/2002	2002-14/107
	24333	R850-41-1310	AMD	02/15/2002	2002-2/33
natural resources assessment					
School and Institutional Trust Lands, Administration	24886	R850-100	AMD	07/16/2002	2002-12/19
naturopathic physicians					
Commerce, Occupational and Professional Licensing	24464	R156-71	5YR	02/07/2002	2002-5/65
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Commerce, Occupational and Professional Licensing	24464	R156-71	5YR	02/07/2002	2002-5/65
network interconnections					
Public Service Commission, Administration	24437	R746-348	5YR	01/30/2002	2002-4/52

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Transportation, Preconstruction	24423	R930-3	5YR	01/22/2002	2002-4/58
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Transportation, Preconstruction	24423	R930-3	5YR	01/22/2002	2002-4/58
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Health, Health Care Financing, Coverage and Reimbursement Policy	24803	R414-200	NEW	07/01/2002	2002-10/31
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Natural Resources, Forestry, Fire and State Lands	24251	R652-140	NEW	01/22/2002	2001-23/83
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Education, Administration	24725	R277-723	5YR	04/15/2002	2002-9/69
Health, Community and Family Health Services, WIC Services	24777	R406-100	5YR	04/30/2002	2002-10/71
	24779	R406-200	5YR	04/30/2002	2002-10/71
	24781	R406-201	5YR	04/30/2002	2002-10/72
	24788	R406-202	5YR	05/01/2002	2002-10/72
	24789	R406-301	5YR	05/01/2002	2002-10/73
occupational licensing					
Commerce, Occupational and Professional Licensing	24808	R156-1	5YR	05/02/2002	2002-11/133
	24329	R156-1-109	AMD	02/19/2002	2002-2/6
	24392	R156-55a	5YR	01/15/2002	2002-3/121
	24151	R156-55a	CPR	03/19/2002	2002-4/42
	24151	R156-55a	AMD	03/19/2002	2001-22/51
	24866	R156-55a	AMD	07/16/2002	2002-12/9
	24367	R156-55b	5YR	01/07/2002	2002-3/121
	24368	R156-55c	5YR	01/07/2002	2002-3/122
	24459	R156-75	NEW	04/02/2002	2002-5/29
	24670	R156-75-102	NSC	05/01/2002	Not Printed
Insurance, Administration	24747	R590-118	5YR	04/23/2002	2002-10/79
oil and gas conservation					
Natural Resources, Oil, Gas and Mining; Oil and Gas	24635	R649-8	5YR	03/26/2002	2002-8/151
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Natural Resources, Oil, Gas and Mining; Oil and Gas	24631	R649-1	5YR	03/26/2002	2002-8/149
	24632	R649-2	5YR	03/26/2002	2002-8/150
	24633	R649-3	5YR	03/26/2002	2002-8/150
	24634	R649-5	5YR	03/26/2002	2002-8/151
	24636	R649-9	5YR	03/26/2002	2002-8/151
open government					
Education, Administration	24658	R277-101	R&R	05/17/2002	2002-8/87

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	24492	R307-415-9	CPR	08/01/2002	2002-13/116
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Environmental Quality, Water Quality	24664	R317-10	AMD	07/05/2002	2002-8/92
Public Safety, Highway Patrol	24895	R714-500	EMR	06/03/2002	2002-13/123
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Commerce, Occupational and Professional Licensing	25121	R156-16a	5YR	07/23/2002	2002-16/57
overpayment					
Human Services, Recovery Services	24600	R527-200-6	AMD	05/16/2002	2002-8/100
overpayments					
Human Services, Recovery Services	24359	R527-200	AMD	03/05/2002	2002-3/20
Workforce Services, Workforce Information and Payment Services	24870	R994-406	5YR	05/23/2002	2002-12/33
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Human Resource Management, Administration	24852	R477-8	AMD	07/05/2002	2002-11/81
ozone					
Environmental Quality, Air Quality	24643	R307-110	5YR	03/27/2002	2002-8/131
	24595	R307-110-16	AMD	05/13/2002	2002-7/9
	24743	R307-342	5YR	04/22/2002	2002-10/66
park					
Natural Resources, Parks and Recreation	24882	R651-611-4	AMD	08/01/2002	2002-12/17
parking facilities					
Regents (Board Of), University of Utah, Parking and Transportation Services	24516	R810-2	5YR	02/27/2002	2002-6/84
	24505	R810-2	AMD	07/10/2002	2002-6/54
	24586	R810-5	5YR	03/13/2002	2002-7/49
	24530	R810-6	5YR	03/01/2002	2002-6/85
	24533	R810-9	5YR	03/01/2002	2002-6/85
	24536	R810-10	5YR	03/01/2002	2002-6/86
	24537	R810-11	5YR	03/01/2002	2002-6/86
parks					
Natural Resources, Parks and Recreation	25132	R651-611-2	EMR	08/01/2002	2002-16/55
	24881	R651-611-3	AMD	08/01/2002	2002-12/16
parole					
Human Services, Youth Corrections	24919	R547-6	5YR	06/04/2002	2002-13/149
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Environmental Quality, Air Quality	24643	R307-110	5YR	03/27/2002	2002-8/131
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peer review					
Commerce, Occupational and Professional Licensing	24818	R156-26a-307	AMD	07/03/2002	2002-11/21
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Commerce, Occupational and Professional Licensing	24720	R156-26a	5YR	04/15/2002	2002-9/64
penalties					
Environmental Quality, Air Quality	24644	R307-130	5YR	03/27/2002	2002-8/134
Environmental Quality, Environmental Response and Remediation	24556	R311-208	5YR	03/06/2002	2002-7/43
per diem allowance					
Administrative Services, Finance	24843	R25-7	AMD	07/02/2002	2002-11/14
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Health, Center for Health Data, Health Care Statistics	24765	R428-12	5YR	04/29/2002	2002-10/76
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Natural Resources, Forestry, Fire and State Lands	24679	R652-70	5YR	04/02/2002	2002-9/76
	24681	R652-100	5YR	04/02/2002	2002-9/77
Natural Resources, Wildlife Resources	25047	R657-32	NSC	06/06/2002	Not Printed
	24836	R657-42	AMD	07/03/2002	2002-11/117
	24534	R657-50	NEW	04/16/2002	2002-6/51
Transportation, Motor Carrier, Ports of Entry	25023	R912-3	5YR	06/25/2002	2002-14/109
personal property					
Tax Commission, Property Tax	24693	R884-24P	5YR	04/05/2002	2002-9/88
	24767	R884-24P-56	NSC	06/01/2002	Not Printed
personnel management					
Human Resource Management, Administration	24934	R477-1	5YR	06/11/2002	2002-13/138
	24845	R477-1	AMD	07/05/2002	2002-11/55
	24936	R477-3	5YR	06/11/2002	2002-13/140
	24847	R477-3	REP	07/05/2002	2002-11/64
	24939	R477-6	5YR	06/11/2002	2002-13/141
	24850	R477-6	AMD	07/05/2002	2002-11/69
	24858	R477-7	AMD	07/05/2002	2002-11/71
	24236	R477-9	AMD	01/04/2002	2001-23/54
	24942	R477-9	5YR	06/11/2002	2002-13/144
	24853	R477-9	AMD	07/05/2002	2002-11/89
	24946	R477-13	5YR	06/11/2002	2002-13/147
	24857	R477-14	AMD	07/05/2002	2002-11/97
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Human Resource Management, Administration	24940	R477-7	5YR	06/11/2002	2002-13/142

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	24549	R311-201	5YR	03/06/2002	2002-7/36
	24550	R311-202	5YR	03/06/2002	2002-7/37
	24551	R311-203	5YR	03/06/2002	2002-7/38
	24552	R311-204	5YR	03/06/2002	2002-7/38
	24553	R311-205	5YR	03/06/2002	2002-7/39
	24554	R311-206	5YR	03/06/2002	2002-7/40
	24555	R311-207	5YR	03/06/2002	2002-7/41
	24556	R311-208	5YR	03/06/2002	2002-7/43
	24557	R311-209	5YR	03/06/2002	2002-7/42
	24558	R311-210	5YR	03/06/2002	2002-7/43
	24559	R311-211	5YR	03/06/2002	2002-7/43
	24560	R311-212	5YR	03/06/2002	2002-7/44
Tax Commission, Auditing	24734	R865-15O	5YR	04/17/2002	2002-10/89
petroleum industries					
Tax Commission, Auditing	24734	R865-15O	5YR	04/17/2002	2002-10/89
physical therapy					
Commerce, Occupational and Professional Licensing	24719	R156-24a	5YR	04/15/2002	2002-9/64
	24247	R156-24a-601	AMD	01/07/2002	2001-23/10
physically handicapped persons					
Commerce, Administration	25124	R151-3	5YR	07/26/2002	2002-16/57
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Commerce, Occupational and Professional Licensing	24809	R156-70a	5YR	05/02/2002	2002-11/134
physicians					
Commerce, Occupational and Professional Licensing	24331	R156-67-306	AMD	02/19/2002	2002-2/7
plumbers					
Commerce, Occupational and Professional Licensing	24368	R156-55c	5YR	01/07/2002	2002-3/122
plumbing					
Commerce, Occupational and Professional Licensing	24368	R156-55c	5YR	01/07/2002	2002-3/122
PM10					
Environmental Quality, Air Quality	24591	R307-310	NEW	05/13/2002	2002-7/10
point-system					
Public Safety, Driver License	25123	R708-3	5YR	07/25/2002	2002-16/61
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Public Safety, Peace Officer Standards and Training	24440	R728-505-6	AMD	04/10/2002	2002-4/37

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	24848	R477-4	AMD	07/05/2002	2002-11/65
post-conviction					
Administrative Services, Finance	24691	R25-14	5YR	04/05/2002	2002-9/63
postal service					
Transportation, Preconstruction	24421	R930-1	5YR	01/22/2002	2002-4/57
prelitigation					
Commerce, Occupational and Professional Licensing	25112	R156-78a	5YR	07/16/2002	2002-16/58
preneed					
Commerce, Occupational and Professional Licensing	24390	R156-58	5YR	01/14/2002	2002-3/123
prescriptions					
Health, Health Care Financing, Coverage and Reimbursement Policy	24495	R414-63	AMD	04/30/2002	2002-5/41
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Corrections, Administration	24583	R251-106	5YR	03/13/2002	2002-7/33
pricing flexibility					
Public Service Commission, Administration	24645	R746-351	5YR	03/27/2002	2002-8/152
primary care					
Health, Health Care Financing, Coverage and Reimbursement Policy	24806	R414-310	NEW	07/01/2002	2002-10/36
primary care network					
Health, Health Care Financing, Coverage and Reimbursement Policy	24802	R414-100	NEW	07/01/2002	2002-10/29
primary term					
Natural Resources, Forestry, Fire and State Lands	24673	R652-20	5YR	04/02/2002	2002-9/74
School and Institutional Trust Lands, Administration	25048	R850-20	5YR	06/27/2002	2002-14/106
printing					
Transportation, Administration	24449	R907-60	5YR	02/01/2002	2002-4/53
prisons					
Corrections, Administration	24583	R251-106	5YR	03/13/2002	2002-7/33
	24499	R251-107	5YR	02/20/2002	2002-6/77
	24498	R251-107	AMD	04/18/2002	2002-6/7
	24697	R251-107	NSC	05/01/2002	Not Printed
	24582	R251-703	5YR	03/13/2002	2002-7/34
	24580	R251-705	5YR	03/13/2002	2002-7/35
	24579	R251-705	NSC	05/01/2002	Not Printed
	24581	R251-706	5YR	03/13/2002	2002-7/35
	24823	R251-707	5YR	05/13/2002	2002-11/135
	24997	R251-710	5YR	06/19/2002	2002-14/98

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	24404	R527-5	5YR	01/16/2002	2002-4/47
privacy laws child support					
Human Services, Recovery Services	24358	R527-5-6	NSC	04/01/2002	Not Printed
procedures					
Public Service Commission, Administration	24727	R746-210-2	AMD	06/20/2002	2002-9/58
proceedings					
Judicial Conduct Commission, Administration	24517	R595-1	AMD	04/16/2002	2002-6/38
procurement					
Administrative Services, Facilities Construction and Management	24925	R23-1	5YR	06/06/2002	2002-13/125
	24594	R23-1-60	AMD	05/03/2002	2002-7/3
professional competency					
Education, Administration	24262	R277-502	AMD	01/04/2002	2001-23/13
	24724	R277-519	5YR	04/15/2002	2002-9/69
	24255	R277-903	REP	01/04/2002	2001-23/21
professional counselors					
Commerce, Occupational and Professional Licensing	24196	R156-60c-502	AMD	01/07/2002	2001-23/11
professional education					
Education, Administration	24726	R277-507	5YR	04/15/2002	2002-9/68
professional employer organization					
Commerce, Occupational and Professional Licensing	24897	R156-59	AMD	08/01/2002	2002-13/20
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Commerce, Occupational and Professional Licensing	24913	R156-22	AMD	08/01/2002	2002-13/18
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Human Services, Youth Corrections	24473	R547-14	NEW	04/30/2002	2002-5/54
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	24835	R523-1-15	AMD	07/02/2002	2002-11/105
	24460	R523-1-19	AMD	05/01/2002	2002-5/46
Human Services, Youth Corrections	24474	R547-1-14	AMD	04/30/2002	2002-5/49
	24475	R547-2-14	AMD	04/30/2002	2002-5/50
	24476	R547-4-14	AMD	04/30/2002	2002-5/52

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prosecution					
Workforce Services, Workforce Information and Payment Services	24874	R994-104	5YR	05/23/2002	2002-12/30
public assistance					
Workforce Services, Employment Development	24250	R986-900	AMD	02/01/2002	2001-23/121
	24800	R986-900	AMD	07/01/2002	2002-10/61
public buildings					
Administrative Services, Facilities Construction and Management	24925	R23-1	5YR	06/06/2002	2002-13/125
	24594	R23-1-60	AMD	05/03/2002	2002-7/3
	24978	R23-19	5YR	06/14/2002	2002-13/125
Capitol Preservation Board (State), Administration	24366	R131-3	EMR	01/07/2002	2002-3/119
	24369	R131-3	NEW	05/30/2002	2002-3/8
Public Safety, Fire Marshal	24243	R710-4	AMD	01/02/2002	2001-23/94
	24950	R710-4	5YR	06/12/2002	2002-13/153
public education					
Money Management Council, Administration	25075	R628-2	5YR	07/10/2002	2002-15/96
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Health, Epidemiology and Laboratory Services, Environmental Services	24867	R392-100	5YR	05/17/2002	2002-12/26
	24356	R392-400	AMD	04/11/2002	2002-2/11
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Administrative Services, Administration	24891	R13-2	5YR	05/31/2002	2002-12/23
	24935	R477-2	5YR	06/11/2002	2002-13/139
	24846	R477-2	AMD	07/05/2002	2002-11/59
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Attorney General, Administration	25007	R105-2	5YR	06/20/2002	2002-14/97
	24721	R151-2	5YR	04/15/2002	2002-9/63
	24860	R151-2	AMD	07/02/2002	2002-11/17
	24792	R305-1	5YR	05/01/2002	2002-10/65
	24807	R380-20	5YR	05/02/2002	2002-11/136
Natural Resources, Oil, Gas and Mining; Administration	24606	R642-100	5YR	03/25/2002	2002-8/139
Natural Resources, Forestry, Fire and State Lands	24672	R652-6	5YR	04/02/2002	2002-9/74
Natural Resources, Wildlife Resources	24840	R657-29	5YR	05/15/2002	2002-11/138

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Regents (Board Of), College of Eastern Utah	25117	R767-1	5YR	07/18/2002	2002-16/62
School and Institutional Trust Lands, Administration	25040	R850-6	5YR	06/27/2002	2002-14/106
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Education, Administration	24521	R277-915	5YR	02/28/2002	2002-6/77
	24524	R277-916	AMD	04/23/2002	2002-6/25
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	24645	R746-351	5YR	03/27/2002	2002-8/152
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Natural Resources, Wildlife Resources	24383	R657-6	AMD	03/05/2002	2002-3/77
	24961	R657-6	5YR	06/13/2002	2002-13/150
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Environmental Quality, Radiation Control	24759	R313-15-1001	AMD	07/23/2002	2002-10/21
	24757	R313-22-39	AMD	07/23/2002	2002-10/23
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Commerce, Occupational and Professional Licensing	24696	R156-54	5YR	04/08/2002	2002-9/66
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Commerce, Occupational and Professional Licensing	24318	R156-54	NSC	04/01/2002	Not Printed
	24472	R156-54-302b	AMD	04/02/2002	2002-5/28
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Commerce, Occupational and Professional Licensing	24696	R156-54	5YR	04/08/2002	2002-9/66
radiology technologists					
Commerce, Occupational and Professional Licensing	24318	R156-54	NSC	04/01/2002	Not Printed
	24472	R156-54-302b	AMD	04/02/2002	2002-5/28
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Transportation, Preconstruction	24424	R930-5	5YR	01/22/2002	2002-4/59
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Transportation, Operations, Traffic and Safety	25022	R920-2	5YR	06/25/2002	2002-14/111
Transportation, Preconstruction	24424	R930-5	5YR	01/22/2002	2002-4/59
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Natural Resources, Forestry, Fire and State Lands	24677	R652-50	5YR	04/02/2002	2002-9/75
School and Institutional Trust Lands, Administration	25033	R850-50	5YR	06/27/2002	2002-14/108
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Administrative Services, Fleet Operations, Surplus Property	24878	R28-7	5YR	05/29/2002	2002-12/24
Labor Commission, Industrial Accidents	24283	R612-4-2	AMD	01/15/2002	2001-24/10

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School and Institutional Trust Lands, Administration	25041	R850-4	5YR	06/27/2002	2002-14/105
Workforce Services, Workforce Information and Payment Services	24875	R994-303	5YR	05/23/2002	2002-12/31
	24413	R994-307-101	AMD	04/01/2002	2002-4/38
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Financial Institutions, Banks	24884	R333-11	5YR	05/30/2002	2002-12/25
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Commerce, Real Estate	24649	R162-102	5YR	03/27/2002	2002-8/129
	24648	R162-104	5YR	03/27/2002	2002-8/130
	24647	R162-106	5YR	03/27/2002	2002-8/130
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Commerce, Real Estate	24911	R162-101	5YR	06/03/2002	2002-13/131
	24909	R162-103	5YR	06/03/2002	2002-13/131
	24912	R162-109	5YR	06/03/2002	2002-13/132
real estate business					
Commerce, Real Estate	24908	R162-1	5YR	06/03/2002	2002-13/127
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	24906	R162-4	5YR	06/03/2002	2002-13/128
	24905	R162-5	5YR	06/03/2002	2002-13/129
	24928	R162-6	5YR	06/07/2002	2002-13/129
	24904	R162-7	5YR	06/03/2002	2002-13/130
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Financial Institutions, Banks	24884	R333-11	5YR	05/30/2002	2002-12/25
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Natural Resources, Oil, Gas and Mining; Abandoned Mine Reclamation	24607	R643-870	5YR	03/25/2002	2002-8/139
	24608	R643-872	5YR	03/25/2002	2002-8/140
	24609	R643-874	5YR	03/25/2002	2002-8/140
	24610	R643-875	5YR	03/25/2002	2002-8/141
	24611	R643-877	5YR	03/25/2002	2002-8/141
	24612	R643-879	5YR	03/25/2002	2002-8/142
	24613	R643-882	5YR	03/25/2002	2002-8/142
	24614	R643-884	5YR	03/25/2002	2002-8/143
	24615	R643-886	5YR	03/25/2002	2002-8/143
Natural Resources, Oil, Gas and Mining; Coal	24617	R645-100	5YR	03/25/2002	2002-8/144
	24618	R645-103	5YR	03/25/2002	2002-8/144
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	24621	R645-202	5YR	03/25/2002	2002-8/146
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Workforce Services, Administration	25037	R982-201	5YR	06/27/2002	2002-14/112
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Attorney General, Administration	25007	R105-2	5YR	06/20/2002	2002-14/97
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Natural Resources, Wildlife Resources	24289	R657-38	AMD	01/15/2002	2001-24/17
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Natural Resources, Wildlife Resources	25047	R657-32	NSC	06/06/2002	Not Printed
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Natural Resources, Forestry, Fire and State Lands	24251	R652-140	NEW	01/22/2002	2001-23/83
Workforce Services, Workforce Information and Payment Services	25044	R994-403	5YR	06/27/2002	2002-14/113
	24411	R994-403-103f	NSC	04/01/2002	Not Printed
	24405	R994-403-117c	NSC	03/01/2002	Not Printed
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Transportation, Motor Carrier	24335	R909-4	REP	03/06/2002	2002-2/37
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Tax Commission, Auditing	24690	R865-19S	5YR	04/05/2002	2002-9/82
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	24786	R865-19S-27	NSC	06/01/2002	Not Printed
	24776	R865-19S-35	NSC	06/01/2002	Not Printed
	24604	R865-19S-55	AMD	05/17/2002	2002-8/119
	24778	R865-19S-58	NSC	06/01/2002	Not Printed
	24782	R865-19S-91	NSC	06/01/2002	Not Printed
	24784	R865-19S-96	NSC	06/01/2002	Not Printed
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Administrative Services, Fleet Operations	24446	R27-8	NEW	04/08/2002	2002-4/7
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Community and Economic Development, Community Development, Community Services	24970	R202-202	5YR	06/14/2002	2002-13/133
	24562	R202-202	NSC	06/14/2002	Not Printed
Natural Resources, Forestry, Fire and State Lands	24668	R652-3	5YR	04/02/2002	2002-9/72
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Commerce, Real Estate	24894	R162-209	AMD	07/19/2002	2002-12/11
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Commerce, Occupational and Professional Licensing	24391	R156-57	5YR	01/14/2002	2002-3/123
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Tax Commission, Auditing	24729	R865-12L	5YR	04/16/2002	2002-10/87
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Human Resource Management, Administration	24945	R477-12	5YR	06/11/2002	2002-13/147
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Natural Resources, Wildlife Resources	25005	R657-28	5YR	06/20/2002	2002-14/102
Transportation, Program Development	24420	R926-6	5YR	01/21/2002	2002-4/57
Transportation, Preconstruction, Right-of-Way Acquisition	24426	R933-1	5YR	01/22/2002	2002-4/59
	24429	R933-4	5YR	01/22/2002	2002-4/61
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Administrative Services, Risk Management	25054	R37-1	5YR	06/28/2002	2002-14/95
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Natural Resources, Forestry, Fire and State Lands	24673	R652-20	5YR	04/02/2002	2002-9/74
School and Institutional Trust Lands, Administration	25048	R850-20	5YR	06/27/2002	2002-14/106
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Public Service Commission, Administration	24727	R746-210-2	AMD	06/20/2002	2002-9/58
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	24714	R657-27	AMD	06/03/2002	2002-9/55
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	25045	R850-2	5YR	06/27/2002	2002-14/104
safety					
Environmental Quality, Radiation Control	24759	R313-15-1001	AMD	07/23/2002	2002-10/21
Labor Commission, Occupational Safety and Health	24281	R614-1-4	AMD	01/15/2002	2001-24/11
	24374	R614-1-4	NSC	03/01/2002	Not Printed
Labor Commission, Safety	24376	R616-2	5YR	01/10/2002	2002-3/126
	24286	R616-2-3	AMD	01/15/2002	2001-24/13
	24529	R616-2-3	AMD	04/16/2002	2002-6/42
	24377	R616-2-12	NSC	03/01/2002	Not Printed
	24375	R616-3	5YR	01/10/2002	2002-3/127
	24295	R616-3	AMD	01/15/2002	2001-24/14
	24953	R616-3-3	AMD	08/01/2002	2002-13/106
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Transportation, Motor Carrier	24736	R909-75	AMD	06/25/2002	2002-10/51
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	24665	R909-19	AMD	05/21/2002	2002-8/120
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Human Resource Management, Administration	24940	R477-7	5YR	06/11/2002	2002-13/142
	24858	R477-7	AMD	07/05/2002	2002-11/71
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School and Institutional Trust Lands, Administration	25031	R850-80	5YR	06/27/2002	2002-14/109
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Tax Commission, Auditing	24702	R865-11Q	5YR	04/11/2002	2002-9/80
	24729	R865-12L	5YR	04/16/2002	2002-10/87
	24690	R865-19S	5YR	04/05/2002	2002-9/82
	24616	R865-19S-8	AMD	05/17/2002	2002-8/118
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	24776	R865-19S-35	NSC	06/01/2002	Not Printed
	24604	R865-19S-55	AMD	05/17/2002	2002-8/119
	24778	R865-19S-58	NSC	06/01/2002	Not Printed
	24782	R865-19S-91	NSC	06/01/2002	Not Printed
	24784	R865-19S-96	NSC	06/01/2002	Not Printed

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Education, Administration	24259	R277-907	REP	01/04/2002	2001-23/31
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Education, Administration	24659	R277-477	AMD	05/17/2002	2002-8/89
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	24750	R307-801	5YR	04/23/2002	2002-10/66
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Education, Administration	24263	R277-717	AMD	01/04/2002	2001-23/17
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Corrections, Administration	24997	R251-710	5YR	06/19/2002	2002-14/98
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Public Safety, Peace Officer Standards and Training	24443	R728-408	NEW	04/10/2002	2002-4/36
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	24431	R251-704	5YR	01/23/2002	2002-4/47
	24430	R251-704	AMD	04/10/2002	2002-4/28
	24997	R251-710	5YR	06/19/2002	2002-14/98
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Human Services, Substance Abuse	25019	R544-5	5YR	06/24/2002	2002-14/101
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Labor Commission, Adjudication	24285	R602-2-4	AMD	01/15/2002	2001-24/7
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Transportation, Preconstruction, Right-of-Way Acquisition	24427	R933-2	5YR	01/22/2002	2002-4/60
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Environmental Quality, Air Quality	24643	R307-110	5YR	03/27/2002	2002-8/131
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	24704	R315-302	AMD	06/15/2002	2002-9/20
	24706	R315-303	AMD	06/15/2002	2002-9/25
	24705	R315-304	5YR	04/11/2002	2002-9/70
	24707	R315-305	AMD	06/15/2002	2002-9/28
	24708	R315-308	AMD	06/15/2002	2002-9/30
	24709	R315-310	AMD	06/15/2002	2002-9/33
	24710	R315-315	AMD	06/15/2002	2002-9/36
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Natural Resources, Forestry, Fire and State Lands	24679	R652-70	5YR	04/02/2002	2002-9/76
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Health, Epidemiology and Laboratory Services, Environmental Services	24356	R392-400	AMD	04/11/2002	2002-2/11
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Tax Commission, Auditing	24589	R865-4D	5YR	03/15/2002	2002-7/50
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Environmental Quality, Radiation Control	24716	R313-22-33	AMD	06/14/2002	2002-9/10
	24757	R313-22-39	AMD	07/23/2002	2002-10/23
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Commerce, Occupational and Professional Licensing	24694	R156-41	5YR	04/08/2002	2002-9/65
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Environmental Quality, Water Quality	24804	R317-100	AMD	07/05/2002	2002-10/25
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Capitol Preservation Board (State), Administration	24366	R131-3	EMR	01/07/2002	2002-3/119
	24369	R131-3	NEW	05/30/2002	2002-3/8
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Administrative Services, Finance	24843	R25-7	AMD	07/02/2002	2002-11/14
Human Resource Management, Administration	24939	R477-6	5YR	06/11/2002	2002-13/141
	24850	R477-6	AMD	07/05/2002	2002-11/69
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Human Resource Management, Administration	24936	R477-3	5YR	06/11/2002	2002-13/140
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Administrative Services, Fleet Operations, Surplus Property	24545	R28-1	5YR	03/05/2002	2002-7/33
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Community and Economic Development, Community Development, History	24323	R212-6	AMD	02/21/2002	2002-2/9
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Administrative Services, Fleet Operations	24186	R27-3	R&R	01/23/2002	2001-22/11
	24578	R27-3	AMD	05/15/2002	2002-7/3
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Environmental Quality, Air Quality	24642	R307-122	5YR	03/26/2002	2002-8/133
student competency					
Education, Administration	24661	R277-702	AMD	05/17/2002	2002-8/90
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Workforce Services, Workforce Information and Payment Services	25044	R994-403	5YR	06/27/2002	2002-14/113
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	24405	R994-403-117c	NSC	03/01/2002	Not Printed
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Regents (Board Of), Administration	24365	R765-610	5YR	01/04/2002	2002-3/129
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Human Services, Substance Abuse	24924	R544-1	5YR	06/05/2002	2002-13/148
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Commerce, Occupational and Professional Licensing	24913	R156-22	AMD	08/01/2002	2002-13/18
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Environmental Quality, Radiation Control	24360	R313-35	5YR	01/02/2002	2002-3/124
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Public Safety, Fire Marshal	24657	R710-7	AMD	05/20/2002	2002-8/108
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	24642	R307-122	5YR	03/26/2002	2002-8/133
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	24778	R865-19S-58	NSC	06/01/2002	Not Printed
	24782	R865-19S-91	NSC	06/01/2002	Not Printed
	24784	R865-19S-96	NSC	06/01/2002	Not Printed
tax returns					
Tax Commission, Auditing	24740	R865-9I	5YR	04/22/2002	2002-10/85
	24602	R865-9I-7	AMD	05/17/2002	2002-8/117
	24284	R865-9I-17	AMD	02/25/2002	2001-24/22
	24791	R865-9I-19	NSC	06/01/2002	Not Printed
	24337	R865-9I-37	AMD	02/25/2002	2002-2/36
	24518	R865-9I-37	AMD	05/17/2002	2002-6/55
taxation					
Tax Commission, Administration	24741	R861-1A	5YR	04/22/2002	2002-10/82
	24793	R861-1A-13	NSC	06/01/2002	Not Printed
	24601	R861-1A-34	AMD	05/17/2002	2002-8/115
Tax Commission, Auditing	24739	R865-3C	5YR	04/22/2002	2002-10/84
	24589	R865-4D	5YR	03/15/2002	2002-7/50
	24527	R865-4D-22	NSC	04/01/2002	Not Printed
	24685	R865-6F	5YR	04/03/2002	2002-9/79
	24773	R865-6F-19	NSC	06/01/2002	Not Printed
	24762	R865-6F-26	NSC	06/01/2002	Not Printed
	24770	R865-6F-27	NSC	06/01/2002	Not Printed
	24336	R865-6F-28	AMD	02/25/2002	2002-2/34
	24525	R865-6F-28	NSC	05/01/2002	Not Printed
	24772	R865-6F-28	NSC	06/01/2002	Not Printed
	24603	R865-6F-35	AMD	05/17/2002	2002-8/116
	24729	R865-12L	5YR	04/16/2002	2002-10/87
	24686	R865-13G	5YR	04/03/2002	2002-9/81
	24509	R865-13G-15	NSC	04/01/2002	Not Printed
	24590	R865-14W	5YR	03/15/2002	2002-7/50
	24730	R865-14W	5YR	04/16/2002	2002-10/88
	24734	R865-15O	5YR	04/17/2002	2002-10/89
	24735	R865-20T	5YR	04/17/2002	2002-10/89
Tax Commission, Motor Vehicle	24692	R873-22M	5YR	04/05/2002	2002-9/85
	24761	R873-22M-34	NSC	06/01/2002	Not Printed
Tax Commission, Motor Vehicle Enforcement	24701	R877-23V	5YR	04/11/2002	2002-9/87
	24790	R877-23V-7	NSC	06/01/2002	Not Printed
Tax Commission, Property Tax	24693	R884-24P	5YR	04/05/2002	2002-9/88
	24767	R884-24P-56	NSC	06/01/2002	Not Printed
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Education, Administration	24723	R277-503	5YR	04/15/2002	2002-9/68
	24398	R277-517	AMD	03/05/2002	2002-3/9
	24724	R277-519	5YR	04/15/2002	2002-9/69

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Education, Administration	24523	R277-911	AMD	04/23/2002	2002-6/20
telecommunications					
Public Service Commission, Administration	24437	R746-348	5YR	01/30/2002	2002-4/52
	24585	R746-349	5YR	03/13/2002	2002-7/49
	24645	R746-351	5YR	03/27/2002	2002-8/152
telecommuting					
Human Resource Management, Administration	24852	R477-8	AMD	07/05/2002	2002-11/81
telephone utility regulations					
Public Service Commission, Administration	24437	R746-348	5YR	01/30/2002	2002-4/52
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Commerce, Consumer Protection	24899	R152-26	5YR	06/03/2002	2002-13/127
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Health, Epidemiology and Laboratory Services, Environmental Services	24356	R392-400	AMD	04/11/2002	2002-2/11
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Natural Resources, Wildlife Resources	24922	R657-30	5YR	06/05/2002	2002-13/151
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Labor Commission, Antidiscrimination and Labor, Fair Housing	24371	R608-1	5YR	01/10/2002	2002-3/124
Labor Commission, Antidiscrimination and Labor, Labor	24370	R610-1	5YR	01/10/2002	2002-3/125
	24373	R610-2	5YR	01/10/2002	2002-3/125
	24372	R610-3	5YR	01/10/2002	2002-3/126
Labor Commission, Industrial Accidents	24280	R612-1-11	AMD	01/15/2002	2001-24/9
	24389	R612-1-11	AMD	03/05/2002	2002-3/30
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Insurance, Administration	24050	R590-212	CPR	01/10/2002	2001-23/129
	24827	R590-212	AMD	07/12/2002	2002-11/106
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Tax Commission, Auditing	24735	R865-20T	5YR	04/17/2002	2002-10/89
towing					
Transportation, Motor Carrier	24335	R909-4	REP	03/06/2002	2002-2/37
	24287	R909-19	AMD	01/18/2002	2001-24/23
	24665	R909-19	AMD	05/21/2002	2002-8/120
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Transportation, Operations, Traffic and Safety	25021	R920-1	5YR	06/25/2002	2002-14/111
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Public Safety, Driver License	25123	R708-3	5YR	07/25/2002	2002-16/61

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	24854	R477-10	AMD	07/05/2002	2002-11/91
	25039	R982-601	5YR	06/27/2002	2002-14/113
transportation					
Administrative Services, Finance	24843	R25-7	AMD	07/02/2002	2002-11/14
Transportation, Administration	24312	R907-1	AMD	02/02/2002	2002-1/14
	24313	R907-1	AMD	02/02/2002	2002-1/12
Transportation, Motor Carrier	24736	R909-75	AMD	06/25/2002	2002-10/51
Transportation, Program Development	24419	R926-5	5YR	01/21/2002	2002-4/56
	24420	R926-6	5YR	01/21/2002	2002-4/57
Transportation, Preconstruction, Right-of-Way Acquisition	24687	R933-5	NEW	06/04/2002	2002-9/59
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Environmental Quality, Air Quality	24591	R307-310	NEW	05/13/2002	2002-7/10
transportation corridor preservation revolving loan fund					
Transportation, Program Development	24420	R926-6	5YR	01/21/2002	2002-4/57
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Transportation, Program Development	24417	R926-2	5YR	01/21/2002	2002-4/55
	24420	R926-6	5YR	01/21/2002	2002-4/57
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Transportation, Program Development	24418	R926-3	5YR	01/21/2002	2002-4/56
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Transportation, Administration	24449	R907-60	5YR	02/01/2002	2002-4/53
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Transportation, Motor Carrier	24546	R909-1	5YR	03/06/2002	2002-7/51
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Natural Resources, Forestry, Fire and State Lands	24682	R652-130	5YR	04/02/2002	2002-9/78
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Tax Commission, Auditing	24685	R865-6F	5YR	04/03/2002	2002-9/79
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	24762	R865-6F-26	NSC	06/01/2002	Not Printed
	24770	R865-6F-27	NSC	06/01/2002	Not Printed
	24336	R865-6F-28	AMD	02/25/2002	2002-2/34
	24525	R865-6F-28	NSC	05/01/2002	Not Printed
	24772	R865-6F-28	NSC	06/01/2002	Not Printed
	24603	R865-6F-35	AMD	05/17/2002	2002-8/116
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Transportation, Motor Carrier	24546	R909-1	5YR	03/06/2002	2002-7/51

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	24287	R909-19	AMD	01/18/2002	2001-24/23
	24665	R909-19	AMD	05/21/2002	2002-8/120
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School and Institutional Trust Lands, Administration	25035	R850-30	5YR	06/27/2002	2002-14/107
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Education, Administration	24659	R277-477	AMD	05/17/2002	2002-8/89
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Health, Health Care Financing, Coverage and Reimbursement Policy	24864	R414-309	REP	07/02/2002	2002-11/48
Health, Health Care Financing, Medical Assistance Program	24496	R420-1	AMD	04/09/2002	2002-5/43
	24863	R420-1	AMD	07/02/2002	2002-11/51
	25086	R420-1	5YR	07/12/2002	2002-15/94
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Environmental Quality, Environmental Response and Remediation	24548	R311-200	5YR	03/06/2002	2002-7/36
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	24550	R311-202	5YR	03/06/2002	2002-7/37
	24551	R311-203	5YR	03/06/2002	2002-7/38
	24552	R311-204	5YR	03/06/2002	2002-7/38
	24553	R311-205	5YR	03/06/2002	2002-7/39
	24554	R311-206	5YR	03/06/2002	2002-7/40
	24555	R311-207	5YR	03/06/2002	2002-7/41
	24556	R311-208	5YR	03/06/2002	2002-7/43
	24557	R311-209	5YR	03/06/2002	2002-7/42
	24558	R311-210	5YR	03/06/2002	2002-7/43
	24559	R311-211	5YR	03/06/2002	2002-7/43
	24560	R311-212	5YR	03/06/2002	2002-7/44
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Workforce Services, Administration	25039	R982-601	5YR	06/27/2002	2002-14/113
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Workforce Services, Workforce Information and Payment Services	24868	R994-102	5YR	05/23/2002	2002-12/29
	24869	R994-103	5YR	05/23/2002	2002-12/30
	24412	R994-103-304	NSC	04/01/2002	Not Printed
	24408	R994-204-404	NSC	04/01/2002	Not Printed
	24875	R994-303	5YR	05/23/2002	2002-12/31
	24413	R994-307-101	AMD	04/01/2002	2002-4/38
	24876	R994-401	5YR	05/23/2002	2002-12/32
	24871	R994-402	5YR	05/23/2002	2002-12/32
	25044	R994-403	5YR	06/27/2002	2002-14/113
	24411	R994-403-103f	NSC	04/01/2002	Not Printed
	24405	R994-403-117c	NSC	03/01/2002	Not Printed

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	25046	R994-405	5YR	06/27/2002	2002-14/114
	24870	R994-406	5YR	05/23/2002	2002-12/33
	24410	R994-508-501	NSC	04/01/2002	Not Printed
	24409	R994-508-602	NSC	04/01/2002	Not Printed
unemployment insurance					
Workforce Services, Workforce Information and Payment Services	24874	R994-104	5YR	05/23/2002	2002-12/30
	24873	R994-106	5YR	05/23/2002	2002-12/31
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Transportation, Preconstruction, Right-of-Way Acquisition	24687	R933-5	NEW	06/04/2002	2002-9/59
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Transportation, Preconstruction	24425	R930-6	5YR	01/22/2002	2002-4/59
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Human Resource Management, Administration	24851	R477-7	NEW	07/05/2002	2002-11/75
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Human Resource Management, Administration	24941	R477-8	5YR	06/11/2002	2002-13/143
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Administrative Services, Fleet Operations	24446	R27-8	NEW	04/08/2002	2002-4/7
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Administrative Services, Fleet Operations	24446	R27-8	NEW	04/08/2002	2002-4/7
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Environmental Quality, Radiation Control	24360	R313-35	5YR	01/02/2002	2002-3/124
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Commerce, Occupational and Professional Licensing	24718	R156-28	5YR	04/15/2002	2002-9/65
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Corrections, Administration	24825	R251-305	5YR	05/13/2002	2002-11/134
	24826	R251-305	AMD	07/08/2002	2002-11/28
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Labor Commission, Antidiscrimination and Labor, Labor	24370	R610-1	5YR	01/10/2002	2002-3/125
	24373	R610-2	5YR	01/10/2002	2002-3/125
	24372	R610-3	5YR	01/10/2002	2002-3/126
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Environmental Quality, Radiation Control	24759	R313-15-1001	AMD	07/23/2002	2002-10/21
Environmental Quality, Solid and Hazardous Waste	24703	R315-301-2	AMD	06/15/2002	2002-9/15
	24704	R315-302	AMD	06/15/2002	2002-9/20
	24706	R315-303	AMD	06/15/2002	2002-9/25
	24705	R315-304	5YR	04/11/2002	2002-9/70
	24707	R315-305	AMD	06/15/2002	2002-9/28
	24708	R315-308	AMD	06/15/2002	2002-9/30

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	24709	R315-310	AMD	06/15/2002	2002-9/33
	24710	R315-315	AMD	06/15/2002	2002-9/36
wastewater Environmental Quality, Water Quality	24804	R317-100	AMD	07/05/2002	2002-10/25
wastewater treatment Environmental Quality, Water Quality	24664	R317-10	AMD	07/05/2002	2002-8/92
water funding Natural Resources, Water Resources	24238	R653-2	AMD	01/16/2002	2001-23/84
	24303	R653-2-4	NSC	01/16/2002	Not Printed
	24334	R653-2-4	NSC	01/16/2002	Not Printed
water policy Natural Resources, Oil, Gas and Mining; Abandoned Mine Reclamation	24612	R643-879	5YR	03/25/2002	2002-8/142
water pollution Environmental Quality, Water Quality	24664	R317-10	AMD	07/05/2002	2002-8/92
water quality Environmental Quality, Water Quality	23986	R317-6	CPR	01/22/2002	2001-24/30
waterfowl Natural Resources, Wildlife Resources	24384	R657-9	AMD	03/05/2002	2002-3/85
weapons Human Services, Youth Corrections	24475	R547-2-14	AMD	04/30/2002	2002-5/50
	24476	R547-4-14	AMD	04/30/2002	2002-5/52
	24473	R547-14	NEW	04/30/2002	2002-5/54
welfare fraud Human Services, Recovery Services	24359	R527-200	AMD	03/05/2002	2002-3/20
	24600	R527-200-6	AMD	05/16/2002	2002-8/100
wildland fire fund Natural Resources, Forestry, Fire and State Lands	24168	R652-121	AMD	01/04/2002	2001-22/82
wildlife Natural Resources, Wildlife Resources	24841	R657-2	5YR	05/15/2002	2002-11/137
	24839	R657-2	AMD	07/03/2002	2002-11/108
	24394	R657-3	CPR	04/16/2002	2002-6/73
	24394	R657-3	R&R	04/16/2002	2002-3/31
	24960	R657-4	5YR	06/13/2002	2002-13/150
	24382	R657-5	AMD	03/05/2002	2002-3/62
	24838	R657-5	AMD	07/03/2002	2002-11/113
	24383	R657-6	AMD	03/05/2002	2002-3/77
	24961	R657-6	5YR	06/13/2002	2002-13/150
	24384	R657-9	AMD	03/05/2002	2002-3/85
	24385	R657-10	AMD	03/05/2002	2002-3/91
	24386	R657-11	AMD	03/05/2002	2002-3/96
	24387	R657-12	AMD	03/05/2002	2002-3/100

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	25006	R657-18	5YR	06/20/2002	2002-14/101
	24531	R657-20	5YR	03/01/2002	2002-6/83
	24532	R657-20	AMD	04/16/2002	2002-6/43
	24910	R657-22	5YR	06/03/2002	2002-13/151
	24699	R657-27	5YR	04/10/2002	2002-9/78
	24714	R657-27	AMD	06/03/2002	2002-9/55
	25005	R657-28	5YR	06/20/2002	2002-14/102
	24922	R657-30	5YR	06/05/2002	2002-13/151
	25047	R657-32	NSC	06/06/2002	Not Printed
	24342	R657-33	AMD	02/26/2002	2002-2/23
	24289	R657-38	AMD	01/15/2002	2001-24/17
	24836	R657-42	AMD	07/03/2002	2002-11/117
	24535	R657-43	5YR	03/01/2002	2002-6/84
	25070	R657-44	5YR	07/03/2002	2002-15/97
	24388	R657-46	AMD	03/05/2002	2002-3/110
	24344	R657-49	AMD	02/26/2002	2002-2/29
	24534	R657-50	NEW	04/16/2002	2002-6/51
	24343	R657-51	NEW	02/26/2002	2002-2/31
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Natural Resources, Wildlife Resources	24289	R657-38	AMD	01/15/2002	2001-24/17
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Natural Resources, Wildlife Resources	24386	R657-11	AMD	03/05/2002	2002-3/96
	24387	R657-12	AMD	03/05/2002	2002-3/100
	24067	R657-13	AMD	01/02/2002	2001-20/35
	24910	R657-22	5YR	06/03/2002	2002-13/151
	24699	R657-27	5YR	04/10/2002	2002-9/78
	24714	R657-27	AMD	06/03/2002	2002-9/55
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Natural Resources, Wildlife Resources	24343	R657-51	NEW	02/26/2002	2002-2/31
withholding tax					
Tax Commission, Auditing	24590	R865-14W	5YR	03/15/2002	2002-7/50
	24730	R865-14W	5YR	04/16/2002	2002-10/88
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Health, Community and Family Health Services, WIC Services	24777	R406-100	5YR	04/30/2002	2002-10/71
	24779	R406-200	5YR	04/30/2002	2002-10/71
	24781	R406-201	5YR	04/30/2002	2002-10/72
	24788	R406-202	5YR	05/01/2002	2002-10/72
	24789	R406-301	5YR	05/01/2002	2002-10/73
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Natural Resources, Wildlife Resources	25006	R657-18	5YR	06/20/2002	2002-14/101
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Education, Administration	24524	R277-916	AMD	04/23/2002	2002-6/25

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	24389	R612-1-11	AMD	03/05/2002	2002-3/30
	24733	R612-2-5	AMD	06/18/2002	2002-10/49
	24915	R612-2-20	AMD	08/01/2002	2002-13/104
	24283	R612-4-2	AMD	01/15/2002	2001-24/10
	24296	R612-7-3	AMD	01/15/2002	2001-24/10
Workforce Services, Workforce Information and Payment Services	24872	R994-404	5YR	05/23/2002	2002-12/33
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Workforce Services, Employment Development	24799	R986-600	AMD	07/01/2002	2002-10/57
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Workforce Services, Employment Development	24239	R986-400	AMD	02/01/2002	2001-23/116
	24798	R986-400	AMD	07/01/2002	2002-10/55
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Environmental Quality, Radiation Control	24360	R313-35	5YR	01/02/2002	2002-3/124
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Human Services, Child and Family Services	24684	R512-10	5YR	04/02/2002	2002-9/71
zoological animals					
Natural Resources, Wildlife Resources	24394	R657-3	CPR	04/16/2002	2002-6/73
	24394	R657-3	R&R	04/16/2002	2002-3/31